

Chapter 101

S.B. No. 549

AN ACT

relating to refunds of certain bingo licensing and registration fees.

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

SECTION 1. Section 2001.103, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) On request, the commission shall refund to an authorized organization the \$25 temporary license fee submitted under Subsection (a) not later than the 30th day after the date the commission receives the request for the refund, if:

(1) the authorized organization does not use the temporary license to conduct bingo before the first anniversary of the date of the license's issuance; or

(2) the authorized organization requests withdrawal of the application before the temporary license is issued, except the commission may retain an amount not to exceed 50 percent of the license fee to defray any administrative cost incurred by the commission in processing the application.

SECTION 2. Section 2001.104, Occupations Code, is amended by adding Subsection (f) to read as follows:

(f) The commission shall refund the fee for an initial or renewal license to conduct bingo if the applicant requests withdrawal of the application before the license is issued or if the commission denies the application, except the commission may retain

S.B. No. 549

1 an amount not to exceed the lesser of 50 percent of the license fee
2 or \$150 to defray any administrative cost incurred by the
3 commission in processing the application. The commission shall
4 issue the refund not later than the 30th day after the date the
5 commission receives the withdrawal request or denies the
6 application.

7 SECTION 3. Section 2001.158, Occupations Code, is amended
8 by adding Subsection (e) to read as follows:

9 (e) The commission shall refund the fee for an initial or
10 renewal commercial lessor license if the applicant requests
11 withdrawal of the application before the license is issued or if the
12 commission denies the application, except the commission may retain
13 an amount not to exceed the lesser of 50 percent of the license fee
14 or \$150 to defray any administrative cost incurred by the
15 commission in processing the application. The commission shall
16 issue the refund not later than the 30th day after the date the
17 commission receives the withdrawal request or denies the
18 application.

19 SECTION 4. Section 2001.205, Occupations Code, is amended
20 by adding Subsection (c) to read as follows:

21 (c) The commission shall refund the fee for an initial or
22 renewal manufacturer's license if the applicant requests
23 withdrawal of the application before the license is issued or if the
24 commission denies the application, except the commission may retain
25 an amount not to exceed the lesser of 50 percent of the license fee
26 or \$150 to defray any administrative cost incurred by the
27 commission in processing the application. The commission shall

AMC
1/29
02

S.B. No. 549

1 issue the refund not later than the 30th day after the date the
2 commission receives the withdrawal request or denies the
3 application.

4 SECTION 5. Section 2001.209, Occupations Code, is amended
5 by adding Subsection (c) to read as follows:

6 (c) The commission shall refund the fee for an initial or
7 renewal distributor's license if the applicant requests withdrawal
8 of the application before the license is issued or if the commission
9 denies the application, except the commission may retain an amount
10 not to exceed the lesser of 50 percent of the license fee or \$150 to
11 defray any administrative cost incurred by the commission in
12 processing the application. The commission shall issue the refund
13 not later than the 30th day after the date the commission receives
14 the withdrawal request or denies the application.

15 SECTION 6. Section 2001.306, Occupations Code, is amended
16 by adding Subsection (f) to read as follows:

17 (f) The commission shall refund the fee for amending a
18 license issued under this chapter if the applicant requests
19 withdrawal of the amendment application before the amended license
20 is issued or if the commission denies the amendment application,
21 except the commission may retain an amount not to exceed 50 percent
22 of the amendment fee to defray any administrative cost incurred by
23 the commission in processing the amendment application. The
24 commission shall issue the refund not later than the 30th day after
25 the date the commission receives the withdrawal request or denies
26 the application.

27 SECTION 7. Section 2001.313, Occupations Code, is amended

Am
To
se

S.B. No. 549

1 by adding Subsection (b-3) to read as follows:

2 (b-3) The commission shall refund the fee submitted under
3 Subsection (b-2) for an initial or renewal registration application
4 if the applicant requests withdrawal of the application before the
5 applicant is listed on the registry or if the commission denies the
6 registration and listing, except the commission may retain an
7 amount not to exceed 50 percent of the registration fee to defray
8 any administrative cost incurred by the commission in processing
9 the application. The commission shall issue the refund not later
10 than the 30th day after the date the commission receives the
11 withdrawal request or denies the application.

12 SECTION 8. Section 2001.437, Occupations Code, is amended
13 by adding Subsection (i) to read as follows:

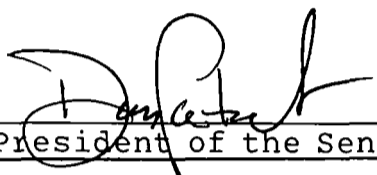
14 (i) The commission shall refund the fee for an initial or
15 renewal unit manager license if the applicant requests withdrawal
16 of the application before the license is issued or if the commission
17 denies the application, except the commission may retain an amount
18 not to exceed the lesser of 50 percent of the license fee or \$150 to
19 defray any administrative cost incurred by the commission in
20 processing the application. The commission shall issue the refund
21 not later than the 30th day after the date the commission receives
22 the withdrawal request or denies the application.

23 SECTION 9. Chapter 2001, Occupations Code, as amended by
24 this Act, applies only to an application and fee submitted under
25 that chapter on or after the effective date of this Act. An
26 application and fee submitted before the effective date of this Act
27 is governed by the law in effect on the date the application and fee


S.B. No. 549

1 are submitted and the former law is continued in effect for that
2 purpose.

3 SECTION 10. This Act takes effect January 1, 2018. _____



President of the Senate



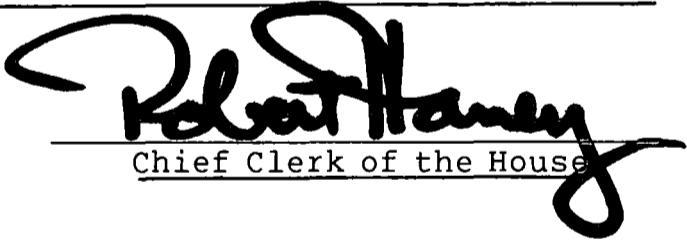
Speaker of the House

I hereby certify that S.B. No. 549 passed the Senate on April 19, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 16, 2017, by the following vote: Yeas 30, Nays 0. _____



Secretary of the Senate

I hereby certify that S.B. No. 549 passed the House, with amendment, on May 10, 2017, by the following vote: Yeas 139, Nays 0, one present not voting. _____

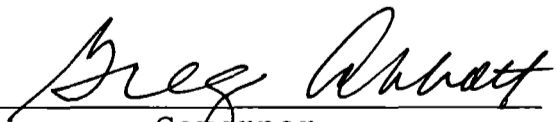


Chief Clerk of the House

Approved:

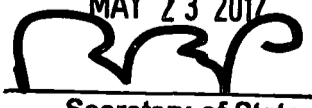
5-23-2017

Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:22 O'CLOCK

MAY 23 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 12, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB549 by Kolkhorst (Relating to refunds of certain bingo licensing and registration fees.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to refunds of certain bingo licensing and registration fees.

The bill would require the Texas Lottery Commission (TLC) to refund applicants for certain bingo licenses if the applicant does not use the license within one year of its issuance, requests a withdrawal of the application before the license is issued, or is denied licensure by TLC. The bill allows TLC to retain certain amounts, depending on the license type, to defray administrative costs.

The bill would take effect January 1, 2018.

Based on information provided by the Comptroller of Public Accounts (CPA) and TLC, it is estimated that provisions of the bill requiring refunds of licensing and registration fees could result in a revenue loss to General Revenue of approximately \$13,000 in fiscal year 2018 and \$20,000 each year thereafter.

Based on the analysis of TLC and the CPA, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 5, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB549 by Kolkhorst (Relating to refunds of certain bingo licensing and registration fees.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to refunds of certain bingo licensing and registration fees.

The bill would require the Texas Lottery Commission (TLC) to refund applicants for certain bingo licenses if the applicant does not use the license within one year of its issuance, requests a withdrawal of the application before the license is issued, or is denied licensure by TLC. The bill allows TLC to retain certain amounts, depending on the license type, to defray administrative costs.

Based on information provided by the Comptroller of Public Accounts (CPA) and TLC, it is estimated that provisions of the bill requiring refunds of licensing and registration fees could result in an annual revenue loss to General Revenue of \$20,000.

Based on the analysis of TLC and the CPA, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: ~ 304 Comptroller of Public Accounts, 362 Texas Lottery Commission

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

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION
Revision 1**

April 3, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB549 by Kolkhorst (Relating to refunds of certain bingo licensing and registration fees.),
As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to refunds of certain bingo licensing and registration fees.

The bill would require the Texas Lottery Commission (TLC) to refund applicants for certain bingo licenses if the applicant does not use the license within one year of its issuance, requests a withdrawal of the application before the license is issued, or is denied licensure by TLC. The bill allows TLC to retain certain amounts, depending on the license type, to defray administrative costs.

Based on information provided by the Comptroller of Public Accounts (CPA) and TLC, it is estimated that provisions of the bill requiring refunds of licensing and registration fees could result in an annual revenue loss to General Revenue of \$20,000.

Based on the analysis of TLC and the CPA, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

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