

BILL ANALYSIS

Senate Research Center

H.B. 1955
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Due to inconsistent provisions in the current language of the State Lottery Act, there are instances in which businesses may be willing to allow sales of lottery products on their premises, but are unwilling to provide sales support or to service lottery kiosks. There are other instances in which there is no centralized operating entity but floor space is available for kiosks or other lottery sales presence.

H.B. 1955 authorizes the Texas Lottery Commission to contract with or license a lottery operator to sell lottery tickets and service the kiosks and self-service devices in these locations.

H.B. 1955 amends current law relating to contracting with a lottery operator by the Texas Lottery Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 466.014, Government Code, to read as follows:

Sec. 466.014. POWERS AND DUTIES OF COMMISSION AND EXECUTIVE DIRECTOR; LOTTERY OPERATOR.

SECTION 2. Amends Section 466.014, Government Code, by amending Subsection (b) and adding Subsections (d) and (e), as follows:

(b) Authorizes the executive director of the Texas Lottery Commission (executive director; TLC) to contract with or employ a person to perform a function, activity, or service in connection with the operation of the lottery as prescribed by the executive director. Requires a person with whom the executive director contracts to operate a lottery to be eligible for a sales agent license under Section 466.155 (Denial of Application or Suspension or Revocation of License), except that when applying Section 466.155(a)(2)(A) (requiring the director of the lottery division (director), after a hearing, to deny an application for a license or TLC to suspend or revoke a license if the director or TLC, as applicable finds that the applicant is not an individual, and an individual described in Subdivision (1) is an officer or director of the applicant or sales agent) to the lottery operator, Section 466.155(a)(1)(D)(ii) (requiring the director, after a hearing, to deny an application for a license or TLC to suspend or revoke a license if the director or TLC, as applicable, finds that the applicant or sales agent is an individual who is an officer or employee of a lottery operator) does not apply.

(d) Authorizes the executive director, notwithstanding any other law, to contract with a lottery operator to act as a sales retailer or license a lottery operator as a sales agent under terms, conditions, and rates and at locations approved by the executive director.

(e) Provides that this section does not authorize a lottery operator to sell a lottery ticket through the Internet.

SECTION 3. Amends Section 466.155(a), Government Code, to make nonsubstantive changes.

SECTION 4. Effective date: September 1, 2011.