

## **BILL ANALYSIS**

H.B. 2303  
By: Moody  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Reports indicate that many Texans enjoy participating in fantasy sports contests every year. It has been suggested that the criminal penalties that could apply to fantasy sports are inappropriate. H.B. 2303 seeks to address this issue by revising a definition in state law governing gambling offenses.

### **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**

H.B. 2303 amends the Penal Code to exclude from the definition of "bet" for purposes of gambling offenses an offer of a prize, award, or compensation to the participants in a bona fide contest for the determination of skill, speed, strength, or endurance or to the owners of animals, vehicles, watercraft, or aircraft entered in a contest or in a fantasy or simulated game or contest. The bill defines "fantasy or simulated game or contest" as a bona fide contest, reflecting the knowledge and skill of the participants, in which:

- participants assemble a fictional sports team composed of actual professional or amateur athletes to compete against other fictional sports teams assembled by other participants for a prize, award, or compensation;
- the value of any prize, award, or compensation is established in advance of the beginning of the game or contest;
- the outcome of the game or contest is determined by the accumulated statistical performances of the individual athletes on a participant's fictional sports team; and
- the outcome of the game or contest is not based solely on the score, point spread, or performance of a single professional or amateur team or athlete.

### **EFFECTIVE DATE**

September 1, 2019.