

1-1 By: Middleton S.B. No. 517
 1-2 (In the Senate - Filed December 2, 2024; February 3, 2025,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 14, 2025, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 14, 2025,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			
1-18			X	
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 517 By: Middleton

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to gambling criminal offenses and a defense to prosecution
 1-24 for a gambling offense; increasing criminal penalties.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 47.01, Penal Code, is amended by adding
 1-27 Subdivision (2-a) and amending Subdivisions (4) and (9) to read as
 1-28 follows:

1-29 (2-a) "Device" includes all or part of an electronic,
 1-30 electromechanical, or mechanical contrivance, machine, or
 1-31 apparatus.

1-32 (4) "Gambling device" means any device ~~[electronic,~~
 1-33 ~~electromechanical, or mechanical contrivance not excluded under~~
 1-34 ~~Paragraph (B)]~~ that for ~~[a]~~ consideration affords the player or
 1-35 user of the device an opportunity to obtain any thing ~~[anything]~~ of
 1-36 value, the award of which is determined solely or partially by
 1-37 chance, even though accompanied by some skill, whether or not the
 1-38 prize is automatically paid by the contrivance. The term~~+~~

1-39 ~~[(A)]~~ includes a ~~[, but is not limited to,]~~
 1-40 gambling device version ~~[versions]~~ of bingo, keno, blackjack,
 1-41 lottery, roulette, video poker, or similar electronic,
 1-42 electromechanical, or mechanical games, or a facsimile of any of
 1-43 those or similar games ~~[facsimiles thereof]~~, that operates solely
 1-44 or partially ~~[operate]~~ by chance ~~[or partially so, that as a result~~
 1-45 ~~of the play or operation of the game award credits or free games,~~
 1-46 ~~and that record the number of free games or credits so awarded and~~
 1-47 ~~the cancellation or removal of the free games or credits; and~~

1-48 ~~[(B) does not include any electronic,~~
 1-49 ~~electromechanical, or mechanical contrivance designed, made, and~~
 1-50 ~~adapted solely for bona fide amusement purposes if the contrivance~~
 1-51 ~~rewards the player exclusively with noncash merchandise prizes,~~
 1-52 ~~toys, or novelties, or a representation of value redeemable for~~
 1-53 ~~those items, that have a wholesale value available from a single~~
 1-54 ~~play of the game or device of not more than 10 times the amount~~
 1-55 ~~charged to play the game or device once or \$5, whichever is less].~~

1-56 (9) "Thing of value" means any property, money, right,
 1-57 privilege, or other benefit, including a gift card or any other
 1-58 representation of value redeemable for any property, money, right,
 1-59 privilege, or other benefit ~~[but does not include an unrecorded and~~
 1-60 ~~immediate right of replay not exchangeable for value].~~

2-1 SECTION 2. Section 47.03(b), Penal Code, is amended to read
2-2 as follows:

2-3 (b) An offense under this section is a felony of the third
2-4 degree [~~Class A misdemeanor~~].

2-5 SECTION 3. Section 47.04(c), Penal Code, is amended to read
2-6 as follows:

2-7 (c) An offense under this section is a felony of the third
2-8 degree [~~Class A misdemeanor~~].

2-9 SECTION 4. Section 47.05(c), Penal Code, is amended to read
2-10 as follows:

2-11 (c) An offense under this section is a felony of the third
2-12 degree [~~Class A misdemeanor~~].

2-13 SECTION 5. Section 47.06(e), Penal Code, is amended to read
2-14 as follows:

2-15 (e) An offense under this section is a felony of the third
2-16 degree [~~Class A misdemeanor~~].

2-17 SECTION 6. Section 47.02(e), Penal Code, is repealed.

2-18 SECTION 7. (a) The changes in law made by this Act apply
2-19 only to an offense committed on or after the effective date of this
2-20 Act. For purposes of this section, an offense is committed before
2-21 the effective date of this Act if any element of the offense occurs
2-22 before that date.

2-23 (b) An offense committed before the effective date of this
2-24 Act is covered by the law in effect when the offense was committed,
2-25 and the former law is continued in effect for that purpose.

2-26 SECTION 8. This Act takes effect September 1, 2025.

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