

BILL ANALYSIS

Senate Research Center
77R8097 GJH-F

H.B. 965
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Currently, the Texas Lottery Commission (commission) may deny, suspend, or revoke a license to sell lottery tickets under certain conditions, or if the applicant or sales agent has certain outstanding obligations to the state. Current law requires the director of the lottery division of the commission (director) to deduct the amount of delinquent or outstanding obligations to the state from a sales agent's compensation, but does not allow the commission to deny, revoke, or suspend a license for certain unpaid or delinquent obligations. H.B. 965 requires the director to deny a license application and suspend or revoke a license of a lottery sales agent who is delinquent in the payment of certain taxes or student loans.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Lottery Commission in SECTION 1 (Section 466.155, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 466.155, Government Code, by amending Subsection (a) and adding Subsection (g), as follows:

(a) Requires the director of the lottery division (director) established by the Texas Lottery Commission (commission) under Chapter 467, after a hearing, to deny an application for a license or requires the commission, after a hearing, to suspend or revoke a license if the director or commission, as applicable, makes certain findings. Deletes text regarding an applicant or sales agent being currently delinquent in the payment of any state tax. Deletes text regarding the Bingo Enabling Act (Article 179d, V.T.C.S.)

(g) Requires certain entities, for purposes of Subsection (a)(3), to each provide the executive director with a certain report. Requires the commission to adopt rules regarding the form and frequency of reports under this subsection.

SECTION 2. Amends Section 232.002, Family Code, to provide that the Texas Lottery Commission under Chapter 466 (State Lottery), Government Code, is one of the licensing authorities subject to this chapter. Makes nonsubstantive changes.

SECTION 3. Amends Chapter 232, Family Code, by adding Section 232.0021, as follows:

Sec. 232.0021. APPLICATION OF CHAPTER TO TEXAS LOTTERY COMMISSION. Provides that, with respect to the Texas Lottery Commission, this chapter applies only to a lottery ticket sales agent license issued under Chapter 466, Government Code.

SECTION 4. Repealers: Sections 466.358(c), (d), and (e) (regarding Compensation of Sales Agent), Government Code.

SECTION 5. (a) Provides that, in accordance with Section 311.031(c) (regarding Saving Provisions), Government Code, which gives effect to a substantive amendment enacted by the same legislature that codifies the amended statute, the text of Section 232.002 (Licensing Authorities Subject to Chapter), Family Code, as set out in this Act, gives effect to changes made by Section 5, Chapter 974, Section 4, Chapter 1254, and Section 23, Chapter 1477, Acts of the 76th Legislature, Regular Session, 1999.

(b) Provides that, to the extent of any conflict, this Act prevails over another Act of the 77th Legislature, Regular Session, 2001, relating to nonsubstantive additions and corrections in enacted codes.

SECTION 6. Effective date: September 1, 2001.