

1-1 By: Seliger S.B. No. 888
 1-2 (In the Senate - Filed February 14, 2017; February 28, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 24, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 24, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Creighton	X			
1-10 Campbell	X			
1-11 Estes	X			
1-12 Nichols	X			
1-13 Schwertner	X			
1-14 Taylor of Galveston	X			
1-15 Whitmire			X	
1-16 Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 888 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the sale of lottery tickets by certain wine and beer
 1-22 retailers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 466.155(a), Government Code, is amended
 1-25 to read as follows:

1-26 (a) After a hearing, the director shall deny an application
 1-27 for a license or the commission shall suspend or revoke a license if
 1-28 the director or commission, as applicable, finds that the applicant
 1-29 or sales agent:

1-30 (1) is an individual who:

1-31 (A) has been convicted of a felony, criminal
 1-32 fraud, gambling or a gambling-related offense, or a misdemeanor
 1-33 involving moral turpitude, if less than 10 years has elapsed since
 1-34 the termination of the sentence, parole, mandatory supervision, or
 1-35 probation served for the offense;

1-36 (B) is or has been a professional gambler;

1-37 (C) is married to an individual:

1-38 (i) described in Paragraph (A) or (B); or

1-39 (ii) who is currently delinquent in the
 1-40 payment of any state tax;

1-41 (D) is an officer or employee of the commission
 1-42 or a lottery operator; or

1-43 (E) is a spouse, child, brother, sister, or
 1-44 parent residing as a member of the same household in the principal
 1-45 place of residence of a person described by Paragraph (D);

1-46 (2) is not an individual, and an individual described
 1-47 in Subdivision (1):

1-48 (A) is an officer or director of the applicant or
 1-49 sales agent;

1-50 (B) holds more than 10 percent of the stock in the
 1-51 applicant or sales agent;

1-52 (C) holds an equitable interest greater than 10
 1-53 percent in the applicant or sales agent;

1-54 (D) is a creditor of the applicant or sales agent
 1-55 who holds more than 10 percent of the applicant's or sales agent's
 1-56 outstanding debt;

1-57 (E) is the owner or lessee of a business that the
 1-58 applicant or sales agent conducts or through which the applicant
 1-59 will conduct a ticket sales agency;

1-60 (F) shares or will share in the profits, other

2-1 than stock dividends, of the applicant or sales agent; or
2-2 (G) participates in managing the affairs of the
2-3 applicant or sales agent;
2-4 (3) has been finally determined to be:
2-5 (A) delinquent in the payment of a tax or other
2-6 money collected by the comptroller, the Texas Workforce Commission,
2-7 or the Texas Alcoholic Beverage Commission;
2-8 (B) in default on a loan made under Chapter 52,
2-9 Education Code; or
2-10 (C) in default on a loan guaranteed under Chapter
2-11 57, Education Code;
2-12 (4) is a person whose location for the sales agency is:
2-13 (A) a location licensed for games of bingo under
2-14 Chapter 2001, Occupations Code;
2-15 (B) on land that is owned by:
2-16 (i) this state; or
2-17 (ii) a political subdivision of this state
2-18 and on which is located a public primary or secondary school, an
2-19 institution of higher education, or an agency of the state; or
2-20 (C) a location for which a person holds a wine and
2-21 beer retailer's permit, mixed beverage permit, mixed beverage late
2-22 hours permit, private club registration permit, or private club
2-23 late hours permit issued under Chapter 25, 28, 29, 32, or 33,
2-24 Alcoholic Beverage Code, other than a location for which a person
2-25 holds a wine and beer retailer's permit issued under Chapter 25,
2-26 Alcoholic Beverage Code, that derives less than 30 percent of the
2-27 location's gross receipts from the sale or service of alcoholic
2-28 beverages; or
2-29 (5) has violated this chapter or a rule adopted under
2-30 this chapter.
2-31 SECTION 2. This Act takes effect immediately if it receives
2-32 a vote of two-thirds of all the members elected to each house, as
2-33 provided by Section 39, Article III, Texas Constitution. If this
2-34 Act does not receive the vote necessary for immediate effect, this
2-35 Act takes effect September 1, 2017.

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