

BILL ANALYSIS

Senate Research Center

H.J.R. 100
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 84th Legislature in 2015 unanimously passed H.B. 975 and voters approved H.J.R. 73, which together permitted certain professional sports team charitable foundations existing on January 1, 2016, to conduct charitable raffles at home games under certain circumstances. This legislation created the Professional Sports Team Charitable Foundation Raffle Enabling Act.

H.J.R. 100, 85th Legislature, 2017, accompanies H.B. 3125, which defines qualifying "professional sports team charitable foundations" to include minor league charitable foundations. These charitable foundations conduct raffles to fund programs aimed at disadvantaged youth. They provide scholarships to financially eligible families so kids can participate in community youth basketball leagues, programs, trainings and tournaments. All qualifying sports team charitable foundations are approved by the IRS as 501(c)(3) nonprofit organizations.

H.B. 3125 narrowly includes Texas sports team charitable foundations that were not included in the original definition of the legislation passed last session. Most of these minor league charitable foundations are in suburban and rural areas that serve different constituencies and their needs.

H.B. 3125 adds the following entities to the definition of "professional sports team" under the Professional Sports Team Charitable Foundation Raffle Enabling Act:

- American Hockey League
- East Coast Hockey League
- American Association of Independent Professional Baseball
- Atlantic League of Professional Baseball
- Minor League Baseball
- National Basketball Association Development League
- National Women's Soccer League
- Major Arena Soccer League
- United Soccer League
- A person hosting a motorsports racing team event sanctioned by a nationally recognized racing association at a venue in Texas with seating for at least 75,000 attendees.

H.B. 3125 also makes a debit card an acceptable form of payment for purchasing a raffle ticket for a charitable raffle conducted under the act.

H.B. 3125 takes effect September 1, 2017, but only if the constitutional amendment authorizing additional professional sports team charitable foundations to conduct charitable raffles at

additional venues is approved by voters. If that amendment, contained in H.J.R. 100, is not approved by voters, H.B. 3125 will have no effect.

H.J.R. 100 proposes a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

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 Section 47(d-1), Article III, Texas Constitution, as follows:

(d-1) Provides that a law enacted under this subsection applies, rather than is authorized to apply, only to an entity defined as a professional sports team charitable foundation under that law, rather than on January 1, 2016, and is authorized to only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation. Provides that "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event; or

(4) any other professional sports team defined by law.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2017. Sets forth the required language of the ballot.