

BILL ANALYSIS

C.S.H.B. 446

By: Bell

Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the inability of certain organizations, particularly nonprofit organizations, to receive a refund of applicable bingo licensing and registration fees upon withdrawal of a related application. C.S.H.B. 446 seeks to address these concerns by providing for the refund of such fees subject to certain conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 446 amends the Occupations Code to require the Texas Lottery Commission, on request, to refund to an authorized organization the \$25 fee for a temporary license to conduct bingo not later than the 30th day after the date the lottery commission receives the request for the refund if 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 if the authorized organization requests withdrawal of the application before the temporary license is issued. The bill authorizes the lottery commission, when issuing such a refund due to the withdrawal of an application, to retain an amount capped at 50 percent of the license fee to defray any administrative cost incurred by the lottery commission in processing the application.

C.S.H.B. 446 requires the lottery commission to refund the fee for an initial or renewal license to conduct bingo, an initial or renewal commercial lessor license, an initial or renewal manufacturer's license, an initial or renewal distributor's license, or an initial or renewal unit manager license, or for amending a license issued under the Bingo Enabling Act, if the applicant requests withdrawal of the applicable application before the license is issued or if the lottery commission denies the application. The bill requires the lottery commission to refund the fee submitted for an initial or renewal registration application regarding inclusion in the approved bingo worker registry if the applicant requests withdrawal of the application before the applicant is listed on the registry or if the lottery commission denies the registration and listing. The bill requires the lottery commission to issue these refunds not later than the 30th day after the date the lottery commission receives the withdrawal request or denies the application, as applicable, and authorizes the lottery commission to retain a specified amount to defray any administrative cost incurred by the lottery commission in processing the application.

EFFECTIVE DATE

January 1, 2018.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 446 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

	INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1.	Section 2001.103, Occupations Code, is amended.	SECTION 1. Same as introduced version.
SECTION 2.	Section 2001.104, Occupations Code, is amended.	SECTION 2. Same as introduced version.
SECTION 3.	Section 2001.158, Occupations Code, is amended.	SECTION 3. Same as introduced version.
SECTION 4.	Section 2001.205, Occupations Code, is amended.	SECTION 4. Same as introduced version.
SECTION 5.	Section 2001.209, Occupations Code, is amended.	SECTION 5. Same as introduced version.
SECTION 6.	Section 2001.306, Occupations Code, is amended.	SECTION 6. Same as introduced version.
SECTION 7.	Section 2001.313, Occupations Code, is amended.	SECTION 7. Same as introduced version.
SECTION 8.	Section 2001.437, Occupations Code, is amended.	SECTION 8. Same as introduced version.
SECTION 9.	Chapter 2001, Occupations Code, as amended by this Act, applies only to an application and fee submitted under that chapter on or after the effective date of this Act. An application and fee submitted before the effective date of this Act is governed by the law in effect on the date the application and fee are submitted and the former law is continued in effect for that purpose.	SECTION 9. Substantially the same as introduced version.
SECTION 10.	This Act takes effect <u>September 1, 2017</u> .	SECTION 10. This Act takes effect <u>January 1, 2018</u> .