

1-1 By: Geren (Senate Sponsor - Nelson) H.B. No. 3012
1-2 (In the Senate - Received from the House May 5, 2021;
1-3 May 10, 2021, read first time and referred to Committee on State
1-4 Affairs; May 18, 2021, reported favorably by the following vote:
1-5 Yeas 7, Nays 2; May 18, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9		X		
1-10	X			
1-11		X		
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

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

1-19 relating to charitable raffles conducted by the professional sports
1-20 teams charitable foundations of organizations sanctioned by
1-21 certain professional associations at rodeo venues.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 2004.002, Occupations Code, is amended
1-24 by amending Subdivision (2) and adding Subdivisions (5) and (6) to
1-25 read as follows:

1-26 (2) "Professional sports team" means:

1-27 (A) a team organized in this state that is a
1-28 member of Major League Baseball, the National Basketball
1-29 Association, the National Hockey League, the National Football
1-30 League, Major League Soccer, the American Hockey League, the East
1-31 Coast Hockey League, the American Association of Independent
1-32 Professional Baseball, the Atlantic League of Professional
1-33 Baseball, Minor League Baseball, the National Basketball
1-34 Association Development League, the National Women's Soccer
1-35 League, the Major Arena Soccer League, the United Soccer League, or
1-36 the Women's National Basketball Association;

1-37 (B) a person hosting a motorsports racing team
1-38 event sanctioned by the National Association for Stock Car Auto
1-39 Racing (NASCAR), INDYCar, or another nationally recognized
1-40 motorsports racing association at a venue in this state with a
1-41 permanent seating capacity of not less than 75,000; ~~or~~

1-42 (C) an organization hosting a Professional Golf
1-43 Association event; or

1-44 (D) an organization sanctioned by the
1-45 Professional Rodeo Cowboys Association or the Women's Professional
1-46 Rodeo Association.

1-47 (5) "Rodeo event" means a rodeo conducted at a rodeo
1-48 venue.

1-49 (6) "Rodeo venue" means a facility owned or operated
1-50 by and operated as the home venue of an organization sanctioned by
1-51 the Professional Rodeo Cowboys Association or the Women's
1-52 Professional Rodeo Association at which rodeos are conducted by
1-53 that organization.

1-54 SECTION 2. Section 2004.003, Occupations Code, is amended
1-55 to read as follows:

1-56 Sec. 2004.003. QUALIFICATIONS TO CONDUCT RAFFLE. A
1-57 professional sports team charitable foundation is qualified to
1-58 conduct charitable raffles under this chapter if the foundation:

1-59 (1) is associated with a professional sports team with
1-60 a home venue or rodeo venue located in this state;

1-61 (2) does not distribute any of its income to its

2-1 members, officers, or governing body, other than as reasonable
2-2 compensation for services;

2-3 (3) has existed for at least the three years preceding
2-4 the conduct of a raffle under this chapter;

2-5 (4) does not devote a substantial part of its
2-6 activities to attempting to influence legislation and does not
2-7 participate or intervene in any political campaign on behalf of any
2-8 candidate for public office in any manner, including by publishing
2-9 or distributing statements or making campaign contributions;

2-10 (5) qualifies for and has obtained an exemption from
2-11 federal income tax from the Internal Revenue Service as a
2-12 charitable organization described in Section 501(c)(3), Internal
2-13 Revenue Code of 1986; and

2-14 (6) does not have or recognize any local chapter,
2-15 affiliate, unit, or subsidiary organization in this state.

2-16 SECTION 3. Section 2004.004(a), Occupations Code, is
2-17 amended to read as follows:

2-18 (a) A professional sports team charitable foundation that
2-19 meets the qualifications under Section 2004.003 may conduct a
2-20 charitable raffle during each preseason, regular season, and
2-21 postseason game hosted at the home venue or each rodeo event at the
2-22 rodeo venue of the professional sports team associated with the
2-23 foundation to provide revenue for the foundation's charitable
2-24 purposes.

2-25 SECTION 4. This Act takes effect on December 1, 2021, but
2-26 only if the constitutional amendment proposed by the 87th
2-27 Legislature, Regular Session, 2021, authorizing the professional
2-28 sports team charitable foundations of organizations sanctioned by
2-29 the Professional Rodeo Cowboys Association or the Women's
2-30 Professional Rodeo Association to conduct charitable raffles at
2-31 rodeo venues is approved by the voters. If that amendment is not
2-32 approved by the voters, this Act has no effect.

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