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FEB 10 2014

FILE # ML-47517-14

OPINION COMMITTEE *The Senate of The State of Texas* ID. # 47517

CAPITOL OFFICE:

P.O. Box 12068
Austin, Texas 78711
(512) 463-0102
Fax: (512) 463-7202
Dial 711 For Relay Calls



DISTRICT OFFICES:

18601 LBJ Freeway, Suite 400
Mesquite, Texas 75150
(972) 279-1800
Fax: (972) 279-1066

2500 Stonewall St., Suite 805
Greenville, Texas 75401
(903) 450-9797
Fax: (903) 450-9796

February 10, 2014

ROBERT F. DEUELL, M.D.
TEXAS SENATE DISTRICT 2

RQ-1185-GA

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

Dear General Abbott:

As Chairman of the Senate Economic Development Committee, I am requesting an Opinion from your office on the following issue:

Whether the most recent game, the "Texas Triple Chance," proposed by the Texas Lottery Commission qualifies as a "lottery" under the guidelines set by the Texas Constitution.

Unlike existing "draw" games, the "Texas Triple Chance" contains a preset prize amount. The more numbers the player matches, the more money the player wins. The prize amount for each level is constant no matter how many tickets were purchased.

In the event there is not a jackpot winner, the Texas Lottery will retain the jackpot prize money. It does not carry forward to be paid to an eventual winner as does traditional lottery jackpot games.

For the foregoing reasons, I respectfully request an Attorney General opinion stating whether the "Texas Triple Chance" is constitutional.

Thank you for your consideration in this matter.

Very truly yours,

Senator Robert F. Deuell, M.D.
Chair, Senate Economic Development Committee