H.B. No. 4446

AN ACT

relating to certain licensing and permitting requirements for game rooms; authorizing an occupational permit or license; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 234.134, Local Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  A county may require that an owner or operator of a game room obtain a license or permit or renew a license or permit on a periodic basis to own or operate a game room in the county. An application for a license or permit must be made in accordance with Section 234.1341 and with regulations adopted by the county.

(a-1)  A county may require that a person employed by a game room, other than an owner or operator, obtain a license or permit or renew a license or permit on a periodic basis to be employed by a game room in the county. An application for a license or permit must be made in accordance with Section 234.1342 and with regulations adopted by the county.

SECTION 2.  Subchapter E, Chapter 234, Local Government Code, is amended by adding Sections 234.1341 and 234.1342 to read as follows:

Sec. 234.1341.  APPLICATION FOR OWNER OR OPERATOR LICENSE OR PERMIT. (a) A county requiring a person to obtain a license or permit to own or operate a game room in the county shall require the person to submit a completed application as provided by this section for issuance or renewal of the license or permit and an application fee of $1,000 as required by the county.

(b)  An application form developed by the county under this section must require the applicant to provide the following information:

(1)  the name of the business, including a copy of the assumed name certificate;

(2)  the legal name, social security number, date of birth, and other relevant information concerning each person who owns at least five percent of the business or serves in a management role for the business;

(3)  the name and contact information of the owner of the property where the game room is located;

(4)  information concerning any other game room previously or currently operated by the applicant;

(5)  the applicant's fingerprints;

(6)  a copy of the applicant's valid state-issued driver's license or personal identification card and social security card; and

(7)  the applicant's consent for a criminal history record information check of the applicant.

Sec. 234.1342.  APPLICATION FOR EMPLOYEE LICENSE OR PERMIT. (a) A county requiring a person to obtain a license or permit to be employed by a game room in the county shall require the person to submit a completed application as provided by this section for issuance or renewal of the license or permit and an application fee of $50 as required by the county.

(b)  An application form developed by the county under this section must require the applicant to provide the following information:

(1)  the person's legal name, social security number, date of birth, and other relevant information;

(2)  the person's criminal history;

(3)  the applicant's fingerprints;

(4)  a copy of the applicant's valid state-issued driver's license or personal identification card and social security card;

(5)  a recent photograph of the applicant's face and a recent photograph of the applicant's full body; and

(6)  the applicant's consent for a criminal history record information check of the applicant.

(c)  A county may not issue or renew a license or permit for an applicant who has been previously convicted of a Class B misdemeanor or higher criminal offense.

(d)  A county shall send a copy of fingerprints obtained under this section to the Department of Public Safety to allow the department to create a permanent record of the fingerprints in the criminal justice information system.

SECTION 3.  The changes in law made by this Act apply to a license or permit issued or renewed on or after the effective date of this Act.

SECTION 4.  This Act takes effect September 1, 2023.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

    President of the Senate Speaker of the House

I certify that H.B. No. 4446 was passed by the House on May 5, 2023, by the following vote:  Yeas 124, Nays 22, 1 present, not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Clerk of the House

I certify that H.B. No. 4446 was passed by the Senate on May 19, 2023, by the following vote:  Yeas 27, Nays 4.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

           \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                  Governor