

1           The Texas Lottery Commission (Commission) adopts amendments to 16 TAC §§ 401.305  
2 (“Lotto Texas” Draw Game Rule), 401.312 (“Texas Two Step” Draw Game Rule), and 401.317  
3 (“Powerball” Draw Game Rule) without changes to the proposed text as published in the  
4 December 18, 2020 issue of the *Texas Register* (45 TexReg 8951).

5           The amendment to Rule 401.305 provides that Lotto Texas drawings will occur on the days  
6 and at times specified by the Commission’s executive director, which may be days or times other  
7 than Wednesday and Saturday at 10:12 p.m., as the rule currently provides.

8           The amendment to Rule 401.312 similarly provides that Texas Two Step drawings will  
9 occur on the days and at times specified by the executive director, which may be days or times  
10 other than Monday and Thursday at 10:12 p.m., as the rule currently provides.

11           The amendment to Rule 401.317 provides that Powerball drawings will occur on the days  
12 specified by the Multi-State Lottery Association (MUSL) Powerball Group and announced by the  
13 executive director, which may be days other than Wednesday and Saturday, as the rule currently  
14 provides.

15           The purpose of the amendments is to provide the Commission greater flexibility to  
16 coordinate the draw dates and times for its jackpot draw games to maximize potential revenue to  
17 the state.

18           The Commission received two (2) written comments on the proposed amendments during  
19 the public comment period. One commenter stated their opposition to conducting an additional  
20 Powerball drawing per week. In response, the Commission notes that any decisions regarding the  
21 frequency of Powerball drawings are made by the MUSL Powerball Group, not the Commission.  
22 *See* 16 Tex. Admin. Code §401.317(a). Another commenter stated their opposition to the proposed

1 amendments without specifying a reason. Accordingly, the Commission declines to make changes  
2 to the proposed amendments in response to the comments.

3 These amendments are adopted under Texas Government Code §466.015(c)(4), which  
4 authorizes the Commission to adopt rules governing the operation of the lottery, including the  
5 frequency of drawings or selection of a winning ticket, and §467.102, which authorizes the  
6 Commission to adopt rules for the enforcement and administration of the laws under the  
7 Commission’s jurisdiction.

8 §401.305. “Lotto Texas” Draw Game Rule.

9 (a) – (c) (No change.)

10 (d) Drawings.

11 (1) Lotto Texas base game drawings shall be held each week on the days and at times  
12 specified by the executive director. [~~Wednesday and Saturday at 10:12 p.m. Central Time. The~~  
13 ~~executive director may change the drawing schedule, if it is deemed necessary.~~]

14 (2) – (5) (No change.)

15 (e) – (h) (No change.)

16 §401.312. “Texas Two Step” Draw Game Rule.

17 (a) – (c) (No change.)

18 (d) Drawings.

19 (1) Texas Two Step drawings shall be held each week on the days and at times specified  
20 by the executive director. [~~Monday and Thursday at 10:12 p.m. Central Time. The executive~~  
21 ~~director may change the drawing schedule, if necessary.~~]

22 (2) – (5) (No change.)

23 (e) – (f) (No change.)

1 §401.317. “Powerball” Draw Game Rule.

2 (a) – (b) (No change.)

3 (c) Game Description.

4 (1) Powerball Game. Powerball is a five (5) out of sixty-nine (69) plus one (1) out of  
5 twenty-six (26) numbers lottery game drawn on the days specified by the MUSL Powerball Group  
6 and announced by the executive director [~~every Wednesday and Saturday~~], as part of the Powerball  
7 Drawing, which pays the Grand Prize, at the election of the player made in accordance with this  
8 section, or by a default election made in accordance with this section, either on an annuitized pari-  
9 mutuel basis or as a single lump sum payment of the total funding held in the Grand Prize Pool for  
10 the winning Drawing on a pari-mutuel basis. Except as provided in this section, all other prizes are  
11 paid on a single payment basis.

12 (A) – (C) (No change.)

13 (2) – (6) (No change.)

14 (d) – (k) (No change.)