

CLC consultant testifies against Texas Lottery budget

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AUSTIN—Texas lawmakers recognize Rob Kohler as a steadfast gambling opponent who often has testified before legislative committees in the past two decades. But Kohler never testified in opposition to the Texas Lottery’s budget—until last week.

Kohler, a consultant with Texas Baptists’ Christian Life Commission, [testified before the Senate Finance Committee](#).

He opposed the budget because the Texas Lottery Commission changed its rules during the COVID-19 pandemic to allow lottery ticket sales by phone via the internet using third-party companies rather than appearing in person at a licensed retailer.

“In many instances, these are offshore gambling companies,” Kohler told the committee. “What it used to mean to play the lottery has changed. From 1992 when we first started until August 2022, it was a face-to-face interaction.”

In fact, the Texas Administrative Code stipulates that a lottery player must be “physically present” at a licensed terminal location. The statute specifically prohibits the sale of lottery tickets “by mail, phone, fax, or other similar method of communication.”

However, in summer 2020, the Texas Lottery Commission “went through a rulemaking process that in essence changed what it means to sell lottery tickets in this state,” Kohler said.

The Texas Lottery changed the rules to delete the “present at the terminal”

language and to make possible selling instant scratch-off game tickets by phone. The commission also changed a rule that said a retailer “shall not accept telephone or mail-in requests to issue a ticket.”

“We strongly believe you have the authority to change these things. We respect the process, and we think it should be done in the open by the people that are elected by the citizens of this state—not state agency staff,” Kohler told the Senate committee.

In discussion following Kohler’s testimony, some senators on the committee noted concern about the addictive nature of lottery ticket sales over the phone, as well as opposition to the process by which rules were changed.