

BILL ANALYSIS

Senate Research Center

H.J.R. 73
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Natural Resources & Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Charitable Raffle Enabling Act authorizes a qualified nonprofit organization to conduct charitable raffles in which prizes other than money are offered or awarded, with all of the proceeds from the sale of raffle tickets being allocated for use for the organization's charitable purposes, but interested parties note that a number of states authorize charitable raffles that award to a raffle winner selected by random draw a cash prize of not more than 50 percent of the gross proceeds collected from the sale of raffle tickets. The parties contend that Texas needs to authorize these "50/50" charitable raffles so that a charitable foundation that is associated with a professional sports team can highlight its philanthropic activities, bring awareness to community needs, and encourage sports fans to contribute to worthy causes. H.J.R. 73 proposes a constitutional amendment relating to such a charitable raffle.

H.J.R. 73 proposes a constitutional amendment authorizing the legislature to permit professional sports team charitable foundations to conduct 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, Article III, Texas Constitution, by amending Subsection (a) and adding Subsection (d-1), as follows:

(a) Adds Subsection (d-1) to the subsections excepted from laws passed by the legislature prohibiting lotteries and gift enterprises in this State.

(d-1) Authorizes the legislature by general law to permit a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. Provides that the law may authorize the charitable foundation to pay with the raffle proceeds reasonable advertising, promotional, and administrative expenses. Provides that a law enacted under this subsection may apply only to an entity that is defined as a professional sports team charitable foundation on January 1, 2016, and may 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.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 3, 2015. Sets forth the required language of the ballot.