



Texas Lottery Commission



Commissioners:

J. Winston Krause, Chairman

Mark A. Franz • Robert Rivera • Erik C. Saenz

Michael P. Farrell
Director

FIRST CLASS UNITED STATES MAIL

November 21, 2019

Honorable James DeLoach
Lamb County Judge
100 6th Drive, Room 101
Littlefield, TX 79339

RE: BINGO PRIZE FEE INELIGIBILITY

Dear Judge DeLoach:

The purpose of this letter is to advise your jurisdiction of the Texas Lottery Commission's (Commission) position regarding your eligibility to receive bingo prize fees. Based on our records, Lamb County is ineligible to receive prize fees because it has not satisfied the requirements of House Bill 914 (H.B. 914), 86th Texas Legislature.¹

Specifically, the Commission does not have any records showing that Lamb County was entitled to receive a bingo prize fee as of January 1, 2019. Section 11 of H.B. 914 states:

“...a county or municipality may receive a portion of the prize fee collected under Section 2001.502, Occupations Code, as amended by this Act, after the effective date of this Act only if:

- (1) The county or municipality was entitled to receive a portion of a bingo prize fee as of January 1, 2019...”

In order for Lamb County be “entitled to receive a portion of a bingo prize fee as of January 1, 2019” as required by H.B. 914, it must have voted prior to January 1, 1993 to impose a gross receipts tax on the conduct of bingo in its jurisdiction.² Based on our records, the Commission has never provided Lamb County with a share of bingo prize fees, and Lamb County did not vote to impose a gross receipts tax on the conduct of bingo prior to January 1, 1993. As a result, Lamb County was not entitled to receive a portion of a bingo prize fee as of January 1, 2019, and thus was ineligible to continue receiving prize fees according to H.B. 914.

If Lamb County believes this finding to be in error, please submit supporting documentation to the Commission no later than December 4, 2019. If sufficient supporting documentation is not

¹ <https://legiscan.com/TX/bill/HB914/2019>

² See Tex. Occ. Code §2001.503, “Local Share of Prize Fee”

provided by that date, the Commission will take appropriate actions with respect to prize fee allocations.

If you have any questions regarding this letter, you may contact the Charitable Bingo Operations Division at 800-246-4677 or bingo.services@lottery.state.tx.us.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael P. Farrell".

Michael P. Farrell
Director
Charitable Bingo Operations Division

**TEXAS LOTTERY COMMISSION – CHARITABLE BINGO DIVISION
BINGO PRIZE FEE FUNDS
COUNTY/MUNICIPALITY GOVERNING BODY VOTE VERIFICATION
NOTICE**

This form serves as the required notice to the Texas Lottery Commission (Commission) that a county or municipality has fulfilled two of the requirements of House Bill 914, 86th Texas Legislature (H.B. 914) that are necessary for that county or municipality to continue to receive a share of bingo prize fees after January 1, 2020. Specifically, Section 11 of H.B. 914 provides:

- “(a) a county or municipality may receive a portion of the prize fee...only if:
- (1) The county or municipality was entitled to receive a portion of a bingo prize fee as of January 1, 2019; and
 - (2) The governing body of the county or municipality:
 - (A) by majority vote of the members of the governing body approves the continued receipt of funds under that section and notifies the Texas Lottery Commission of that decision not later than November 1, 2019; and
 - (B) notifies each licensed authorized organization within the county’s or municipality’s jurisdiction, as applicable, of the continued imposition of the fee.”

Your county/municipality should consult with an attorney if you have any questions about complying with the provisions of H.B. 914.

This form is only an attestation that certain requirements set forth in H.B. 914 have been fulfilled.

Accordingly, the undersigned county or municipal representative hereby swears and affirms that:

- (1) the county or municipality was entitled to receive a share of a bingo prize fee as of January 1, 2019; and
- (2) the governing body of the county or municipality approved the continued receipt of the share of bingo prize fee funds by a majority vote.

LAMB COUNTY

Name of County or Municipality



[Handwritten Signature]
Authorized Signature (Name and Title)

County Judge

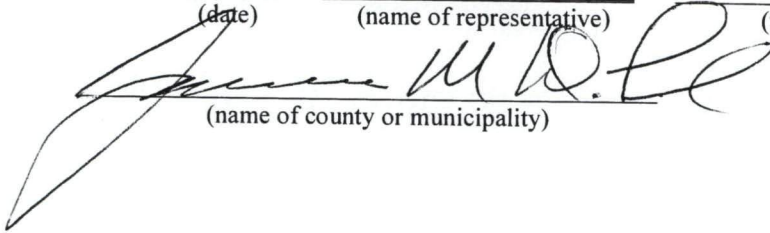
10-29-19
Date

**TEXAS LOTTERY COMMISSION – CHARITABLE BINGO DIVISION
BINGO PRIZE FEE FUNDS
COUNTY/MUNICIPALITY GOVERNING BODY VOTE VERIFICATION
NOTICE**

State of Texas
County of TEXAS

This form attesting to the fulfillment of the requirements of H.B. 914 was acknowledged before

me on 10/28/19 by Hon. James M. DeLoach as Lamb County Judge of
(date) (name of representative) (title of representative)


(name of county or municipality)


Notary Public's Signature

