

SENATE AMENDMENTS

2nd Printing

By: Kacal, Bailes

H.B. No. 2138

A BILL TO BE ENTITLED

AN ACT

relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.

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

SECTION 1. Section 2002.054, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The organization may not:

(1) directly or indirectly, by the use of paid advertising, promote a raffle through a medium of mass communication, including television, radio, or newspaper;

(2) promote or advertise a raffle statewide, other than on the organization's Internet website or through a publication or solicitation, including a newsletter, social media, or electronic mail, provided only to previously identified supporters of the organization; or

(3) sell or offer to sell tickets for a raffle statewide, except as provided by Subsection (a-1).

(a-1) A nonprofit wildlife conservation association, including each local chapter, affiliate, wildlife cooperative, or unit, that for purposes of this chapter is a qualified nonprofit organization eligible under Section 2002.003(e), may use the organization's Internet website to sell or offer to sell tickets for a raffle to previously identified supporters of the

1 organization.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2023.

ADOPTED

MAY 18 2023

FLOOR AMENDMENT NO. 1

BY: *Latey Spaw*
Secretary of the Senate

Paul Bellan-court

Amend H.B. No. 2138 (senate committee report) in SECTION 1 of the bill, in added Section 2002.054(a-1), Occupations Code (page 1, line 44), immediately following the underlined period, by adding the following:

This subsection does not authorize the use of an Internet website to:

(1) provide a graphic or dynamic animation of an entry to a raffle; or

(2) provide a graphic or dynamic animation of the drawing of raffle tickets.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 24, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2138 by Kacal (Relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, CMA, SMAT, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 10, 2023

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2138 by Kacal (Relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SMAT, SZ, CMA

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 13, 2023

TO: Honorable Ken King, Chair, House Committee on Licensing & Administrative Procedures

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2138 by Kacal (Relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, CMA