



INTEROFFICE MEMO

Gary Grief, Executive Director

Alfonso D. Royal III, Charitable Bingo Operations Director

Approved

Denied

To: J. Winston Krause, Chairman
Carmen Arrieta-Candelaria, Commissioner
Peggy A. Heeg, Commissioner
Doug Lowe, Commissioner
Robert Rivera, Commissioner

From: Ryan S. Mindell, Assistant General Counsel

Date: August 8, 2017

Re: Consideration of and possible discussion and/or action, including proposal, on the repeal of 16 TAC §401.323 ("Monopoly Millionaires' Club™" Game Rule)

Attached for your consideration is Commission staff's proposal for the repeal of 16 TAC §401.323 ("Monopoly Millionaires' Club™" Game Rule). The purpose of the proposed repeal is to remove references to a discontinued multijurisdiction lottery draw game no longer offered by the Commission.

Recommendation: Staff recommends the Commission initiate the rulemaking process by publishing the attached proposal in the *Texas Register* to receive public comment for a period of 30 days.

1 The Texas Lottery Commission (“Commission”) proposes the repeal of 16 TAC §401.323
2 (“MONOPOLY MILLIONAIRES’ CLUB™” Game Rule). The purpose of the proposed repeal is
3 to remove references to a discontinued multijurisdiction lottery draw game no longer offered by
4 the Commission.

5 Kathy Pyka, Controller, has determined that for each year of the first five years the repeal
6 will be in effect, there will be no significant fiscal impact for state or local governments as a result
7 of the proposed repeal. There will be no adverse effect on small businesses, micro businesses, or
8 local or state employment. There will be no additional economic cost to persons required to
9 comply with the repeal, as proposed. Furthermore, an Economic Impact Statement and Regulatory
10 Flexibility Analysis is not required because the repeal will not have an adverse economic effect on
11 small businesses as defined in Texas Government Code §2006.001(2).

12 Michael Anger, Director of Lottery Operations, has determined that for each year of the
13 first five years the proposed repeal will be in effect, the public benefit anticipated is the elimination
14 of references to a discontinued game as well as the minimization of player confusion.

15 The Commission requests comments on the proposed repeal from any interested person.
16 Comments on the proposed repeal may be submitted to Ryan Mindell, Assistant General Counsel,
17 by mail, at Texas Lottery Commission, P.O. Box 16630, Austin, Texas 78761-6630; by facsimile
18 at (512) 344-5189; or by email at *legal.input@lottery.state.tx.us*. Comments must be received
19 within 30 days after publication of this proposal in the Texas Register in order to be considered.

20 This repeal is proposed under Texas Government Code §466.015, which authorizes the
21 Commission to adopt rules governing the operation of the lottery, §466.451, which authorizes the
22 Commission to adopt rules relating to a multi-jurisdiction lottery game, and §467.102, which

1 authorizes the Commission to adopt rules for the enforcement and administration of the laws under
2 the Commission's jurisdiction.

3 This proposal is intended to implement Texas Government Code, Chapter 466.

4 ~~§401.323. "MONOPOLY MILLIONAIRES' CLUB™" Game Rule.~~

5 ~~(a) MONOPOLY MILLIONAIRES' CLUB. MONOPOLY MILLIONAIRES' CLUB is a Multi-~~
6 ~~State Lottery Association (MUSL) national premium draw game offered by all Lotteries that have~~
7 ~~agreed to MUSL's National Premium Game Product Group Rules. MONOPOLY~~
8 ~~MILLIONAIRES' CLUB is authorized to be conducted in Texas by the executive director in~~
9 ~~accordance with the MUSL rules, the laws of the State of Texas, this section, and under such~~
10 ~~further instructions, directives, and procedures as the executive director may issue in conformance~~
11 ~~with state law. If a conflict arises between this section and §401.304 of this chapter (relating to~~
12 ~~On-line Game Rules (General)), this section shall have precedence. The purpose of the~~
13 ~~MONOPOLY MILLIONAIRES' CLUB game is the generation of revenue through the operation~~
14 ~~of a specially designed, national premium multi-jurisdiction lottery draw game that will award~~
15 ~~MONOPOLY MILLIONAIRES' CLUB prizes and, only when a Top Prize has been won in a~~
16 ~~MONOPOLY MILLIONAIRES' CLUB drawing, \$1 million Millionaires' Club prizes. In addition~~
17 ~~to other applicable rules contained in Chapter 401, this section and definitions apply unless the~~
18 ~~context requires a different meaning or is otherwise inconsistent with the intention of the rules~~
19 ~~adopted by MUSL or the MUSL National Premium Game Product Group. The conduct and play~~
20 ~~of MONOPOLY MILLIONAIRES' CLUB must conform to the MUSL National Premium Game~~
21 ~~Product Group MONOPOLY MILLIONAIRES' CLUB Game Rules.~~

22 ~~(b) Definitions.~~

1 ——— (1) "Game board", "board", "panel", or "playboard" means that area of the playslip which
2 contains one set of numbered squares to be marked by the player, or, at the player's option by
3 marking the appropriate box on the playboard, selected as a Quick Pick, containing fifty-two (52)
4 squares, numbered one (1) through fifty-two (52). One (1) of twenty-eight (28) numbered
5 MONOPOLY game board properties will be assigned to the player as a Quick Pick with each
6 MONOPOLY MILLIONAIRES' CLUB ticket purchase.

7 ——— (2) "Top Prize" means the game prize (see Figure: 16 TAC §401.323(d)(3)(A), Prize Level
8 1) won when a player's wager matches all six (6) numbers, the first five (5) from a field of fifty-
9 two (52) numbers and one (1) from a field of twenty-eight (28) numbered MONOPOLY game
10 board properties.

11 ——— (3) "Lottery" means a state lottery or lottery of a governmental unit, political subdivision
12 or entity thereof that has agreed to MUSL's MONOPOLY MILLIONAIRES' CLUB Game Rules
13 and is selling the game offered by the MUSL National Premium Game Product Group.

14 ——— (4) "Lotteries" refers to the Lotteries participating in the MUSL National Premium Game
15 Product Group.

16 ——— (5) "Millionaires' Club Prize" means a single payment prize (See 16 TAC
17 §401.323(d)(3)(A)) with a value of one million dollars (\$1,000,000). Only when a Top Prize has
18 been won in a MONOPOLY MILLIONAIRES' CLUB drawing, a second drawing will be held to
19 select Millionaires' Club Prize winning tickets.

20 ——— (6) "MUSL" means the Multi-State Lottery Association, a government-benefit association
21 wholly owned and operated by its Member Lotteries, which acts as the central office for the
22 Lotteries in the MUSL National Premium Game Product Group.

1 ~~—— (7) "MUSL Board" means the governing body of MUSL which is comprised of the chief~~
2 ~~executive officer of each MUSL Member Lottery.~~

3 ~~—— (8) "Play" or "wager" means the six (6) numbers, the first five (5) from a field of fifty-two~~
4 ~~(52) numbers and the last one (1) from a field of twenty-eight (28) numbered MONOPOLY game~~
5 ~~board properties, that appear on a ticket as a single numbered selection and are to be played by a~~
6 ~~player in the game.~~

7 ~~—— (9) "Playslip" means an optically readable card issued by the Commission used by players~~
8 ~~of MONOPOLY MILLIONAIRES' CLUB to select plays and to elect all features. A playslip has~~
9 ~~no pecuniary value and shall not constitute evidence of ticket purchase or of numbers selected.~~
10 ~~Playslips must be completed manually. A ticket generated from a playslip that was not completed~~
11 ~~manually is not valid. There shall be four (4) playboards on each playslip.~~

12 ~~—— (10) "MUSL National Premium Game Product Group" or "Product Group" means the~~
13 ~~group of Lotteries that has joined together to offer the MONOPOLY MILLIONAIRES' CLUB~~
14 ~~lottery game pursuant to the terms of the Multi-State Lottery Agreement and the Product Group's~~
15 ~~MONOPOLY MILLIONAIRES' CLUB Game Rules.~~

16 ~~—— (11) "Set Prize" or "Low Tier prizes" (Prize Levels 2-10) means all other prizes, except the~~
17 ~~Top Prize and Millionaires' Club Prizes, that are advertised to be paid in a single payment and,~~
18 ~~except in instances outlined in this rule, are established by the Product Group for each prize level.~~

19 ~~—— (12) "Terminal" means a device authorized by the Commission to function in an interactive~~
20 ~~mode with the lottery's central gaming system for the purpose of issuing lottery tickets and~~
21 ~~entering, receiving, and processing lottery transactions, including making purchases, validating~~
22 ~~tickets, and transmitting reports.~~

1 ——— (13) "Winning Numbers" means the six (6) numbers, the first five (5) from a field of fifty-
2 two (52) numbers and the last one (1) from a field of twenty-eight (28) numbers that also represent
3 MONOPOLY game board properties, randomly selected at each drawing, which shall be used to
4 determine winning plays contained on a game ticket.

5 (e) Game Description.

6 ——— (1) How to Play. MONOPOLY MILLIONAIRES' CLUB is a five (5) out of fifty two (52)
7 plus one (1) out of twenty-eight (28) lottery draw game, drawn every Friday (or such other day of
8 the week as required by the Product Group's MONOPOLY MILLIONAIRES' CLUB Game
9 Rules), which pays the Top Prize at the election of the player or by a default election made in
10 accordance with this rule, either on an annuitized pari-mutuel basis or a cash lump sum payment
11 of the total cash held for this prize pool on a pari-mutuel basis. Only when a Top Prize has been
12 won in a MONOPOLY MILLIONAIRES' CLUB drawing, a second drawing will be held to select
13 Millionaires' Club Prize winning tickets. At the start of each new MONOPOLY MILLIONAIRES'
14 CLUB roll cycle, ten (10) Millionaires' Club Prizes will be available. As determined by the Product
15 Group, more Millionaires' Club Prizes may be added, during the roll cycle, with each drawing until
16 the Top Prize is won and the Millionaires' Club Prizes are drawn. A given play may win in the
17 MONOPOLY MILLIONAIRES' CLUB drawing, the Millionaires' Club Prize drawing (if any), or
18 both drawings. MONOPOLY MILLIONAIRES' CLUB and Millionaires' Club Prize drawings
19 shall use random number generators, and otherwise shall be determined by the Product Group. All
20 Millionaires' Club prizes and MONOPOLY MILLIONAIRES' CLUB Set Prizes (all prizes except
21 the Top Prize) are paid as a single payment. To play MONOPOLY MILLIONAIRES' CLUB a
22 player shall select, or use Quick Pick to choose, five (5) different numbers from one (1) through
23 fifty two (52); the additional number in the range from one (1) through twenty-eight (28) shall

1 always be a randomly generated Quick Pick number for the second value in the player's selection.
2 The second number may be the same as one of the first five numbers selected by the player. The
3 second number shall be represented on the player's ticket both as a number and as the associated
4 MONOPOLY game board property. Each play shall also have a unique, non-repeating
5 transactional number associated with that play to be used in determining Millionaires' Club Prize
6 winning plays, only in the event the Top Prize is won and a separate Millionaires' Club Prize
7 drawing is held.

8 ——— (2) Plays and Ticket Purchases. Plays can be purchased for five dollars (U.S. \$5.00) and
9 may be sold only by an on-line licensed sales agent and only at the location listed on the sales
10 agent's license. A ticket sold by a person other than an on-line licensed sales agent is not valid.

11 ——— (3) Claims. A valid ticket shall be the only proof of a game play, and the submission of a
12 valid winning ticket to the Commission or its authorized sales agent shall be the sole method of
13 claiming a prize or prizes. A playslip has no pecuniary or prize value and shall not constitute
14 evidence of ticket purchase or of numbers selected. A terminal produced paper receipt has no
15 pecuniary or prize value and shall not constitute evidence of ticket purchase or of numbers selected.

16 ——— (4) Cancellations Prohibited. A MONOPOLY MILLIONAIRES' CLUB ticket may not be
17 voided or canceled, even when printed in error. No ticket which can be used to claim a prize shall
18 be returned to the Commission for credit. Tickets accepted by licensed sales agents as returned
19 tickets and which cannot be re-sold shall be deemed owned by the bearer thereof.

20 ——— (5) Player Responsibility. It shall be the sole responsibility of the player to verify the
21 accuracy of the game play or plays and other data printed on the ticket. The placing of plays is
22 done at the player's own risk through the licensed sales agent who is acting on behalf of the player
23 in entering the play or plays.

1 ~~—— (6) Entry of Plays. Plays may only be entered manually using the licensed sales agent~~
2 ~~terminal touch screen or by means of a playslip provided by the Commission and hand marked by~~
3 ~~the player or by such other means approved by the Commission. Licensed sales agents shall not~~
4 ~~permit the use of facsimiles of playslips, copies of playslips, or other materials that are inserted~~
5 ~~into the terminal's playslip reader that are not approved by the Commission. Licensed sales agents~~
6 ~~shall not permit any device to be connected to a lottery terminal to enter plays, except as approved~~
7 ~~by the Commission.~~

8 ~~(d) Prize Pool and Prize Reserve.~~

9 ~~—— (1) Prize Pool. The prize pool for all prize categories shall consist of fifty percent (50.00%)~~
10 ~~of each drawing period's sales, after the prize pool accounts and prize reserve accounts are funded~~
11 ~~to the amounts set by the Product Group.~~

12 ~~—— (2) Prize Pool Accounts and Prize Reserve Accounts.~~

13 ~~—— (A) MUSL will deduct an amount up to four percent (4%) of the Texas Lottery's~~
14 ~~MONOPOLY MILLIONAIRES' CLUB sales from the MONOPOLY MILLIONAIRES' CLUB~~
15 ~~Top Prize contribution and Millionaires' Club Prize Pool contribution and place in trust in one or~~
16 ~~more prize pool accounts and prize reserve accounts until the prize pool accounts and the Texas~~
17 ~~Lottery's share of the prize reserve account(s) reach the amounts designated by the Product Group.~~

18 ~~—— (B) The prize pool accounts established for the MONOPOLY MILLIONAIRES'~~
19 ~~CLUB game include:~~

20 ~~—— (i) Top Prize and Millionaires' Club Prize Pool (TP&MC Prize Pool), which~~
21 ~~is used to fund the immediate Top Prize and Millionaires' Club Prizes and shall consist of the Top~~
22 ~~Prize and Millionaires' Club Prize Pool contributions less amounts to fund the Prize Reserve~~
23 ~~Account (PRA); and~~

1 ~~_____ (ii) Set Prize Pool Account, which holds the temporary balances that may~~
2 ~~result from having fewer than expected winning plays in the Set Prize categories. The source of~~
3 ~~the Set Prize Pool Account is the participating Lotteries' weekly prize contributions less actual Set~~
4 ~~Prize liability.~~

5 ~~_____ (C) The Prize Reserve Account is established for the MONOPOLY~~
6 ~~MILLIONAIRES' CLUB game, which is used to guarantee the payment of the minimum or~~
7 ~~starting Top Prize and Millionaires' Club Prizes, guarantee the payment of valid, but unanticipated,~~
8 ~~Top Prize and Millionaires' Club Prize claims that may result from a system error or other reason,~~
9 ~~and to fund deficiencies in Set Prize payments (subject to the limitations of this rule).~~

10 ~~_____ (D) Once the prize pool accounts and the Commission's share of the PRA exceed~~
11 ~~the designated amounts, the excess shall become part of the TP&MC Prize Pool. The Product~~
12 ~~Group, with review and comment of the MUSL Finance & Audit Committee, may establish a~~
13 ~~maximum balance for the prize pool accounts and the PRA.~~

14 ~~_____ (E) The Product Group may determine to expend all or a portion of the funds in the~~
15 ~~PRA and the Set Prize Pool Account: (1) for the purpose of indemnifying the Lotteries in the~~
16 ~~payment of prizes to be made by the Lotteries, subject to the approval of the MUSL Board; and~~
17 ~~(2) for the payment of prizes or special prizes in the MONOPOLY MILLIONAIRES' CLUB game,~~
18 ~~limited to Set Prize Pool and prize reserve contributions from Lotteries participating in the special~~
19 ~~prize promotion, subject to the review and comment of the MUSL Finance and Audit Committee.~~
20 ~~The prize reserve shares of a Lottery may be adjusted with refunds to the Lottery from the PRA as~~
21 ~~may be needed to maintain the approved maximum balance and shares of the Lotteries. As~~
22 ~~approved by the Product Group, any amount remaining in the prize pool accounts or PRA when~~
23 ~~the Product Group declares the end of the MONOPOLY MILLIONAIRES' CLUB game shall be~~

1 returned to all Lotteries participating in the accounts after the end of all applicable claim periods
2 of all Lotteries, carried forward to the replacement PRA or expended in a manner as directed by
3 the individual Lotteries in accordance with jurisdictional requirements.

4 ~~————— (3) Expected Prize Payout Percentages, Prize Pool Funding and Fund Transfers.~~

5 ~~————— (A) The Top Prize shall be determined on a pari-mutuel basis. The following table~~
6 ~~sets forth the probability of winning plays and the probable distribution of winning plays in and~~
7 ~~among each prize category, based upon the total number of possible combinations in MONOPOLY~~
8 ~~MILLIONAIRES' CLUB, and prize pool funding by prize category. Except as otherwise provided~~
9 ~~for in this rule, all other prizes awarded shall be paid as Set Prizes with the following expected~~
10 ~~prize payout percentages:~~

11 ~~Attached Graphic~~

12 ~~————— (B) The prize money allocated to the Top Prize category shall be divided equally~~
13 ~~by the number of plays winning the Top Prize.~~

14 ~~————— (C) Prize Pool Account Rollovers and Carry Forwards.~~

15 ~~(i) Any monies not paid for Top Prize and Millionaires' Club Prizes in the~~
16 ~~TP&MC Prize Pool following a drawing shall roll over and be added to the TP&MC Prize Pool~~
17 ~~for the following drawing.~~

18 ~~————— (ii) The Set Prize Pool for prizes of one hundred thousand dollars~~
19 ~~(\$100,000.00) or less shall be carried forward to subsequent draws if all or a portion of it is not~~
20 ~~needed to pay the Set Prizes awarded in the current draw.~~

21 ~~————— (D) Pari-Mutuel Prize Determinations.~~

22 ~~————— (i) If the total of the Set Prizes awarded in a drawing (prize levels 2-10)~~
23 ~~exceeds the percentage of the prize pool allocated to the Set Prizes, then the amount needed to~~

1 fund the Set Prizes awarded shall be drawn from the following sources, in the following order: (1)
2 the amount allocated to the Set Prizes and carried forward from previous draws, if any; (2) an
3 amount from the PRA, if available, not to exceed twenty million dollars (\$20,000,000.00) per
4 drawing.

5 _____ (ii) If, after these sources are depleted, there are not sufficient funds to pay
6 the Set Prizes awarded, then the highest Set Prize shall become a pari-mutuel prize. If the amount
7 of the highest Set Prize, when paid on a pari-mutuel basis, drops to or below the next highest Set
8 Prize and there are still not sufficient funds to pay the remaining Set Prizes awarded, then the next
9 highest Set Prize shall become a pari-mutuel prize. This procedure shall continue down through
10 all Set Prize levels, if necessary, until all Set Prize levels become pari-mutuel prize levels.

11 _____ (E) Fund Transfers. On a weekly basis, or as otherwise determined by the Product
12 Group, the Commission will transfer, in trust, an amount as determined by the Product Group to
13 be the Commission's total proportionate share of the MONOPOLY MILLIONAIRES' CLUB
14 license and vendor fees, which include the television game show prizes, and studio audience
15 member travel expenses.

16 _____ (F) Unclaimed Top Prizes and Millionaires' Club Prizes. All funds to pay a Top
17 Prize or Millionaires' Club Prize that had been collected by the MUSL central office and that went
18 unclaimed shall be returned to the Lotteries in proportion to sales by the Lotteries for the prize(s)
19 in question, after the claiming period set by the Lottery selling the winning ticket expires.

20 (e) Prize Payment.

21 _____ (1) Top Prizes.

22 _____ (A) The Top Prize shall begin at an annuitized amount of Fifteen Million Dollars
23 (\$15,000,000.00) and shall increase following each consecutive drawing in which the Top Prize is

1 not won, except that the annuitized Top Prize amount shall not exceed Twenty-five Million Dollars
2 (\$25,000,000.00) and will remain at this amount for each subsequent drawing until the Top Prize
3 is won. Top Prizes shall be paid as an annuity or a single lump-sum payment. At the time of ticket
4 purchase, a player may select the option for payment of the cash value or annuitized payments of
5 a share of the Top Prize if the play is a winning play. If no payment option is selected by the player,
6 the default payment option will be the cash value option. Selection of the option for payment of
7 the cash value or annuitized payments of a share of the Top Prize if the play is a winning play is a
8 selection made at the time of purchase and is final and cannot be revoked, withdrawn or otherwise
9 changed.

10 _____ (B) Shares of the Top Prize shall be determined as provided in paragraph (4) of this
11 subsection. A player(s) who elects a single lump-sum payment (cash value payment) shall be paid
12 his/her share(s) in a single cash payment. If individual shares of the cash held to fund an annuity
13 are less than \$250,000, the Commission, in its sole discretion, may elect to pay the holders of
14 tickets with winning plays their share of the funds of the cash pool to fund the annuity prizes as
15 described in paragraph (4) of this subsection.

16 _____ (C) All annuitized prizes shall be paid annually in thirty (30) payments with the
17 initial payment being made in cash, to be followed by twenty-nine (29) payments funded by the
18 annuity. All annuitized prizes shall be paid annually in thirty (30) graduated payments (increasing
19 each year) at a rate as determined by the Product Group. Prize payments may be rounded down to
20 the nearest one thousand dollars (\$1,000). Annual payments after the initial payment shall be made
21 by the Lottery on the anniversary date or if such date falls on a non-business day, then the first
22 business day following the anniversary date of the selection of the Top winning numbers. Funds
23 for the initial payment of an annuitized prize or the single lump-sum cash prize shall be made

1 available by MUSL for payment by the Lottery no earlier than the fifteenth calendar day (or the
2 next banking day if the fifteenth day is a holiday) following the drawing. If necessary, when the
3 due date for the payment of a prize occurs before the receipt of funds in the prize pool account
4 sufficient to pay the prize, the transfer of funds for the payment of the full lump-sum cash amount
5 may be delayed pending receipt of funds from all Lotteries. The identification of the securities to
6 fund the annuitized prize shall be at the sole discretion of the State of Texas. If the State of Texas
7 purchases the securities, or holds the prize payment annuity for a Top Prize won in this state, the
8 prize winner will have no recourse against MUSL or any other Lottery for payment of that prize.

9 _____ (D) Payment of Prize Payments upon the Death of a Prize Winner. In the event of
10 the death of a prize winner, payments may be made in accordance with §401.310 of this chapter
11 (relating to Payment of Prize Payments Upon Death of Prize Winner); otherwise, payment of prize
12 payments will be made to the estate of a deceased prize winner in accordance with Texas
13 Government Code §466.406.

14 _____ (2) Millionaires' Club and Set Prize Payments. All Millionaires' Club Prizes and Set Prizes
15 (all prizes except the Top Prize, whether described as "cash" payment prizes or otherwise) for
16 tickets sold by licensed sales agents in Texas and validated according to the Commission's rules
17 shall be paid by the Commission and at the discretion of the Commission by check, warrant, or
18 wire transfer. The Commission may begin paying Millionaires' Club Prizes and Set Prizes after
19 receiving authorization to pay from the MUSL central office.

20 _____ (3) Prizes Rounded. Annuitized payments of the Top Prize or a share of the Top Prize may
21 be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an
22 annuitized Top Prize win shall be added to the first payment to the verified winner or winners. Set
23 Prizes, which, under this rule, may become single-payment, pari-mutuel prizes, may be rounded

1 down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding
2 Set Prizes shall be carried forward to the prize pool for the next drawing.

3 ~~—— (4) Funding of Guaranteed Prizes. The Product Group may offer guaranteed minimum Top~~
4 ~~Prize amounts, guaranteed minimum numbers of Millionaires' Club winners, minimum increases~~
5 ~~in the Top Prize amount between drawings, minimum increases in the number of Millionaires'~~
6 ~~Club winners between drawings, or make other changes in the allocation of prize money where~~
7 ~~the Product Group finds that it would be in the best interest of the game. If a minimum Top Prize~~
8 ~~amount or a minimum increase in the Top Prize between drawings is offered by the Product Group,~~
9 ~~then shares of the Top Prize shall be determined as follows: If there are multiple Top Prize winning~~
10 ~~plays during a single drawing, each selecting the annuitized option prize, then a winning play's~~
11 ~~share of the guaranteed annuitized Top Prize shall be determined by dividing the guaranteed~~
12 ~~annuitized Top Prize by the number of winning plays. If there are multiple Top Prize winning~~
13 ~~plays during a single drawing and at least one (1) of the Top Prize claimants has elected the~~
14 ~~annuitized option prize, then the best bid submitted by the MUSL central office's pre-approved~~
15 ~~qualified brokers shall determine the cash pool needed to fund the guaranteed annuitized Top Prize.~~
16 ~~If no claimant of the Top Prize during a single drawing has elected the annuitized option prize,~~
17 ~~then the amount of cash in the Top Prize Pool shall be an amount equal to the guaranteed annuitized~~
18 ~~amount divided by the average annuity factor of the most recent three (3) best quotes provided by~~
19 ~~pre-approved qualified brokers submitting quotes. In no case shall quotes be used which are more~~
20 ~~than two (2) weeks old, and if less than three (3) quotes are submitted, then the MUSL central~~
21 ~~office shall use the average of all quotes submitted. Changes in the allocation of prize money shall~~
22 ~~be designed to retain approximately the same prize allocation percentages, over a year's time, as~~
23 ~~set out in MUSL's MONOPOLY MILLIONAIRES' CLUB Game Rules. Minimum guaranteed~~

1 prizes or increases may be waived if the alternate funding mechanism set out in subsection
2 (d)(3)(D) of this rule becomes necessary. The annuity factor is determined by the best total
3 securities price obtained through a competitive bid of qualified, pre-approved brokers made after
4 it is determined that the prize is to be paid as an annuity prize. Neither MUSL, the Product Group,
5 nor the Lotteries shall be responsible or liable for changes in the advertised or estimated annuity
6 prize amount and the actual amount purchased after the prize payment method is actually known
7 to the MUSL central office.

8 ——— (5) Prize Limited to Highest Prize Won. Except for the Millionaires' Club Prizes, the holder
9 of a winning ticket may win only one (1) prize for that ticket's play and shall be entitled only to
10 the prize won by those numbers in the highest matching prize category. The status of a ticket with
11 a winning play based on a match between the play and the Winning Numbers on that ticket shall
12 have no effect on that ticket's ability to win (if drawn) a Millionaires' Club Prize.

13 ——— (6) Millionaires' Club Prize. Independent of a ticket's status as an apparent winning ticket
14 due to a match with the Winning Numbers, each ticket in a MONOPOLY MILLIONAIRES'
15 CLUB drawing is eligible to win a Millionaires' Club Prize if (and only if), on that game draw,
16 Millionaires' Club Prizes are awarded. If a ticket is a winning play under both drawings, the prize
17 paid shall be the sum of both the Top Prize or Set Prize (Level 2-10 prizes) and the Millionaires'
18 Club Prize. At the start of each new MONOPOLY MILLIONAIRES' CLUB roll cycle, ten (10)
19 Millionaires' Club Prizes will be available. As determined by the Product Group, more
20 Millionaires' Club Prizes may be added, during the roll cycle, with each drawing until the Top
21 Prize is won and the Millionaires' Club Prizes are drawn.

22 ——— (7) Prize Claim Period. Prize claims shall be submitted no later than 180 days after the
23 draw date.

1 ~~—— (8) Prize Winners. Subject to state law and rules of the Commission, the name and city of~~
2 ~~the winner of a Top Prize or Millionaires' Club Prize will be disclosed in a press conference or in~~
3 ~~a press release, and the prize winner may be requested to participate in a press conference. For~~
4 ~~legal entities, the name of a natural person who is a principal of the legal entity must be provided.~~

5 ~~(f) Ticket Claim and Validation.~~

6 ~~—— (1) Prize Claims. Prize claim procedures shall be governed by the rules of the Commission~~
7 ~~as set out in §401.304 of this chapter and any internal procedures used by the Commission. Neither~~
8 ~~MUSL, the Product Group, nor the other participating Lotteries shall be responsible for prizes that~~
9 ~~are not claimed following the proper procedures as determined by the Commission.~~

10 ~~—— (2) Signature. Until such time as a signature is placed upon a ticket in the area designated~~
11 ~~for signature, a ticket shall be owned by the bearer of the ticket.~~

12 ~~—— (3) Multiple Claimants. The issue of multiple claimants shall be handled in accordance~~
13 ~~with Texas Government Code Chapter 466 and §401.304 of this chapter.~~

14 ~~—— (4) Stolen Tickets. Neither MUSL, the Product Group, nor any of the participating Lotteries~~
15 ~~shall be responsible for lost or stolen tickets.~~

16 ~~—— (5) Ticket Validation. To be a valid ticket and eligible to receive a prize, a ticket shall~~
17 ~~satisfy all the requirements established by the Commission for validation of winning tickets sold~~
18 ~~through the Texas Lottery's gaming system and any other validation requirements adopted by the~~
19 ~~Lotteries, the Product Group, and the MUSL Board. Neither MUSL, the Product Group, nor any~~
20 ~~of the participating Lotteries shall be responsible for paying prizes for tickets which are altered in~~
21 ~~any manner.~~

22 ~~(g) Ineligible Players.~~

1 ~~———— (1) A ticket or share for the MONOPOLY MILLIONAIRES' CLUB Game shall not be~~
2 ~~purchased by, and a prize won by any such ticket or share shall not be paid to:~~

3 ~~———— (A) any MUSL employee, officer, or Product Group Lottery Director;~~

4 ~~———— (B) any contractor or consultant under agreement with MUSL to review MUSL~~
5 ~~audit and security procedures;~~

6 ~~———— (C) any employee of an independent accounting firm under contract with MUSL to~~
7 ~~observe drawings or site operations who is actually assigned to the MUSL account and all partners,~~
8 ~~shareholders, or owners in the local office of the firm; or~~

9 ~~———— (D) Any officer, employee or director of Hasbro, Inc., or~~

10 ~~———— (E) an immediate family member (parent, stepparent, child, stepchild, spouse or~~
11 ~~sibling) of an individual described in subparagraphs (A), (B,) (C) or (D) of this paragraph and~~
12 ~~residing in the same household.~~

13 ~~———— (2) Those persons designated by a Lottery as ineligible to play its games also shall be~~
14 ~~ineligible to play the MONOPOLY MILLIONAIRES' CLUB game in any Lottery jurisdiction.~~

15 ~~(h) Applicable Law. In purchasing a ticket in Texas, the purchaser agrees to comply with and abide~~
16 ~~by all applicable laws, rules, regulations, procedures, and decisions of the Commission.~~

17 ~~(i) MONOPOLY MILLIONAIRES' CLUB Television Game Show.~~

18 ~~(1) Television Game Show. The Product Group may decide to add a television game show~~
19 ~~to the MONOPOLY MILLIONAIRES' CLUB game. The MONOPOLY MILLIONAIRES' CLUB~~
20 ~~television game show (TV Show) will be produced at times and places approved by the Product~~
21 ~~Group for broadcast at times approved by the Product Group.~~

22 ~~———— (2) Basic TV Show Design; Alterations. The basic design of the TV Show shall be as~~
23 ~~described in this subsection, except that any alteration of the basic design of the TV Show may be~~

1 approved by the Product Group. Contests played on the TV Show shall be as approved by the
2 Product Group.

3 ~~—— (3) Eligibility. Unless otherwise indicated by the Commission, a Texas Lottery player may
4 become eligible for TV Show studio audience member selection by registering a MONOPOLY
5 MILLIONAIRES' CLUB ticket or tickets with one or more qualifying MONOPOLY game board
6 properties according to the requirements of this game rule. Members of the studio audience shall
7 be eligible to be selected to participate in MONOPOLY-themed contests on the TV Show. Guests
8 of players who are not proxied by the player to appear as an on-stage participant in the place of
9 the player are not eligible to be selected as an on-stage game participant.~~

10 ~~—— (4) How to Register. To register a MONOPOLY MILLIONAIRES' CLUB ticket for
11 participation in the selection of studio audience members, a Texas Lottery player must visit the
12 Commission's LuckZone website, where the player will be asked to sign into his/her existing
13 LuckZone account or open a new account and enter the webcode printed on the MONOPOLY
14 MILLIONAIRES' CLUB ticket. The MONOPOLY game board property on the ticket, together
15 with a randomly generated additional bonus MONOPOLY game board property assigned when
16 the ticket is registered at the LuckZone website, will be put in the player's account. As shown in
17 the following table, for each complete MONOPOLY property group, the player will be awarded a
18 number of entries in a drawing from which studio audience members will be selected.~~

19 Attached Graphic

20 ~~—— (5) Selection of Studio Audience Members. The Commission (or its authorized designee)
21 shall, from time to time as specified by the Product Group, conduct a promotional drawing from
22 among those MONOPOLY MILLIONAIRES' CLUB registered Texas Lottery LuckZone account
23 holders who have accumulated enough MONOPOLY properties to participate in the drawing. For~~

1 each drawing, the Commission shall select a minimum of three (3) studio audience participants,
2 each of whom shall be awarded: i) transportation, meals, and lodging expenses for himself or
3 herself and a guest to travel to and return from the TV Show; and ii) the opportunity to be chosen
4 as an on-stage participant on the TV Show and play MONOPOLY-themed contests for prizes.

5 ——— (6) No transfers; No cash option; Exceptions. A Texas Lottery player selected to participate
6 as a studio audience member for the TV Show shall not have the right to transfer such selection to
7 another person, except that the Commission, in its sole discretion, may permit or require the player
8 to appoint another person to participate as a studio audience member (a proxy), subject to player
9 eligibility requirements set by the Commission. If the player selects, or the Commission requires,
10 a proxy to participate as a studio audience member in his/her place, the transportation, meals, and
11 lodging expenses, together with any prize(s) awarded as a result of participation in the studio
12 audience or in a contest on the TV Show shall be deemed to be received by the player initially
13 selected to participate, not the proxy. Nothing in this rule requires the Commission to permit studio
14 audience members to appoint a replacement to attend the TV Show taping. A player selected to
15 participate as a studio audience member for the TV Show shall not have the right to decline the
16 payment of expenses for transportation, meals, and lodging in exchange for a sum of money
17 equivalent to the value of such expenses. The Commission, in its sole discretion, may select
18 another player to attend the TV show taping should the player initially selected to participate in
19 the studio audience decline the invitation or be determined to be ineligible to claim such prize
20 under the State Lottery Act, this Chapter, or other Texas law. Nothing in this rule requires the
21 Commission to offer a cash option in lieu of the opportunity to attend the TV Show.