



# Texas Lottery Commission

## December 12, 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.	Consideration of and possible discussion and/or action, including proposal, on new 16 TAC §§ 402.331 (Shutter Card Bingo Systems – Definitions), 402.332 (Shutter Card Bingo Systems – Site System Standards), 402.333 (Shutter Card Bingo Systems – Shutter Card Station and Customer Account Standards), 402.334 (Shutter Card Bingo Systems – Approval of Shutter Card Bingo Systems), 402.335 (Shutter Card Bingo Systems – Licensed Authorized Organization Requirements), 402.336 (Shutter Card Bingo Systems – Distributor Requirements), 402.337 (Shutter Card Bingo Systems – Security Standards), and 402.338 (Shutter Card Bingo Systems – Inspections and Restrictions).	Tyler Vance, Assistant General Counsel
IV.	Report, possible discussion and/or action on agency prime contracts, including the procurement for the contract for risk review and compliance monitoring services.	Angela Zgabay-Zgarba, Administrative Division Director
V.	Report, possible discussion and/or action on the biennial security study of the lottery.	Angela Zgabay-Zgarba, Administrative Division Director and Christopher S. Ellingwood, CISA, Senior Manager
VI.	Report, possible discussion and/or action on the 2022 demographic report on lottery players.	Robert Tirloni, Lottery Operations Division Director and Dr. Gail Buttorff, Associate Director, Center for Public Policy, Hobby School of Public Affairs, University of Houston
VII.	Report, possible discussion and/or action on lottery sales and revenue, game performance, new game opportunities,	Kelly Stuckey, Controller and Robert Tirloni, Lottery Operations

	advertising, promotional activities, market research, trends, and game contracts, agreements, and procedures.	Division Director
VIII.	Report, possible discussion and/or action on transfers to the State.	Kelly Stuckey, Controller
IX.	Report, possible discussion and/or action on the 88th Legislative Session.	Nelda Trevino, Governmental Affairs Division Director
X.	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 Drawing Studio Processes and Controls audit report.	Darlene Brown, McConnell & Jones LLP
XI.	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 Division Director
XII.	Report by the Executive Director and possible discussion and/or action on the agency's operational status, major contracts, agency procedures, awards, and FTE status.	Bob Biard, General Counsel on behalf of Gary Grief, Executive Director
XIII.	Consideration of the status and possible approval of orders in enforcement cases:	Bob Biard, General Counsel
	<u>Lottery NSF License Revocation Cases (Default)</u>	
	A. Docket No. 362-22-08789 – Mercado Express	
	B. Docket No. 362-22-09364 – Mercado Express 2	
	C. Docket No. 362-23-00612 – Gold Star Food	
	<u>Lottery Agreed Orders</u>	
	D. Case No. 2022-363 – Sunny Food Mart	
	E. Case No. 2023-29 – Mr. 4 Food Mart	
	<u>Bingo Agreed Orders</u>	
	F. Docket No. 362-22-2473.B – Joseph M. Downs (bingo manufacturer)	
XIV.	Public comment.	Robert G. Rivera, Chairman
XV.	Commission may meet in Executive Session:	Robert G. Rivera, Chairman
	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.	
	B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.	
	C. To receive legal advice regarding pending or contemplated litigation or settlement offers, or other legal advice, pursuant to §551.071(1) and (2)	

<p>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.); and U.S. District Court (Western District-Austin) Docket No. 1:22-CV-578-RP (Texas Lottery Commission v. Ali Ansari).</u>  Legal advice regarding the Governor's March 13, 2020 COVID-19 state of disaster declaration (as renewed thereafter) and related Texas Lottery 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.  <u>Legal advice regarding any item on this open meeting agenda.</u></p> <p>XVI. 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>XVII. 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:** Friday, December 2, 2022 12:06:38 PM

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>  
Sent: Friday, December 2, 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: 12/12/2022 10:00 AM "TRD# 2022007282"

Notice posted: 12/02/22 12:04 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z TRD=2022007282](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z TRD=2022007282)

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\\_YjFlZTgyM2UtMDk0MC00MjkxLWIyZWEtZDEzNzdiODMzZWJh%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%3atrue%7d&btype=a&role=a](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjFlZTgyM2UtMDk0MC00MjkxLWIyZWEtZDEzNzdiODMzZWJh%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%3atrue%7d&btype=a&role=a)

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