

Chapter 141

H.B. No. 1555

1 AN ACT

2 relating to the sale of lottery tickets by certain wine and beer
3 retailers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 466.155(a), Government Code, is amended
6 to read as follows:

7 (a) After a hearing, the director shall deny an application
8 for a license or the commission shall suspend or revoke a license if
9 the director or commission, as applicable, finds that the applicant
10 or sales agent:

11 (1) is an individual who:

12 (A) has been convicted of a felony, criminal
13 fraud, gambling or a gambling-related offense, or a misdemeanor
14 involving moral turpitude, if less than 10 years has elapsed since
15 the termination of the sentence, parole, mandatory supervision, or
16 probation served for the offense;

17 (B) is or has been a professional gambler;

18 (C) is married to an individual:

19 (i) described in Paragraph (A) or (B); or

20 (ii) who is currently delinquent in the
21 payment of any state tax;

22 (D) is an officer or employee of the commission
23 or a lottery operator; or

24 (E) is a spouse, child, brother, sister, or

1 parent residing as a member of the same household in the principal
2 place of residence of a person described by Paragraph (D);

3 (2) is not an individual, and an individual described
4 in Subdivision (1):

5 (A) is an officer or director of the applicant or
6 sales agent;

7 (B) holds more than 10 percent of the stock in the
8 applicant or sales agent;

9 (C) holds an equitable interest greater than 10
10 percent in the applicant or sales agent;

11 (D) is a creditor of the applicant or sales agent
12 who holds more than 10 percent of the applicant's or sales agent's
13 outstanding debt;

14 (E) is the owner or lessee of a business that the
15 applicant or sales agent conducts or through which the applicant
16 will conduct a ticket sales agency;

17 (F) shares or will share in the profits, other
18 than stock dividends, of the applicant or sales agent; or

19 (G) participates in managing the affairs of the
20 applicant or sales agent;

21 (3) has been finally determined to be:

22 (A) delinquent in the payment of a tax or other
23 money collected by the comptroller, the Texas Workforce Commission,
24 or the Texas Alcoholic Beverage Commission;

25 (B) in default on a loan made under Chapter 52,
26 Education Code; or

27 (C) in default on a loan guaranteed under Chapter

1 57, Education Code;

2 (4) is a person whose location for the sales agency is:

3 (A) a location licensed for games of bingo under
4 Chapter 2001, Occupations Code;

5 (B) on land that is owned by:

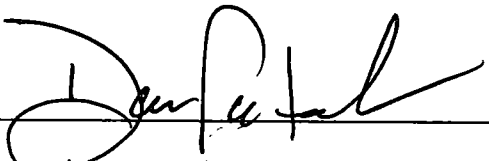
6 (i) this state; or

7 (ii) a political subdivision of this state
8 and on which is located a public primary or secondary school, an
9 institution of higher education, or an agency of the state; or

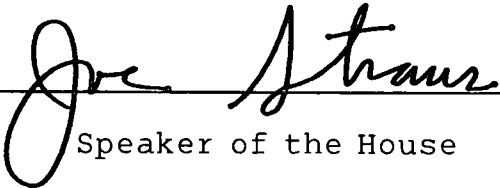
10 (C) a location for which a person holds a wine and
11 beer retailer's permit, mixed beverage permit, mixed beverage late
12 hours permit, private club registration permit, or private club
13 late hours permit issued under Chapter 25, 28, 29, 32, or 33,
14 Alcoholic Beverage Code, other than a location for which a person
15 holds a wine and beer retailer's permit issued under Chapter 25,
16 Alcoholic Beverage Code, that derives less than 30 percent of the
17 location's gross receipts from the sale or service of alcoholic
18 beverages; or

19 (5) has violated this chapter or a rule adopted under
20 this chapter.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2017.

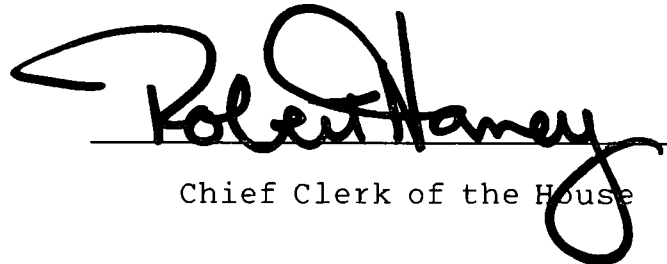


President of the Senate



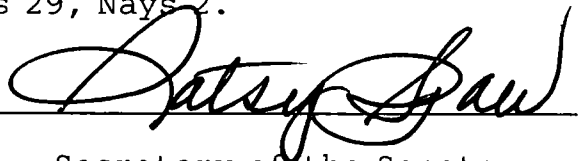
Speaker of the House

I certify that H.B. No. 1555 was passed by the House on April 20, 2017, by the following vote: Yeas 105, Nays 36, 1 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 1555 was passed by the Senate on May 12, 2017, by the following vote: Yeas 29, Nays 2.

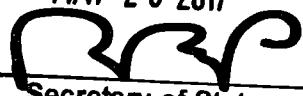


Secretary of the Senate

APPROVED: 5-25-2017
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7PM O'CLOCK
MAY 26 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 4, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1555 by Kuempel (Relating to the sale of lottery tickets by certain wine and beer retailers.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the sale of lottery tickets by certain wine and beer retailers. Based on the analysis of the Texas Lottery Commission, the Alcoholic Beverage Commission, and the Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Comptroller of Public Accounts indicates that the provisions of the bill would have no significant impact on state revenues.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 362 Texas Lottery Commission, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, EH, AO, SD, LCO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION
Revision 1

April 13, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1555 by Kuempel (Relating to the sale of lottery tickets by certain wine and beer retailers.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the sale of lottery tickets by certain wine and beer retailers. Based on the analysis of the Texas Lottery Commission, the Alcoholic Beverage Commission, and the Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Comptroller of Public Accounts indicates that the provisions of the bill would have no significant impact on state revenues.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 362 Texas Lottery Commission, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, EH, AO, SD, LCO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 5, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1555** by Kuempel (Relating to the sale of lottery tickets by certain wine and beer retailers.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the sale of lottery tickets by certain wine and beer retailers. Based on the analysis of the Texas Lottery Commission, the Alcoholic Beverage Commission, and the Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Comptroller of Public Accounts indicates that the provisions of the bill would have no significant impact on state revenues.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 362 Texas Lottery Commission, 458 Alcoholic Beverage Commission

LBB Staff: UP, AO, CL, EH, LCO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION
Revision 1

April 12, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1555 by Kuempel (Relating to the sale of lottery tickets by certain wine and beer retailers.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the sale of lottery tickets by certain wine and beer retailers. Based on the analysis of the Texas Lottery Commission, the Alcoholic Beverage Commission, and the Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Comptroller of Public Accounts indicates that the provisions of the bill would have no significant impact on state revenues.

Local Government Impact

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LBB Staff: UP, CL, EH, AO, SD, LCO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 24, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1555 by Kuempel (Relating to the sale of lottery tickets by certain wine and beer retailers.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code relating to the sale of lottery tickets by certain wine and beer retailers. Based on the analysis of the Texas Lottery Commission, the Alcoholic Beverage Commission, and the Comptroller of Public Accounts, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The Comptroller of Public Accounts indicates that the provisions of the bill would have no significant impact on state revenues.

Local Government Impact

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Source Agencies: 304 Comptroller of Public Accounts, 362 Texas Lottery Commission, 458 Alcoholic Beverage Commission

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