

BILL ANALYSIS

Senate Research Center
78R9663 YDB-D

H.B. 1813
By: McReynolds (Staples)
State Affairs
5/14/2003
Engrossed

DIGEST AND PURPOSE

Under current law, in order to conduct a raffle, an organization must be qualified as nonprofit and abide by specified restrictions on sales. The Occupations Code, which governs raffles, neglects to require authorized organizations to set a date to conduct the raffle and award the prize or prizes.

H.B. 1813 requires that raffles be conducted on a date certain that is printed on the tickets. If the qualified organization is unable to award a prize or prizes on the printed date, it is given an additional 30 days in which to choose the winning ticket(s) and award the prize(s). After the 30 day extension, the organization must refund or offer to refund the amount paid by each person who purchased a ticket.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2002.052, Occupations Code, by adding Subsections (d), (e), and (f), as follows:

- (d) Requires a qualified organization, before selling or offering to sell tickets for a raffle, to set a date on which the organization will award the prize or prizes in a raffle. Requires the organization to award the prize or prizes on that date unless the organization becomes unable to award the prize or prizes on that date.
- (e) Authorizes a qualified organization that is unable to award a prize or prizes on the date set under Subsection (d) to set another date not later than 30 days from the date originally set on which the organization will award the prize or prizes.
- (f) Requires the organization, if the prize or prizes are not awarded within the 30 days as required by Subsection (e), to refund or offer to refund the amount paid by each person who purchased a ticket for the raffle.

SECTION 2. Amends Section 2002.055, Occupations Code, to add a new Subdivision (5) requiring the date on which the raffle prize or prizes will be awarded to be printed on each raffle ticket sold or offered for sale.

SECTION 3. Effective date: September 1, 2003.
Makes application of this Act prospective.