

BILL ANALYSIS

Senate Research Center
87R27454 BEE-F

C.S.H.B. 2757
By: Cyrier (Bettencourt)
State Affairs
5/21/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The COVID-19 pandemic has negatively impacted the fundraising abilities of nonprofit organizations. One way that these organizations are able to raise funds is through charitable raffles, but it has been noted that these organizations are currently only allowed to conduct two raffles per calendar year. H.B. 2757 seeks to remove this restriction and increase the number of charitable raffles that may be held annually and the maximum value of the prizes that may be awarded from these raffles.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 2757 amends current law relating to the conduct and promotion of charitable raffles.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2002.003(e), Occupations Code, to delete existing text authorizing a nonprofit wildlife conservation association to conduct two raffles each year and each local chapter, affiliate, wildlife cooperative, or unit to conduct two raffles each year under Chapter 2002 (Charitable Raffles).

SECTION 2. Amends Section 2002.052(b), Occupations Code, as follows:

(b) Provides that a raffle is not authorized by Chapter 2002 if the organization awards prizes in the raffle in a calendar year in which the organization has previously awarded prizes in four other raffles, rather than if the organization sells or offers to sell tickets for or awards prizes in the raffle in a calendar year in which the organization has previously sold or offered to sell tickets for or awarded prizes in two or more other raffles. Provides that, for purposes of this subsection, a raffle conducted in a preceding calendar month for which a prize or prizes are awarded on a later date set in accordance with Subsection (e) (relating to authorizing a qualified organization that is unable to award a prize or prizes on the date set to set another date) that occurs in a subsequent calendar year is not included in the number of raffles for which prizes are awarded by the organization in that subsequent calendar year.

SECTION 3. Amends Sections 2002.056(b) and (c), Occupations Code, as follows:

(b) Prohibits the value of a prize offered or awarded at a raffle that is purchased by the organization or for which the organization provides any consideration, except as provided by Subsections (b-1) (relating to prohibiting the value of a residential dwelling offered or awarded as a prize at a raffle that is purchased by the organization or for which the organization provides any consideration from exceeding \$250,000) and (c), from exceeding \$75,000, rather than \$50,000.

(c) Authorizes a raffle prize to consist of one or more tickets in the state lottery authorized by Chapter 466 (State Lottery), Government Code, with a face value of \$75,000, or less, rather than \$50,000 or less, without regard to whether a prize in the lottery game to which the ticket or tickets relate exceeds \$75,000, rather than exceeds \$50,000.

SECTION 4. Repealer: Section 2002.052(c) (relating to prohibiting the organization from selling or offering to sell tickets for a raffle during a period in which the organization sells or offers to sell tickets for another raffle), Occupations Code.

SECTION 5. Effective date: upon passage or September 1, 2021.