



## Texas Lottery® Owner Eligibility Certification

1. Corporation or legal business name \_\_\_\_\_
2. Texas Taxpayer Identification number # \_\_\_\_\_ Retailer # \_\_\_\_\_

The owners, officers, directors and partners listed in the Certification section of this form have been included in an application for a Texas Lottery sales license, or they have been included in a request to add them to an existing license, for the entity listed above. Once the required signatures are obtained, return this form to the Texas Lottery Commission using one of the following methods:

**Mail:** TEXAS LOTTERY COMMISSION  
Retailer Services  
PO Box 16660  
Austin TX 78761-6660

**Fax:** 512-344-5253

**Email:** retailerforms@lottery.state.tx.us

If sending via courier service, use the physical address:

TEXAS LOTTERY COMMISSION  
Retailer Services  
1801 Congress Avenue, Suite 6.403  
Austin, TX 78701

### TEXAS LOTTERY RETAILER TERMS AND CONDITIONS

By applying for a Texas Lottery license you agree that you will abide by the following terms and conditions. Violation of any of these terms and conditions will result in the Texas Lottery Commission suspending or revoking your license to sell Texas Lottery tickets.

#### Compliance

1. The retailer will operate in a manner that is consistent with the State Lottery Act, applicable federal, state and local laws, rules adopted by the Texas Lottery Commission and these terms and conditions.
2. The retailer will notify the Texas Lottery Commission within 10 days of any change of information since the application or renewal of license was submitted.
3. The retailer will notify the Texas Lottery Commission within 10 days of changes in: ownership, the officers, directors or partners required to be listed on the application, the location or financial status. A change in ownership involving less than 10 percent of a corporation's stock need not be reported unless that change results in someone who previously owned less than 10 percent of the corporation's total stock acquiring more than 10 percent of the total stock.
4. If the retailer is convicted of a crime or becomes delinquent in the payment of any state tax, the Texas Lottery Commission must be notified in writing within 10 days.
5. The retailer and its officers, directors, owners, partners, members and managing members are responsible for violations of any terms and conditions of this license committed by the retailer's employees acting within the scope of an employee's authority.

#### Sale of Tickets

6. The retailer will make Texas Lottery tickets available for sale during the retailer's normal business hours and provide for the redemption of winning tickets during the same hours, subject to Texas Lottery Commission's approved validation hours.
7. Tickets may not be sold to anyone under 18 years of age.
8. Tickets may not be sold for more than the price established by the Texas Lottery Commission.
9. The retailer may not extend credit, lend money or accept in payment food stamps or credit cards for Texas Lottery ticket.  
Acceptable forms of payment are as follows:
  - United States currency;
  - a negotiable instrument in the form of a check that meets the requirements of Section 3.104, Business and Commerce Code;
  - a debit made through a financial institution debit card; or
  - a coupon or voucher issued by the Commission for the purpose of purchasing a lottery ticket.
10. The retailer may not permit the purchase of tickets over the telephone or by mail.

#### Cooperation with Texas Lottery and Players

11. The retailer will prominently display the Texas Lottery Ticket Sales License where tickets are sold. Tickets may be sold only at the licensed location to which the tickets are assigned.
12. The retailer will utilize a ticket dispenser for the sale of tickets in a prominent location near the cash register or checkout. An equipment deposit may be required for any dispensers or other equipment provided to the retailer by the Texas Lottery Commission.
13. The retailer will prominently display point-of-sale materials provided by the Texas Lottery Commission, such as game and

promotion posters, End of Game Notices, door clings and other materials supplied by the Texas Lottery, unless exceptions are obtained from the Texas Lottery Commission.

14. The retailer is responsible for all tickets delivered upon acknowledgement of receipt. The retailer is expected to provide reasonable security for all tickets and Texas Lottery Commission property.
15. The retailer will notify the appropriate local law enforcement officials of any stolen tickets. The retailer will notify the Texas Lottery Commission within 24 hours of any lost, missing or stolen tickets.

#### **Acceptance of Tickets**

16. The retailer will make a full financial settlement in a timely manner with the Texas Lottery Commission for all tickets received.
17. The retailer authorizes the Texas Lottery Commission to transfer funds due through an Electronic Funds Transfer (EFT). Failure to have sufficient funds available at the time of the EFT sweep may be cause for fines, license suspension or license revocation.

#### **Bond Requirement**

18. The retailer shall pay into a fund to reimburse the Texas Lottery Commission for losses from the operation of retailers. The initial payment is \$25.00 and is included in the application fee. The amount and frequency of future payments shall be established by the Texas Lottery Commission. The retailer may be required to obtain a bond, letter of credit or other financial guarantee.
19. The Texas Lottery Commission may request a credit report from the retailer. The retailer may be required to obtain a certificate of deposit (CD) in an amount determined by the Texas Lottery Commission.

#### **Application Fee**

20. The State Lottery Act requires that the application fee be enough to pay for processing the application. It is possible with some applicants that the cost of background and financial checks will be more than the \$100.00 allocated for this purpose. If the cost of processing your application exceeds this amount, the Texas Lottery reserves the right to offer you the choice of withdrawing your application or paying an additional sum.

#### **Other Retailer Obligations**

21. The retailer will comply and remain in compliance with the Americans with Disabilities Act during the term of the license.
22. The retailer is responsible for all proceeds from the sale of Texas Lottery tickets. The proceeds shall constitute a trust fund in favor of the Texas Lottery Commission.
23. The retailer may not use a Texas Lottery insignia, logo, trademark or name of a Texas Lottery game in an advertisement or promotion without Texas Lottery Commission authorization.
24. The retailer will maintain accurate and complete records of all transactions with the Texas Lottery Commission and will make such records available as required by the State Lottery Act.

### **ELIGIBILITY STANDARDS**

An individual is not eligible for a sales license if:

- a. The individual or the individual's spouse has been convicted of a felony, criminal fraud, gambling or a gambling-related offense, or a misdemeanor involving moral turpitude and less than 10 years have passed since the end of the sentence, parole, mandatory supervision or probation served for the offense.
- b. The individual or the individual's spouse is or has been a professional gambler.
- c. The individual or the individual's spouse is delinquent in the payment of a tax or other money collected by the Texas Comptroller of Public Accounts, the Texas Workforce Commission, or the Texas Alcoholic Beverage Commission.
- d. The individual is an officer or employee of the Texas Lottery Commission or a Texas Lottery operator or the individual is the spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of residence of an officer or employee of the Texas Lottery Commission or a Texas Lottery operator.

An entity is not eligible for a sales license if any of the following individuals would not be eligible for a sales license under item a, b, c, d or e above:

- An officer or director of the entity;
- An individual who holds more than 10 percent of the stock in the entity;
- An individual who holds an equitable interest greater than 10 percent of the entity;
- A creditor of the entity who holds more than 10 percent of the entity's outstanding debt;
- The owner or lessee of a business conducted by the entity or through which the entity will conduct a ticket sales agency;
- An individual who shares or will share in the profits, other than stock dividends, of the entity; or
- An individual who participates in managing the affairs of the entity.

An applicant is not eligible for a sales license if the proposed sales location is:

- A location licensed for games of bingo,
- A location for which a person holds a wine and malt beverage retailer's permit, mixed beverage permit, mixed beverage permit with a retailer late hours certificate, private club registration permit, or private club registration permit with a retailer late hours certificate issued under Chapter 25, 28, 29, or 32, Alcoholic Beverage Code, other than a location for which a person holds a wine and malt beverage retailer's permit issued under Chapter 25, Alcoholic Beverage Code, that derives less than 30 percent of the location's gross receipts from the sale or service of alcoholic beverages; or

- On land that is owned by;  
This state, or  
On which is located a public primary or secondary school, an institution of higher education, or an agency of the state.

### CERTIFICATION

By signing below, I certify, under penalty of law, that, to the best of my knowledge, neither I, nor the business entity named above, is ineligible for a sales license under the eligibility standards described above. I understand that providing false or incomplete information may be grounds for denial of a sales license and revocation or suspension of the license(s) issued to the business entity named above.

I have read and agree to abide by the license terms and conditions stated above. I understand that the owners/officers/partners/directors of a business applying for a Texas Lottery Ticket Sales License must furnish a complete legible set of fingerprints and that failure to do so will result in the denial of this application. I authorize the Texas Lottery to obtain any and all of my financial records, credit reports and criminal history records.

I hereby authorize the release of information and records pursuant to Section 466.201(a)(1) of the Texas Government Code, to the Texas Lottery Commission for the purpose of a background investigation to determine my eligibility for a Texas Lottery Ticket Sales License. Such records may include, but are not limited to: 1. Law enforcement records, including offense or arrest reports. 2. Court documents reflecting pending charges or final dispositions.

Partners, Owners, Officers, Directors, Members and Managers (attach additional sheets if necessary):

Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
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Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
Partner, Owner, Officer, Director, Manager or Member (Print)		Sign Here	Date
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