

Texas Lottery Commission

December 14, 2023

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, possible discussion and/or action on Commissioner training, including ethics, administrative procedure, and open government laws pertaining to the Texas Lottery Commission.	Bob Biard, General Counsel
III.	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
IV.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §§ 402.200 (General Restrictions on the Conduct of Bingo), 402.203 (Unit Accounting), 402.400 (General Licensing Provisions), 402.401 (Temporary License), 402.404 (License Classes and Fees), 402.405 (Temporary Authorization), 402.413 (Military Service Members, Military Veterans, and Military Spouses), 402.420 (Qualifications and Requirements for Conductor’s License), 402.451 (Operating Capital), 402.452 (Net Proceeds), 402.503 (Bingo Gift Certificates), 402.600 (Bingo Reports and Payments), 402.706 (Schedule of Sanctions), and 402.707 (Expedited Administrative Penalty Guideline).	Tyler Vance, 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.	Sergio Rey, Controller and Will Russ, Products Manager
VI.	Report, possible discussion and/or action on transfers to the State.	Sergio Rey, Controller
VII.	Report, possible discussion and/or action on the Sunset review process involving the agency.	Ryan Mindell, Deputy Executive Director
VIII.	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.	Darlene Brown, Partner, McConnell Jones
IX.	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 Castanuela, Charitable Bingo Operations Division Director

X.	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.	Gary Grief, Executive Director
XI.	<p>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"> A. Docket No. 362-23-26515 – Amigos Grocery B. Docket No. 362-24-00392 – Sunshine Mart C. Docket No. 362-24-01660 – Murray's Quick Stop D. Docket No. 362-24-02074 – Amigo Liquor Beer and Wine <p><u>Lottery Agreed Orders</u></p> <ul style="list-style-type: none"> E. Case No. 2023-873 – Diamond Food Mart F. Case No. 2023-875 – Falcos C Store G. Case No. 2023-899 – 7-Eleven Store #33690 H. Case No. 2023-900 – Shop N Shop I. Case No. 2023-979 – 7-Eleven Convenience Store #37211B <p><u>Other Lottery Cases (Protested NSF)</u></p> <ul style="list-style-type: none"> J. Docket No. 362-23-18503 – S & M Food Store K. Docket No. 362-23-23969 – Quick Chek Food Store L. Docket No. 362-23-26516 – EZ Trip Beer and Wine <p><u>Bingo Agreed Orders</u></p> <ul style="list-style-type: none"> M. Docket No. 362-23-07187.B – VFW Post 3966 Devine N. Case No. 2023-840 – Jennifer Seale (bingo worker) O. Case No. 2023-859 – Charlene Martin (bingo worker) 	Bob Biard, General Counsel
XII.	Public comment.	Robert G. Rivera, Chairman
XIII.	<p>The Commission may meet in Executive Session:</p> <ul style="list-style-type: none"> 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) 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</u> 	Robert G. Rivera, Chairman

al. v. GTECH Corp.)

Legal advice regarding 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.

Legal advice regarding any item on this open meeting agenda.

- XIV. 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.

- XV. Adjournment.

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) workdays prior to the meeting so that appropriate arrangements can be made.

Robert G. Rivera, Chairman

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From: [Jamieson, Debbie](#)
To: [Simpson, MaryBeth](#); [Zamora, Myra](#)
Cc: [Biard, Bob](#)
Subject: FW: S.O.S. Acknowledgment of Receipt
Date: Wednesday, December 6, 2023 12:47:19 PM

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, December 6, 2023 12:45 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: 12/14/2023 10:00 AM "TRD# 2023006957"

Notice posted: 12/06/23 12:45 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2023006957](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2023006957)

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_ODQwMzQzZGYtNjE3NC00ZDVlLWI3ZGltYWY5ZTEwMWQxMTVh%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%2C%22role%22%3A%22a%22%7D&btype=a&role=a

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- D. Docket No. 362-24-02074 – Amigo Liquor Beer and Wine

Lottery Agreed Orders

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