

## TRANSCRIPT OF PROCEEDINGS

BEFORE THE

TEXAS LOTTERY COMMISSION

AUSTIN, TEXAS

COMMISSION MEETING           )  
FOR THE TEXAS                )  
LOTTERY COMMISSION         )

COMMISSION MEETING

August 22, 2022

1:00 p.m.

AT

TEXAS LOTTERY COMMISSION  
611 East 6th Street  
Austin, Texas 78701

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## APPEARANCES

CHAIRMAN: Robert G. Rivera  
(Not Present)

COMMISSIONERS: Cindy Fields  
Mark A. Franz  
Erik C. Saenz  
James H.C. "Jamey" Steen

GENERAL COUNSEL: Robert F. Biard

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## P R O C E E D I N G S

MONDAY, AUGUST 22, 2022

COMMISSIONER FRANZ: Good afternoon.

I'd like to call this meeting of the Texas Lottery Commission to order. Today is August 22nd, the time is 1:06 p.m. Commissioners Fields, Saenz, Steen are present. Our Chairman, Mr. Rivera, sends his regrets. His flight was cancelled due to weather out of Dallas, but we have a quorum so we can proceed.

## AGENDA ITEM NO. I

COMMISSIONER FRANZ: As always, we will start with Pledge of Allegiance to the U.S. and Texas flags. Please join me.

(Pledges recited)

## AGENDA ITEM NO. II

COMMISSIONER FRANZ: The first item is a petition for bingo rulemaking. Bob, I believe this is your item.

MR. BIARD: Yes, thank you, commissioners. For the record, I'm Bob Biard, General Counsel, here today for Tyler Vance who's out.

This matter is a petition of Daniel R. Moore, K&B Sales and Roy Bingo Supplies of Texas, for adoption of eight new Charitable Bingo Operation Division rules relating to shutter card bingo systems.

1           The petitioners are licensed bingo  
2 distributors and they submitted the petition on July 5,  
3 2022. The proposed rules would address the use of  
4 shutter card bingo systems, which is an authorized form  
5 of bingo using shutter cards, with the use of shutter  
6 card bingo site systems and customer accounts for the  
7 play of bingo.

8           Under the Texas Administrative Procedure  
9 Act, the Commission rules, both within 60 days after  
10 the date a petition is submitted, the agency is  
11 required to either deny the petition in writing,  
12 stating its reasons for the denial, or initiate a  
13 rulemaking proceeding.

14           The 60th date in this case is September  
15 3rd, so this is the last meeting for the Commission to  
16 act. We have discussed this matter internally with the  
17 Bingo Director and recommend that the Commission vote  
18 to initiate a rulemaking proceeding. The Bingo  
19 Advisory Committee at their last meeting also voted to  
20 recommend initiating a rulemaking proceeding.

21           If the Commission agrees, staff will  
22 take the petition and put it into the required Texas  
23 Register format and bring it back for your  
24 consideration to publish for public comment at a future  
25 meeting.

1 I'll be happy to answer any questions.

2 COMMISSIONER FRANZ: Thank you, Bob.

3 Commissioners, any questions or statements?

4 COMMISSIONER FIELDS: I have a quick  
5 statement.

6 COMMISSIONER FRANZ: Yes.

7 COMMISSIONER FIELDS: Before we take  
8 action on the petition for rulemaking, I want to make  
9 it perfectly clear that approval of the petition is not  
10 an endorsement and the agency will explore and ensure  
11 that the proposal will not be considered an expansion  
12 of gambling in any way.

13 COMMISSIONER FRANZ: Thank you,  
14 commissioner. Any other questions or comments? All  
15 right. Then I'll entertain a motion to approve the  
16 petition.

17 COMMISSIONER FIELDS: I'll so move.

18 COMMISSIONER FRANZ: There's a motion.  
19 Is there a second?

20 COMMISSIONER SAENZ: Second.

21 COMMISSIONER FRANZ: Mr. Saenz, thank  
22 you. All right. All in favor say aye.

23 (Chorus of "ayes")

24 COMMISSIONER FRANZ: Opposed? All  
25 right. Passes unanimously.

1 MR. BIARD: Thank you, Commissioners.

2 AGENDA ITEM NO. III

3 COMMISSIONER FRANZ: Commission, I  
4 believe that concludes the business of this Commission  
5 for this meeting. Can I get a motion to adjourn?

6 COMMISSIONER SAENZ: I'll make a motion.

7 COMMISSIONER STEEN: Second.

8 COMMISSIONER FRANZ: All in favor?

9 (Chorus of "ayes")

10 COMMISSIONER FRANZ: Done. Thank you,  
11 guys.

12 (Proceedings concluded at 1:09 p.m.)  
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## C E R T I F I C A T E

STATE OF TEXAS )

COUNTY OF HARRIS )

I, Kimberly C. McCright, Certified Vendor in  
and for the State of Texas, do hereby certify that the  
above-mentioned matter occurred as hereinbefore set  
out.

I FURTHER CERTIFY THAT the proceedings of  
such were reported by me or under my supervision, later  
reduced to typewritten form under my supervision and  
control and that the foregoing pages are a full, true  
and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my  
hand and seal this 31st day of August, 2022.

/s/ Kimberly C. McCright

Kimberly C. McCright

Certified Vendor and Notary Public

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