

House Bill 2138
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 organization.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If

SENATE VERSION (IE)

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;
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- (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 organization. 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. [FA1]

SECTION 2. Same as House version.

CONFERENCE

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HOUSE VERSION

this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

SENATE VERSION (IE)

CONFERENCE