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The Senate of the State of Texas

Jane Nelson
 Senate District 12

RECEIVED

JAN 20 2012

OPINION COMMITTEE

January 19, 2012

FILE # ML-46932-12
 I.D. # 46932

RQ-1037-GA

The Honorable Greg Abbott
 Attorney General
 Office of the Attorney General
 P.O. Box 12548
 Austin, Texas 78711-2548

RE: The authority of the Texas Lottery Commission to conduct second chance drawings via the internet.

Dear General Abbott:

I respectfully seek your opinion regarding questions that have arisen surrounding the Texas Lottery Commission's authority to conduct second chance drawings for losing tickets on the internet. Currently, the Texas Lottery Commission is conducting second chance promotional drawings referred to as the "Luck Zone" via the internet. The Luck Zone allows players to enter, via the internet, losing scratch-off tickets in a drawing for a chance to win prizes.

Sec. 466.401 of the Government Code and Rule 401.313 of the Texas Administrative Code describes the agency's authority to regulate drawings.

Based on statute:

- 1) Does the Texas Lottery Commission have authority to conduct second chance drawings for losing tickets via the internet?
- 2) Does the Texas Lottery Commission have authority to conduct any game of chance via the internet?

I appreciate your attention to this request, and please do not hesitate to contact my office if I can be of any assistance in this matter.

Very truly yours,

Senator Jane Nelson