

BILL ANALYSIS

C.S.H.B. 2168
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been reported that charitable foundations of professional sports teams have seen significant drops in donations from charitable raffles during the COVID-19 pandemic. While fans still express their desire to contribute to the raffles, current laws requiring these raffles to be held in person are preventing many contributions during the pandemic. Some have called for legislation authorizing these charitable raffles to be conducted through the professional sports team's mobile app, website, or other online platform, which would encourage charitable donations from individuals within the state. C.S.H.B. 2168 seeks to address this issue by providing for the online sale of raffle tickets by charitable foundations of professional sports teams.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2168 amends the Occupations Code to authorize raffle tickets for a charitable raffle conducted by a professional sports team charitable foundation to be sold as follows:

- at the home venue of the professional sports team associated with the foundation conducting the raffle; and
- through digital interactive media, including a website of or mobile application provided by the professional sports team associated with the foundation conducting the raffle.

The bill restricts the sale of raffle tickets through digital interactive media to individuals physically located within Texas at the time of the transaction. The bill repeals the Class C misdemeanor offense for a person who accepts any form of payment other than U.S. currency or a debit card for the purchase of a ticket for such a charitable raffle.

C.S.H.B. 2168 repeals Sections 2004.002(1-a) and 2004.009(a), Occupations Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2168 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the bill's effective date from September 1, 2021, to on passage or September 1, 2021, if the bill does not receive the necessary vote for immediate effect