



# Texas Lottery Commission

## April 6, 2022

### 10:00 a.m.

I.	<p>The Texas Lottery Commission will call the meeting to order.</p> <p>Pledge of Allegiance to the U.S. and Texas flags.</p> <p>Texas Pledge: “Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”</p>	Robert G. Rivera, Chairman
II.	Report by the Bingo Advisory Committee (BAC) Chairman; possible discussion and/or action on the BAC’s activities, including removal and appointment of committee members.	William Trace Smith III, Chairman, Bingo Advisory Committee
III.	Report, possible discussion and/or action on HUB and/or minority business participation, including the agency's Fiscal Year 2021 Minority Business Participation Report.	Eric Williams, HUB Coordinator
IV.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.304 (Draw Game Rules (General)), §401.305 (“Lotto Texas” Draw Game Rule), §401.307 (“Pick 3” Draw Game Rule), §401.312 (“Texas Two Step” Draw Game Rule), §401.315 (“Mega Millions” Draw Game Rule), §401.316 (“Daily 4” Draw Game Rule), §401.317 (“Powerball” Draw Game Rule), and §401.320 (“All or Nothing” Draw Game Rule).	Kyle Wolfe, Assistant General Counsel
V.	Report, possible discussion and/or action on lottery sales and revenue, game performance, new game opportunities, advertising, promotional activities, market research, trends, and game contracts, agreements, and procedures.	Kelly Stuckey, Controller
VI.	Report, possible discussion and/or action on transfers to the State.	Kelly Stuckey, Controller
VII.	Report, possible discussion and/or action on external and internal audits and/or reviews relating to the Texas Lottery Commission, and/or on Internal Audit activities, including the agency-wide performance measures audit report.	Liz Meyers, McConnell & Jones LLP
VIII.	Report by the Charitable Bingo Operations Director and possible discussion and/or action on the Charitable Bingo Operations Division’s activities, including licensing, accounting and audit activities, reports, and special projects.	LaDonna Castañuela, Charitable Bingo Operations Director
IX.	Report by the Executive Director and possible discussion and/or action on the agency’s operational status, major	Gary Grief, Executive Director

	contracts, agency procedures, awards, and FTE status.
<p>X. Consideration of the status and possible approval of orders in enforcement cases:</p> <p><u>Lottery NSF License Revocation Cases (Default)</u></p> <ul style="list-style-type: none"> <li>A. Docket No. 362-22-1010 – Beverly Quick Stop</li> <li>B. Docket No. 362-22-1011 – Monroe Grocery</li> <li>C. Docket No. 362-22-1117 – Liberty Food Store LLC</li> <li>D. Docket No. 362-22-1173 – Grab N Go Tobacco</li> <li>E. Docket No. 362-22-1195 – Aces One Stop</li> <li>F. Docket No. 362-22-1403 – Jenny’s Food Mart</li> </ul> <p><u>Lottery Agreed Orders</u></p> <ul style="list-style-type: none"> <li>G. Case No. 2022-69 – Lucky Spot</li> <li>H. Case No. 2022-70 – Sage Food Mart</li> <li>I. Case No. 2022-72 – Taylor Food Mart</li> </ul> <p><u>Bingo Agreed Orders</u></p> <ul style="list-style-type: none"> <li>J. Case No. 2021-840 – American Legion Post 83</li> <li>K. Case Nos. 2022-58, 2022-59, 2022-60, 2022-61, 2022-62, and 2022-74 – TG 302 Inc., TG 105 Inc., Boys Club of Pharr Inc., San Juan Nursing Home Inc., Pharr Literacy Project Inc., and Bingo Ranch 2 LLC</li> </ul>	<p>Bob Biard, General Counsel</p>
<p>XI. Public comment.</p>	<p>Robert G. Rivera, Chairman</p>
<p>XII. Commission may meet in Executive Session:</p> <ul style="list-style-type: none"> <li>A. To deliberate personnel matters, including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director and/or Charitable Bingo Operations Director, pursuant to §551.074 of the Texas Government Code.</li> <li>B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.</li> <li>C. To receive legal advice regarding pending or contemplated litigation or settlement offers, or other legal advice, pursuant to §551.071(1) and (2) of the Texas Government Code, including but not limited to legal advice regarding the following items:  <u>Pending litigation regarding Fun 5’s Scratch Ticket Game #1592, including Travis County District Court Docket No. D-1-GN-14-005114 (Steele, et al. v. GTECH Corp.);</u>  Legal advice regarding the Governor’s March 13, 2020 COVID-19 state of disaster declaration (as renewed thereafter) and related Texas Lottery</li> </ul>	<p>Robert G. Rivera, Chairman</p>

<p>Commission matters, Texas Government Code Chapters 466 (State Lottery Act) and 467 (Texas Lottery Commission), the Bingo Enabling Act, the Open Meetings Act, the Public Information Act, the Administrative Procedure Act, employment and personnel law, procurement and contract law, evidentiary and procedural law, ethics laws, and general government law.</p> <p><u>Legal advice regarding any item on this open meeting agenda.</u></p> <p>XIII. Return to open session for further deliberation and possible action on any matter posted for discussion in Executive Session. Any matter posted for Executive Session also may be the subject of discussion and/or action in open session.</p> <p>XIV. Adjournment.</p> <p>Notice of Assistance at Public Meetings. Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, should contact Debbie Jamieson at (512) 344-5038 at least four (4) work days prior to the meeting so that appropriate arrangements can be made.</p>	<p>Robert G. Rivera, Chairman</p> <p>Robert G. Rivera, Chairman</p>
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**From:** [Jamieson, Debbie](#)  
**To:** [Simpson, MaryBeth](#); [Zamora, Myra](#)  
**Cc:** [Blard, Bob](#)  
**Subject:** FW: S.O.S. Acknowledgment of Receipt  
**Date:** Tuesday, March 29, 2022 12:07:12 PM

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-----Original Message-----

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>  
Sent: Tuesday, March 29, 2022 12:05 PM  
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>  
Subject: S.O.S. Acknowledgment of Receipt

CAUTION: This email originated outside the Texas Lottery's email system.  
DO NOT click links or open attachments unless you expect them from the sender and know the content is safe.

Acknowledgment of Receipt

Agency: Texas Lottery Commission

Liaison: Debbie L. Jamieson

The Office of the Secretary of State has posted

notice of the following meeting:

Board: Texas Lottery Commission

Committee: Texas Lottery Commission

Date: 04/06/2022 10:00 AM "TRD# 2022001851"

Notice posted: 03/29/22 12:04 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2022001851](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2022001851)

VIDEOCONFERENCE: Pursuant to Texas Government Code Section 551.127(c), the member of the Texas Lottery Commission presiding over the meeting noticed herein will be physically present at the following meeting location, which will be open to the public during the open portions of the meeting: Texas Lottery Commission auditorium, 611 East 6th Street, Austin, Texas. Other Commission members and staff may participate by videoconference.

LIVESTREAM. The Commission open meeting may be viewed live online. Members of the public may access a livestream video of the meeting via the following link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MzljODY4NzYtYTI2MC00MzkwLTlmN2YtMDM3YjJZmE2YzBj%40thread.v2/0?context=%7b%22Tid%22%3a%22c6270a15-feb3-48d6-ae19-52f87b499f5a%22%2c%22Oid%22%3a%22143b90a7-54c6-45b9-b719-e69d44bae9ee%22%2c%22IsBroadcastMeeting%22%3a%22true%7d&btype=a&role=a](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzljODY4NzYtYTI2MC00MzkwLTlmN2YtMDM3YjJZmE2YzBj%40thread.v2/0?context=%7b%22Tid%22%3a%22c6270a15-feb3-48d6-ae19-52f87b499f5a%22%2c%22Oid%22%3a%22143b90a7-54c6-45b9-b719-e69d44bae9ee%22%2c%22IsBroadcastMeeting%22%3a%22true%7d&btype=a&role=a)

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