

BILL ANALYSIS

H.B. 4446
By: Landgraf
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Peace officers in the Permian Basin have voiced their concern and frustration with the regulation of game rooms, as some game rooms have opened the door to various illegal activities such as gambling, drug use and distribution, and trafficking. H.B. 4446 seeks to assist peace officers in their efforts to enforce the law by establishing application requirements for owners, operators, and employees of game rooms in a county that requires such a person to obtain a license or permit.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4446 amends the Local Government Code to authorize a county to require a person employed by a game room in the county to obtain or periodically renew a license or permit as a condition of that employment. The bill sets out provisions that do the following with respect to a county that requires such an employee to obtain a license or permit:

- requires the county to require the person to submit a completed application for issuance or renewal of the license or permit and a \$50 application fee as required by the county;
- sets out the information that the application form developed by the county must require the applicant to provide, including the person's fingerprints, criminal history, and consent for a criminal history record information check;
- requires the county to send a copy of the fingerprints to the Department of Public Safety (DPS) to allow DPS to create a permanent record of the fingerprints in the criminal justice information system; and
- prohibits the county from issuing or renewing a license or permit for an applicant who has been previously convicted of a Class B misdemeanor or higher criminal offense.

The bill requires a county in which a person is required to obtain a license or permit to own or operate a game room to require the person to submit a completed application for issuance or renewal of the license or permit and a \$1,000 application fee as required by the county. The bill sets out the information that the application form developed by the county must require the applicant to provide, including the applicant's fingerprints and the applicant's consent for a criminal history record information check.

H.B. 4446 applies only to a license or permit issued or renewed on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.