

1-1 By: Kuempel (Senate Sponsor - Seliger) H.B. No. 1555  
 1-2 (In the Senate - Received from the House April 24, 2017;  
 1-3 May 3, 2017, read first time and referred to Committee on Business  
 1-4 & Commerce; May 10, 2017, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 0; May 10, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Creighton	X			
1-9 Campbell	X			
1-10 Estes	X			
1-11 Nichols	X			
1-12 Schwertner			X	
1-13 Taylor of Galveston			X	
1-14 Whitmire	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the sale of lottery tickets by certain wine and beer  
 1-20 retailers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 466.155(a), Government Code, is amended  
 1-23 to read as follows:

1-24 (a) After a hearing, the director shall deny an application  
 1-25 for a license or the commission shall suspend or revoke a license if  
 1-26 the director or commission, as applicable, finds that the applicant  
 1-27 or sales agent:

1-28 (1) is an individual who:

1-29 (A) has been convicted of a felony, criminal  
 1-30 fraud, gambling or a gambling-related offense, or a misdemeanor  
 1-31 involving moral turpitude, if less than 10 years has elapsed since  
 1-32 the termination of the sentence, parole, mandatory supervision, or  
 1-33 probation served for the offense;

1-34 (B) is or has been a professional gambler;

1-35 (C) is married to an individual:

1-36 (i) described in Paragraph (A) or (B); or

1-37 (ii) who is currently delinquent in the  
 1-38 payment of any state tax;

1-39 (D) is an officer or employee of the commission  
 1-40 or a lottery operator; or

1-41 (E) is a spouse, child, brother, sister, or  
 1-42 parent residing as a member of the same household in the principal  
 1-43 place of residence of a person described by Paragraph (D);

1-44 (2) is not an individual, and an individual described  
 1-45 in Subdivision (1):

1-46 (A) is an officer or director of the applicant or  
 1-47 sales agent;

1-48 (B) holds more than 10 percent of the stock in the  
 1-49 applicant or sales agent;

1-50 (C) holds an equitable interest greater than 10  
 1-51 percent in the applicant or sales agent;

1-52 (D) is a creditor of the applicant or sales agent  
 1-53 who holds more than 10 percent of the applicant's or sales agent's  
 1-54 outstanding debt;

1-55 (E) is the owner or lessee of a business that the  
 1-56 applicant or sales agent conducts or through which the applicant  
 1-57 will conduct a ticket sales agency;

1-58 (F) shares or will share in the profits, other  
 1-59 than stock dividends, of the applicant or sales agent; or

1-60 (G) participates in managing the affairs of the  
 1-61 applicant or sales agent;

2-1                   (3) has been finally determined to be:

2-2                   (A) delinquent in the payment of a tax or other

2-3 money collected by the comptroller, the Texas Workforce Commission,

2-4 or the Texas Alcoholic Beverage Commission;

2-5                   (B) in default on a loan made under Chapter 52,

2-6 Education Code; or

2-7                   (C) in default on a loan guaranteed under Chapter

2-8 57, Education Code;

2-9                   (4) is a person whose location for the sales agency is:

2-10                   (A) a location licensed for games of bingo under

2-11 Chapter 2001, Occupations Code;

2-12                   (B) on land that is owned by:

2-13                   (i) this state; or

2-14                   (ii) a political subdivision of this state

2-15 and on which is located a public primary or secondary school, an

2-16 institution of higher education, or an agency of the state; or

2-17                   (C) a location for which a person holds a wine and

2-18 beer retailer's permit, mixed beverage permit, mixed beverage late

2-19 hours permit, private club registration permit, or private club

2-20 late hours permit issued under Chapter 25, 28, 29, 32, or 33,

2-21 Alcoholic Beverage Code, other than a location for which a person

2-22 holds a wine and beer retailer's permit issued under Chapter 25,

2-23 Alcoholic Beverage Code, that derives less than 30 percent of the

2-24 location's gross receipts from the sale or service of alcoholic

2-25 beverages; or

2-26                   (5) has violated this chapter or a rule adopted under

2-27 this chapter.

2-28                   SECTION 2. This Act takes effect immediately if it receives

2-29 a vote of two-thirds of all the members elected to each house, as

2-30 provided by Section 39, Article III, Texas Constitution. If this

2-31 Act does not receive the vote necessary for immediate effect, this

2-32 Act takes effect September 1, 2017.

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