By: Shaheen H.B. No. 4132

A BILL TO BE ENTITLED

AN ACT

relating to the definition of a bet for gambling criminal offenses purposes.

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

SECTION 1. Section 47.01, Penal Code, is amended by amending Subdivision (1) and adding Subdivision (7-a) to read as follows:

(1) "Bet" means an agreement to win or lose something of value solely or partially by chance. A bet includes an offer to win a prize, award, or compensation to participants of a paid fantasy sports league. A bet does not include:

(A) contracts of indemnity or guaranty, or life, health, property, or accident insurance;

(B) an offer of a prize, award, or compensation to the actual contestants in a bona fide contest for the determination of skill, speed, strength, or endurance or to the owners of animals, vehicles, watercraft, or aircraft entered in a contest; or

(C) an offer of merchandise, with a value not greater than $25, made by the proprietor of a bona fide carnival contest conducted at a carnival sponsored by a nonprofit religious, fraternal, school, law enforcement, youth, agricultural, or civic group, including any nonprofit agricultural or civic group incorporated by the state before 1955, if the person to receive the

merchandise from the proprietor is the person who performs the carnival contest.

(7-a) "Paid fantasy sports league" means a contest in which:

(A) the value of any prize, award, or compensation is established in advance of the beginning of the contest or of a sporting event on which the contest is based;

(B) participants:

(i) pay a fee to participate in the contest; and

(ii) assemble a fictional sports team composed of actual professional or amateur athletes to compete against fictional sports teams assembled by other participants for the chance to win a prize, award, or compensation;

(C) any part of the contest's outcome is determined by the actual weekly performances in sporting events of the individual athletes on a participant's fictional sports team; and

(D) a portion of the fees collected from participants is retained by the person who offers the contest and is not paid to participants as a prize, award, or compensation.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the

effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2025.