

CRANE COUNTY – GAME ROOM ORDINANCE

SECTION 1 – DEFINITIONS

The provisions of this article, relating to the definitions of words, terms, and phrases are hereby incorporated by reference and made a part hereof, and shall apply and govern the interpretation of these regulations, except as otherwise specifically declared, or as is clearly apparent from the context of the regulations herein. The following words, terms, and phrases shall have the ascribed meaning indicated below.

Agent. Any commissioned peace officer or designated agent of the county.

Amusement Redemption Machine. Any electronic, electromechanical, or mechanical contrivance designed, made, and adopted for bona fide amusement purposes that rewards the player exclusively with noncash merchandise, prizes, toys, or novelties, or a representation of value redeemable for those items, with a wholesale value available from a single play of the game or device in an amount not more than 10 times the amount charged to play the game or device once or \$5, whichever amount is less.

Applicant. The person who has completed an application for a license or permit to participate in the video gaming industry in the county.

Application. The process by which a person requests license or permit, or the renewal of a license or permit, for the participation in the video gaming industry in the county.

Designated Representative. An employee designated by the licensee to oversee and assume responsibility for the operation of the licensed establishment.

Device. A video gaming device which complies with the rules of the county and this article.
Facility. The premises of a business which is licensed to house, or offer for play, video gaming devices within this county.

Game Room. A for-profit business located in a building or place that contains six or more:

- (a) Amusement redemption machines; or
- (b) Electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes.

Game Room Owner. Person who:

- (a) Has an ownership interest in, or receives the profits from, a game room or an amusement redemption machine located in a game room;
- (b) Is a partner, director, or officer of a business, including a company or corporation, that has an ownership interest in a game room or in an amusement redemption machine located in a game room;
- (c) Is a shareholder that holds more than 10 percent of the outstanding shares of a business, including a company or corporation, that has an interest in a game room or in an amusement redemption machine located in a game room;
- (d) Has been issued by the county clerk an assumed name certificate for a business that owns a game room or an amusement redemption machine located in a game room;
- (e) Signs a lease for a game room;
- (f) Opens an account for utilities for a game room;
- (g) Receives a certificate of occupancy or certificate of compliance for a game room;
- (h) Pays for advertising for a game room; or
- (i) Signs an alarm permit for a game room.

Inspection. The observation or examination by any agent of the county of any premises, or motor vehicles, of the Licensee or applicant, where video gaming devices and related equipment may be manufactured, distributed, stored, possessed, or offered for play. Or any inquiry procedures necessary to discover facts of things related/connected to video gaming in any way.

Licensee. Any applicant or person who is granted a license by the county permitting video gaming activities that are authorized by this article. The authorized activity of all Licensees shall be limited to the type of license issued to each.

Minors. Every natural person under the age of eighteen (18) years.

Mixed Patronage. A clientele which includes both minors and adults.

Offense. Any violation of this article, or these rules, or any other criminal conduct.

Permittee. For purposes of these rules, shall have the same meaning as "video gaming employee" as provided in Sec. 3.

Premises. Land, together with all buildings, improvements, equipment, and personal property located thereon which is controlled by an applicant or Licensee and associated with video gaming activities authorized by this article.

Resident. Any natural person who is domiciled in the state, or who demonstrates that he/she maintains a permanent place of abode within the state, and who has resided and/or been domiciled in the state for a period of two years prior to the date of his application for a license.

Ticket Voucher. A ticket which is printed by a video gaming device by use of a payer-activated switch providing the player with a printed record of credits owed.

Validation Decal. The decal furnished by the county and placed on a device indicating that the device meets the criteria established by the county, and that the particular device has been enrolled by the county.

Video Gaming Device. Computers and other types of electronic machines or devices of any kind or character which are operated by, or upon, the payment of any form of consideration, including but not limited to paper currency, coins, legal tender, metal slugs, tokens, electronic card or checks, and which is used or capable of being used or operated for amusement and/or pleasure, including, but expressly not limited to versions of machines or devices commonly referred to as a slot machine and/or eight-liner machine which awards the player a ticket voucher as defined herein. This term expressly excludes gambling devices as defined by Texas Penal Code chapter 47, coin-operated music machines, pay toilets, pay telephones, coin-operated rides for children, and all other coin-operated machines which dispense or vend merchandise, commodities, confections or music or which award non-cash merchandise.

Written Reprimand. A written notification from the county to a Licensee which outlines any violation of these rules.

SECTION 2 – APPLICATION AND LICENSE

(a) Initial/Renewal Applications.

- (1) All persons owning, possessing, operating or maintaining a “Game Room” shall apply for a license from the county. No Game Room shall operate without a license from Crane County.
- (2) Crane County will issue no more than three licenses at a time for areas within 25 miles of a residential neighborhood in the county, except for Game Rooms in existence before the effective date of the Ordinance and that have applied for an initial license from the county on or before December 31, 2023. Additional licenses may be issued to Game Rooms in existence before the effective date of this Ordinance in excess of the three-license limit provided the Game Room complies with all other applicable terms of this Ordinance and has applied for an initial license from the County on or before December 31, 2023. Applications received after the county has reached the three-license limit shall be placed on a waiting list and notified when a license becomes available. Any fees associated with an application are nonrefundable, regardless of how long applicant may be on the waiting list.
- (3) All applications for a license shall be submitted on forms provided by the county and mailed to an address provided by the county.
- (4) An application is not complete nor is it considered filed with the county unless it is submitted with the appropriate fee, is signed by the applicant, and contains all information required by the county.
- (5) All applicants for a license shall comply with the disclosure provisions. In addition, all applicants shall be required to disclose any violation of any administrative regulation from any jurisdiction.
- (6) All applications shall include the name of the owner(s) of the premises on which the establishment is located.
- (7) All renewal applications shall be submitted in complete form during working hours at least seven (7) days before the expiration date of the current license.
- (8) All applicants shall provide all additional information requested by the county. If applicants fail to provide all additional information requested by the county, the application shall be considered incomplete.

(9) All applications are to contain a properly notarized oath wherein the applicant states that:

- a. The information contained therein is true and correct.
- b. The applicant has read this article and these rules, and any other informational materials supplied by the county that pertain to video gaming; and
- c. The applicant agrees to comply with these rules and this article.

(10) All applications shall contain a telephone number and permanent mailing address for receipt of correspondence and service of documents by the county.

(11) Incomplete applications, including failure to pay fees, may result in a delay or denial of a license.

(12) The applicant shall notify the county in writing of all changes of address, phone numbers, personnel, and other required information in the application within ten (10) business days of the effective date of the change.

(13) An application or license may be denied, revoked, or suspended if the applicant is convicted of a crime that directly relates to the duties and responsibilities of the applicant.

(14) An application shall be denied if an applicant has been convicted, in any jurisdiction, for any of the following offenses within the ten (10) years prior to the date of the application, and at least ten (10) years has not elapsed between the date of application and the successful completion of any service of a sentence, deferred adjudication, or period of probation or parole for any of the following:

- a. Any offense punishable by imprisonment for more than one (1) year;
- b. Theft or any crime involving false statement or declarations; or
- c. Gambling, as defined by the laws or ordinances of any municipality, county, or state, the United States, or any similar offense in any other jurisdiction.

(15) If an applicant has pending criminal charges, approval or denial of the application shall be delayed until those charges are disposed of.

(16) Any misrepresentation or false statement, including improperly notarized documents, in any report, disclosure, application, permit form, or any other document required shall be a violation of these rules and this article, and shall result in denial, revocation, or suspension of an application or license.

(17) No person or entity holding a license may apply for an additional license or licenses for additional locations within the county.

(b) Requirements for Licensing.

- (1) No person shall be granted a license, and no license shall be renewed, unless the applicant demonstrates to the county that he/she is eligible for licensing, and thereafter continues to maintain eligibility, as provided.
- (2) Once a video gaming license has been issued by the county, the license shall be conspicuously displayed by the Licensee in the place of business, so that it can be easily seen and read by the public.
- (3) If a Licensee fails to file a complete renewal application on or before the license expiration date, the county may assess a civil penalty of \$250.00 for the first violation, \$500.00 for the second violation, and \$1,000.00 for the third violation. Subsequent offenses shall require administrative action, including, but not limited to, suspension or revocation of Licensee's license.
- (4) The appropriate fee(s) shall be paid by all Licensees, regardless of the expiration date of the license, at the same time the renewal application is due.
- (5) All nonrefundable fees required for application/renewal and any administrative fines or penalties shall be made payable to the Crane County Treasurer and remitted to an address provided by the county.
- (6) Upon discovery, hidden ownership, whether by counter letter or other device or agreement, whether oral or written, shall constitute grounds for immediate suspension, revocation or denial of a license or application. Therefore, if there is more than one owner, applicants and Licensees shall disclose full ownership of a company so that the aggregate of percentages of individual ownership total 100 percent, regardless of the percentage of individual ownership.
- (7) All Licensees shall maintain compliance with all applicable federal/state/local gambling laws and requirements. Failure to maintain compliance with any applicable law or requirement shall be a basis for suspension or revocation of a license.
- (8) All Licensees shall continue to operate the business described in the application during the term of the license. In the event either the business or the video gaming devices at the location are not in operation for a period of fifteen (15) consecutive calendar days during which the business would normally operate, the Licensee and device owner shall immediately notify the county of such fact, and the Licensee shall immediately surrender its license to the county.
- (9) If surrendered in accordance with the above provision, no gaming activities may be conducted at the premises unless and until the license is returned to the Licensee.

(10) Failure to surrender the license as provided shall constitute grounds for revocation or suspension of the license.

SECTION 3 – OPERATION OF VIDEO GAMING ROOMS

(a) Responsibilities of Licensees.

- (1) The Licensee, or a designated representative of the licensed establishment, shall be required to be physically present and available within the licensed establishment at all times during all hours of operation; shall ensure that the devices are not tampered with, abused, or altered in any way; and shall prevent the play of video gaming devices by persons under the age of twenty-one (21) and prevent access to the gaming area by persons under the age of eighteen (18). The penalty for violation of this subsection shall be \$500.00. Subsequent offenses shall enable administrative action, including, but not limited to, suspension or revocation of the license.
- (2) Licensees and employees of a Licensee shall not loan money, extend credit, or provide any financial assistance to patrons of use in video gaming activities.
- (3) Licensees and employees of a Licensee shall not permit any person who appears to be intoxicated to participate in the play of the video devices.
- (4) All Licensees shall supervise all employees to ensure compliance with the laws and regulations relating to the operation of video gaming devices.
- (5) Licensees shall not advertise or participate in any promotion or scheme which is contingent upon the play of a video gaming device and which results in an enhanced payoff other than that set by the internal mechanism of the video gaming device.
- (6) All Licensees shall post signs on the exterior of any public entrance of a licensed establishment with lettering at least three (3) inches in height stating: GAMING DEVICES INSIDE; NO PERSON UNDER THE AGE OF TWENTY-ONE (21) ALLOWED TO PLAY VIDEO GAMING DEVICES. At the county's discretion, signs that substantially comply with this provision may be permitted.

(b) Video Gaming Employees.

- (1) It shall be the duty of the Licensee to ensure compliance with this subsection.
- (2) It shall be unlawful for any employee to have been convicted, in any jurisdiction, for any of the following offenses within the ten (10) years prior to the date of the application, and at least ten (10) years has not elapsed between the date of application and the successful completion of any service of a sentence, deferred adjudication, or period of probation or parole for any of the following:
 - a. Any offense punishable by imprisonment for more than one year;
 - b. Theft or any crime involving false statements or declaration; or
 - c. Gambling, as defined by the laws or ordinances of any municipality, county, or state, the United States, or any similar offense in any other jurisdiction.
- (3) It is the responsibility of the Licensee to conduct a criminal background check on every employee and/or any other individual acting for, or acting on behalf of a game room. Records of background checks for video gaming employees must be tendered to an agent or law enforcement agency immediately upon request.
- (4) All video gaming employees shall have knowledge of these rules and the provisions of this article.

SECTION 4 – FEES & FINES

(a) License Fees.

- (1) Upon initial application, a nonrefundable fee of \$1,000.00 shall be paid by each applicant. If approved, the license must be renewed at least seven days before the expiration date on the current license, and a nonrefundable fee of \$1,000.00 shall be paid by each applicant. The initial fee and renewal fee is based on the cost of processing the application and investigating the licensee.
- (2) All appropriate fees shall accompany the initial/renewal application.
- (3) All Licensees shall pay by certified or cashier's check.

(b) Fines.

- (1) In lieu of suspension or revocation of a license, the county, at its discretion, may give a written warning and/or fine any Game Room that violates provisions of this Ordinance and require the Game Room to demonstrate compliance with the Ordinance. The county must give written notice of the violation(s) to the Game Room that a warning and/or fine per violation has been assessed and is due within ten days. Failure to make timely payment will result in suspension of the license.

- (2) Fines under this section may be assessed in an amount not less than \$100.00 and not in excess of \$500.00 per violation, unless otherwise specified within this Ordinance.
- (3) Fines in lieu of suspension or revocation of a license may not be assessed under this section more than twice in a twelve month period for a single Game Room.
- (4) Fines in lieu of suspension or revocation of a license may be appealed under Section 8 of this Ordinance. The imposition of a fine in lieu of suspension or revocation by the county is not binding on the Commissioners Court and the Commissioners Court or District Court may impose a suspension or revocation instead of the originally assessed fine on appeal.

SECTION 5 – DEVICE REGULATIONS AND REQUIREMENTS FOR LICENSED ESTABLISHMENTS

(a) Device Specifications.

- (1) All devices shall include the following specifications and features:
 - a. Accept only a type of consideration as listed in the “video gaming device” definition.
 - b. The phrase “no person under the age of 21 allowed to play” shall be conspicuously displayed on the face of all devices.
 - c. Permanent serial numbers not to exceed nine alpha and/or numeric characters. The serial number plate shall be located in the upper (front) right side panel of the device and shall contain the serial number of the device.
 - d. A validation decal provided by the county shall be displayed next to the serial number.

(b) Criminal Activity, Damage to or Theft from Devices.

- (1) Upon discovery of damage to or theft from a video gaming device, the device owner, licensed establishment owner, or a designate representative of the licensed establishment shall request the local law enforcement agency to investigate.
- (2) The device owner or licensed establishment owner shall immediately notify the Crane County Sheriff’s Office, in writing, of any damage to or theft from a device.
- (3) Upon discovery of any criminal activity on the premises of a Game Room, a Game Room Owner or other person designated by a Game Room Owner shall immediately notify the Crane County Sheriff’s Office, orally and in writing.

(c) Devices Permanently Removed from Service.

- (1) When a device is permanently removed from service by a licensed device owner, the validation decal shall be removed by that device owner and shall be returned to the county with the completed device transfer report provided by the county.

(2) No devices, which are permanently removed from service, shall have a validation decal displayed on them.

(3) For purposes of this section, devices permanently removed from service shall mean devices:

- a. That are sold back, or otherwise returned, and shipped to the distributor or manufacturer;
- b. That are damaged beyond repair due to theft, vandalism, or natural disasters; or
- c. That are completely dismantled for parts or destroyed and properly discarded as waste.

(d) **Disabling or Seizure of Devices or Licenses.** The county shall have the authority to disable, seal and/or seize any device or license at any location when a violation of the ordinance occurs, in accordance with the procedure provided herein. It shall be unlawful for any person to enable a lawfully disabled device, to break the seal of a device affixed by the county, or to continue to operate once the licensee's license is seized.

(e) **Requirements for Licensed Establishments.**

- (1) All licensed establishments shall be required to have video surveillance on the inside of the establishment. This video surveillance should show a clear view of the gaming areas, any area where prizes are disbursed, and any other area requested by the county. This video surveillance shall be provided to a requesting agent, or law enforcement agency, without a subpoena.
- (2) If an agent or law enforcement agency requests permission to enter the establishment, they shall be granted access without interference, including while the county is conducting a review of an application for licensing or renewal.
- (3) A licensed establishment, which is connected by a doorway or other opening to any other business establishment, whether or not such establishment is eligible for licensing by the county shall:
 - a. Have a door, or doors, between the licensed establishment and the other entity;
 - b. Have a separate outside entrance for patrons, such that an individual patron may enter each establishment from the exterior of the building;
 - c. Keep business records and books that are separate from those of the other entity;
 - d. Have personnel who work solely for the licensed establishment and not for the other entity during all hours of operation of licensed establishment.
- (4) Required distance from schools and regular places of religious worship:

- a. The location of any video gaming establishment is hereby prohibited where the place of business is within 1000 feet of any regular place of religious worship or school in the county.
- b. The measurement of the distance between the place of business where the video gaming devices are located and the regular place of religious worship or school shall be along the property lines of the street fronts and from the front door to front door, and in a direct line across intersections.
- c. This section does not apply to Game Rooms in existence before the effective date of this Ordinance, provided that the Game Rooms comply with all other applicable terms of this Ordinance and have applied for a license from the county on or before December 31, 2023.

(5) Limitations on Number of Game Rooms and Locations:

- a. The county shall not issue more than three licenses at one time to operate a Game Room in any area within the county that is within 25 miles of a residential neighborhood.
- b. Only two licenses shall be issued at one time to operate a Game Room within the incorporated area of the county (city limits).
- c. Licenses shall be limited to Game Rooms located on Hwy. 385/Gaston St.; Hwy. 329/6th Street; or the Truck Route.
- d. The county shall not issue any licenses to operate a Game Room within two miles of any interstate highway within the county.
- e. This provision does not apply to Game Rooms in existence before the effective date of this Ordinance, provided that the Game Rooms comply with all other applicable terms of this Ordinance and have applied for a license from the county on or before December 31, 2023.

(6) It shall be unlawful for any person to possess, consume, or otherwise bring any alcoholic beverage in or upon any premises licensed as a gaming device location by the county. It shall be unlawful for any licensee or employee thereof to allow any person to possess, consume, or otherwise bring any alcoholic beverage in or upon any premises licensed as a gaming device location by the county. The exception to this prohibition by this section would not be applicable to premises licensed in accordance with the provisions of the Texas Alcoholic Beverage Code and the alcoholic beverage code of the county.

(7) All entries and exits to licensed establishments by which patrons enter and exit shall remain unlocked during all hours of operation to allow immediate, unobstructed entry into said locations by patrons, county personnel, and law enforcement.

(8) The gaming area of a licensed establishment shall only be allowed to operate from 9:00 a.m. to 12:00 a.m. on Sunday through Thursday. The gaming area of a licensed establishment shall be allowed to operate from 9:00 a.m. to 2:00 a.m. on Friday and

Saturday. A Game Room located outside the incorporated area of the county (city limits) may operate beyond these hours if the Game Room notifies the county in writing and provides licensed armed security for the Game Room while the Game Room is open for business. The county may request additional information about the licensed armed security service that the Game Room is providing and the Game Room must provide the information upon request. If the county determines the armed security service provided by the Game Room, the county will notify the Game Room and the Game Room must not operate outside normal operating hours until such time that acceptable armed security services are secured by the Game Room.

- (9) Game Rooms within the incorporated area of the county (city limits) must also comply with any ordinances promulgated by the City of Crane in addition to this Ordinance. This extends to payment for any licenses or permits. If any regulations from the City of Crane are in conflict with the provisions of this Ordinance, this Ordinance prevails.

SECTION 6 – CODE OF CONDUCT OF LICENSEES AND PERMITTEES

(a) General Provisions.

- (1) All Licensees and permittees shall comply with all applicable federal, state, and local laws and regulations.
- (2) In addition to any other penalty or punishment imposed by law, any violation of the provisions of this article shall also constitute a violation of these rules and grounds for revocation of license or permit issued pursuant to this article.

(b) Unsuitable Conduct.

- (1) No Licensee or permittee shall engage in unsuitable conduct or practices, nor shall employ or have a business association with any person which engages in unsuitable conduct or practices.
- (2) For purposes of this section, unsuitable conduct or practices shall include, but not be limited to the following:
 - a. Employment of, association with, or participation in any enterprise or business with a documented or identifiable organized crime group or recognized organized crime figure;
 - b. Misrepresentation of any material fact or information to the county;
 - c. Obstructing or impeding the lawful activities of the county or its agents;
 - d. Engaging in, furtherance of, or profit from any illegal activity or practice, or any violation of these rules of this article;
 - e. Persistent or repeated failure to pay amounts due or to be remitted to the county; and

f. A Licensee shall not engage in, participate in, or facilitate by any means, any criminal activity.

(3) Any person granted a license or permit shall have a continuing duty to notify the county of his/her arrest, summons, citation, or charge for any criminal violation including DWI. Minor traffic violations need not be included. All Licensees and permittees shall have a continuing duty to notify the county of any fact, event, occurrence, matter of action that may affect the conduct of gaming or the business or financial arrangements incidental thereto or the ability to conduct the activities for which the Licensee or permittee is licensed or permitted. Such notification shall be made within ten calendar days of the arrest, summons, citation, charge, fact, event, occurrence, matter or action.

(c) Additional Causes for Disciplinary Action.

(1) Further instances of conduct by a Licensee or permittee where the county may sanction a Licensee or permittee shall include, but not be limited to, when:

- a. The Licensee or permittee has been involved in the diversion of gaming equipment for unlawful means;
- b. The Licensee or permittee or a designated representative of the Licensee or permittee has been involved in activities otherwise prohibited by law, or the willful purpose of which was to circumvent, or contravene the provisions set forth in this Ordinance;
- c. The Licensee or permittee has demonstrated a reluctance or inability or to comply with the requirements set forth in these rules and this article, particularly after repeated warnings;
- d. The Licensee or permittee violates written conditions;
- e. The county discovers incomplete or erroneous information as to a material or a substantial matter provided on an application or any item affecting the decision whether to license the applicant;
- f. The county discovers substantial, incomplete or erroneous information provided in a report or other required communication;
- g. The Licensee or permittee has failed to timely pay a fine imposed by the county; and
- h. Unavailability of the Licensee or permittee, their designated representatives, or any agents of the Licensee.

SECTION 7 – INVESTIGATIONS

(a) Background Investigations.

- (1) All applicants shall be subject to a background investigation in order to ensure that licensing requirements are met.
- (2) All applicants shall, upon request, make available to the county, records and documentation to substantiate statements and support information supplied in the application process.

(b) Inspections of Facilities.

- (1) During all hours of operation, any licensed premises upon which a Licensee conducts any video gaming activity, shall be subject to inspection by the county without advance notice, in order to ensure compliance with the provisions of this Ordinance. If the county is denied access to inspect, that premises' license shall be suspended.
- (2) Once an inspection commences, the Licensee or a designated representative shall render full courtesy and cooperation to agents.
- (3) Upon completion of an inspection, agents may advise the Licensee or a designated representative of any violation or problems which may exist.
- (4) Agents shall provide the Licensee or designated representative with a copy of an inspection report.

(c) Inspection of Records.

- (1) Upon request, all Licensees shall make available to the county, all required information and records, including, but not limited to licensed establishment documents including, but not limited to:
 - a. Licensee contract concerning the licensed premises;
 - b. Other video gaming related documents of this nature.
- (2) The county may require a Licensee to submit any and all video gaming records or documents that are necessary for the facilitation and/or completion of an investigation pertaining to a violation of these rules or this article.

(d) Inspection of Devices

- (1) Agents of the county may, at any time, without advance notice, inspect any device located within a licensed premise.
- (2) All devices shall have, at all times, the proper validation decal affixed to the device and maintain log books properly secured in the device and available for inspection by the

county. The validation decal affixed to the machine should correspond with the serial number for which the validation decal was issued. It is a violation of this ordinance to affix a validation decal to a machine other than the one it was issued for. Moreover, tampering with a validation decal, or fabricating a validation decal, is a violation of this ordinance.

- (3) Agents of the county may disable and/or seize any device which it finds to be in violation of any of these rules or the law.

SECTION 8 – APPEALS

- (a) If the county denied the issuance of a license or suspends or revokes a license, or assesses a fine in lieu of suspension or revocation, the county shall send to the applicant, or Licensee, by certified mail, return receipt requested, written notice of the action taken and the right to appeal. An appeal may be filed by giving written notice of the aggrieved party's intent to appeal to the County Judge of Crane County, Texas, within thirty (30) days of the receipt of the notice that a license has been denied, suspended, or revoked, or that a fine has been assessed in lieu of suspension or revocation of a license. The Commissioners Court shall add the appeal hearing to an agenda within 20 days of the County Judge receiving the notice of appeal. The Commissioners Court may hear evidence from any interested party. The Commissioners Court shall make a determination either affirming the county's decision or reversing the decision at the close of the hearing, or instituting a suspension or revocation instead of a fine, unless the hearing is continued by agreement of the parties.
- (b) The filing of a notice of appeal as directed above shall stay the denial, suspension, fine, or revocation of a license pending the determination of the Commissioners Court. If the Commissioners Court affirms the decision, any time that accrues on the suspension or revocation before appeal is filed pursuant to this section shall be credited against the original period of suspension or revocation. The remaining suspension or revocation shall commence on the Commissioners Court's determination to affirm the county's decision.
- (c) The aggrieved party may appeal the decision of the Commissioners Court to a district court in Crane County, Texas, on a trial de novo basis. Filing appeal in a district court stays the decision of the Commissioners Court in suspending or revoking a license until the district court makes a final decision. All decisions of the Commissioners Court become final after thirty (30) days.

SECTION 9 – ENFORCEMENT

- (a) These regulations are promulgated pursuant to and in conformity with Chapter 234 of the Local Government Code, as amended, titled County Regulation of Businesses and Occupations. The Commissioners Court of a county may regulate the operation of Game Rooms to promote the public health, safety, and welfare, according to Section 234.133 of the Local Government Code.
- (b) It is the purpose of the Crane County Commissioners Court to exercise its police power, as established under Chapter 234 of the Local Government Code, to establish reasonable and uniform regulation of Game Rooms to promote the public health, safety, and welfare and to prohibit business activities which merely serve as a front for criminal activities, including but not limited to gambling and tax evasion.
- (c) These Regulations do not legalize anything prohibited under the Texas Penal Code or any other law(s) or regulation(s).
- (d) Crane County may sue in district court for an injunction to prohibit the violation or threatened violation of this subchapter or a regulation adopted under Section 234.133 of the Local Government Code. The county is entitled to recover reasonable expenses incurred in obtaining injunctive relief, including reasonable attorney's fees, court costs, and investigatory costs.
- (e) A person who violates a regulation adopted under section 234.133 of the Local Government Code is liable to the county for a civil penalty of not more than \$10,000 for each violation. Each day a violation continues is considered a separate violation for purposes of assessing the civil penalty. This suit will be brought by the county in district court. The county is entitled to recover reasonable expenses incurred in obtaining civil penalties including reasonable attorney's fees, court costs, and investigatory costs.
- (f) Under section 234.138 of the Local Government Code, as amended, a person commits an offense if the person intentionally or knowingly Operates a Game Room in violation of a regulation adopted by the county under Section 234.133. An offense under this section is a Class A misdemeanor.
- (g) The revocation or suspensions of any license shall not prohibit the imposition of a criminal penalty, and the imposition of a criminal penalty shall not prevent the revocation or suspension of a license.

SECTION 10 – APPLICATION AND REQUIREMENTS

The applicant shall complete an application and registration for video game devises as provided at www.co.crane.tx.us.

SECTION 11 – EXISTING LAWS

Nothing herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table or coin-operated or slot machine, the keeping, exhibition, operation, display or maintenance of which is now illegal or in violation of any article of the Texas Penal Code and of any federal laws of the United States of America.

APPROVED AND ADOPTED BY THE COMMISSIONERS COURT ON MAY 9, 2023, AMENDED ON DECEMBER 12, 2023 AND ON MAY 1, 2025.



COUNTY JUDGE