



INTEROFFICE MEMO

Gary Grief, Executive Director LaDonna Castañuela, Charitable Bingo Operations Director

To: Robert G. Rivera, Chairman
Cindy Fields, Commissioner
Mark A. Franz, Commissioner
Erik C. Saenz, Commissioner
Jamey Steen, Commissioner

From: Angela Zgabay-Zgarba, Administration Division Director *A Z*

Date: March 31, 2023

Re: Report, possible discussion and/or action on HUB and/or minority business participation, including approval of the agency's Fiscal Year 2022 Minority Business Participation Report

A copy of the **Fiscal Year 2022 Minority Business Participation Report** is attached for your review. This report, which is required by Section §466.107 of the State Lottery Act, must be made available annually to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature.

The report will require Commission approval prior to being printed and published on the TLC Website. Should you have any questions, please contact Eric Williams at (512) 344-5241.

Attachments

cc: Gary Grief, Executive Director

Commissioners:
Robert G. Rivera,
Chairman
Cindy Fields
Mark A. Franz
Erik C. Saenz
Jamey Steen



TEXAS LOTTERY COMMISSION

Gary Grief, *Executive Director*

LaDonna Castañuela, *Charitable Bingo Operations Director*

April 13, 2022

The Honorable Greg Abbott
The Honorable Dan Patrick
The Honorable Dade Phelan
Members of the 88th Legislature

Ladies and Gentlemen:

In accordance with Texas Government Code, §466.107 of the State Lottery Act, the Texas Lottery Commission is submitting its annual Minority Business Participation Report for fiscal year (FY) 2022.

During FY 2022, the agency achieved an overall participation of 10.66% in its minority/Historically Underutilized Business (HUB) contracting activity, which represented a decrease from FY 2021's participation of 14.38%. In addition, the agency continued to surpass its 20% goal for minority retailers.

In FY 2022, a very limited number of outreach events were conducted as a result of the COVID-19 pandemic. During FY 2023, the Texas Lottery will continue to implement initiatives designed to increase the minority/HUB participation in its business operations.

Should you have any questions regarding the report, please do not hesitate to contact our Executive Director, Gary Grief.

Sincerely,

Robert G. Rivera
Chairman

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MINORITY BUSINESS PARTICIPATION REPORT

FISCAL YEAR 2022

INTRODUCTION

The Texas Lottery Commission (TLC) has prepared its annual Minority Business Participation Report for FY 2022 in accordance with Section 466.107 of the State Lottery Act. This report documents the agency's level of minority business participation both in its lottery and bingo contracting activity, and in the licensing of lottery retailers. It also provides recommendations for the improvement of lottery-related minority business opportunities.

As defined by the State Lottery Act, a "minority business" is a "business entity at least 51% of which is owned by minority group members or, in the case of a corporation, at least 51% of the shares of which are owned by minority group members." Minority group members include African Americans, American Indians, Asian Americans, Mexican Americans and other Americans of Hispanic origin. Throughout this report, the terms "minority-owned business" and "minority business" are used interchangeably.

The Texas Lottery Commission's HUB Program adopts by reference the rules administered by the Office of the Comptroller of Public Accounts regarding historically underutilized businesses, which are set forth in the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter D, §§20.281 – 20.298. In addition to the minority group members noted above, the Comptroller's definition also includes businesses owned by women and service-disabled veterans.

Although it is not specifically addressed by the State Lottery Act, the TLC also has a strong commitment to including minorities in its business operations by maintaining a diverse workforce. Information about this area is included in Appendix D of the report (page 26).



BACKGROUND

TEXAS LOTTERY COMMISSION VISION

To be the preeminent Lottery and Charitable Bingo agency through innovative leadership.

TEXAS LOTTERY MISSION

The Texas Lottery is committed to generating revenue for the State of Texas through the responsible management and sale of entertaining lottery products. The Texas Lottery will incorporate the highest standard of security, integrity and responsible gaming principles, set and achieve challenging goals, provide quality customer service and utilize a TEAM approach.

CHARITABLE BINGO MISSION

Provide authorized organizations the opportunity to raise funds for their charitable purposes by conducting bingo. Determine that all charitable bingo funds are used for a lawful purpose. Promote and maintain the integrity of the charitable bingo industry throughout Texas.

CORE VALUES

The Texas Lottery Commission combines private business management principles with public service standards of conduct in all its operations. The following values guide us in our work:

- Integrity and Responsibility
- Innovation
- Fiscal Accountability
- Customer Responsiveness
- Teamwork
- Excellence

MINORITY/HUB COMMITMENT

The Texas Lottery Commission is committed to assisting and including minority-owned businesses and Historically Underutilized Businesses (HUBs) in its procurement opportunities. In accordance with the provisions of the State Lottery Act and the state's HUB rules, the agency and its contractors make a good faith effort to contract and subcontract with minority-owned businesses for the purchase of goods and services for the operation of the agency.

MINORITY/HUB PROGRAM

The TLC's Minority/HUB Program functions as part of the agency's Administration Division. The agency's HUB Coordinator is responsible for advising and assisting the TLC in complying with the requirements of the State Lottery Act and the state's HUB rules. The agency's Minority/HUB Program operates in three key areas to promote the inclusion and utilization of minority-owned businesses and HUBs: outreach activities, contract compliance and reporting.

OUTREACH ACTIVITIES

Outreach activities make up one of the most important components of the TLC's Minority/HUB Program. The purpose of these activities is to inform minority/HUB vendors about opportunities to provide goods and services to the agency and its contractors. Outreach is performed primarily by participating in business opportunity forums and other events throughout the state. The TLC HUB Coordinator may also assist in planning and cosponsoring statewide events in cooperation with other state agencies. In addition, the agency may conduct an annual HUB Forum to inform minority/HUB vendors about TLC procurement processes and to provide networking opportunities. In FY 2022, outreach events continued to be hampered as a result of the COVID-19 pandemic. A very limited number of outreach events were conducted. A chart listing the outreach events in which the agency participated during FY 2022 is available in Appendix C (page 25).

Other types of outreach activities include providing information to prospective vendors via the TLC website, coordinating meetings with individual minority/HUB vendors, administering the agency's Mentor-Protégé Program, and assisting eligible businesses with obtaining state HUB certification.

CONTRACT COMPLIANCE

The TLC's HUB Coordinator, Purchasing and Contracts staff, and administering divisions work collaboratively to maintain vendor compliance with contract terms relating to minority and HUB participation. The first step in this process involves assisting the agency with making HUB subcontracting determinations for contracts with an expected value of \$100,000 or more prior to releasing solicitations. The TLC's HUB coordinator participates at pre-bid and pre-proposal conferences to highlight the TLC's HUB policy and subcontracting plan requirements. The HUB Coordinator also assists evaluation teams by reviewing HUB Subcontracting Plans submitted with bids/proposals to determine whether good faith effort criteria were met. Finally, the agency's subcontracting plans are monitored for compliance following contract award.

REPORTING

The TLC's minority/HUB expenditures are monitored throughout the year. Monthly internal minority/HUB participation reports are distributed to agency directors, and periodic updates are provided to TLC commissioners. In addition, HUB subcontracting expenditures and supplemental information are reported twice annually to the Comptroller of Public Accounts (CPA) for inclusion in the Statewide HUB Reports. HUB participation information is also included in the agency's Strategic Plan, Legislative Appropriations Request, and Annual Report of Non-Financial Data.

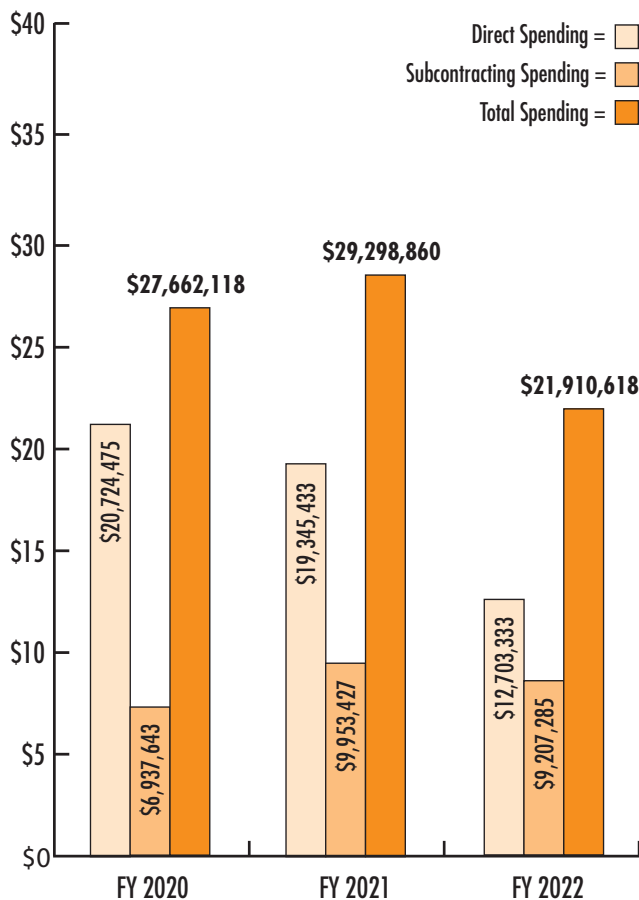


EXECUTIVE SUMMARY

During FY 2022, the TLC continued its efforts to provide opportunities for minority-owned businesses to participate in its procurement processes. Developing contacts with minority-owned businesses in Texas and licensing minority retailers are essential to the agency's initiatives.

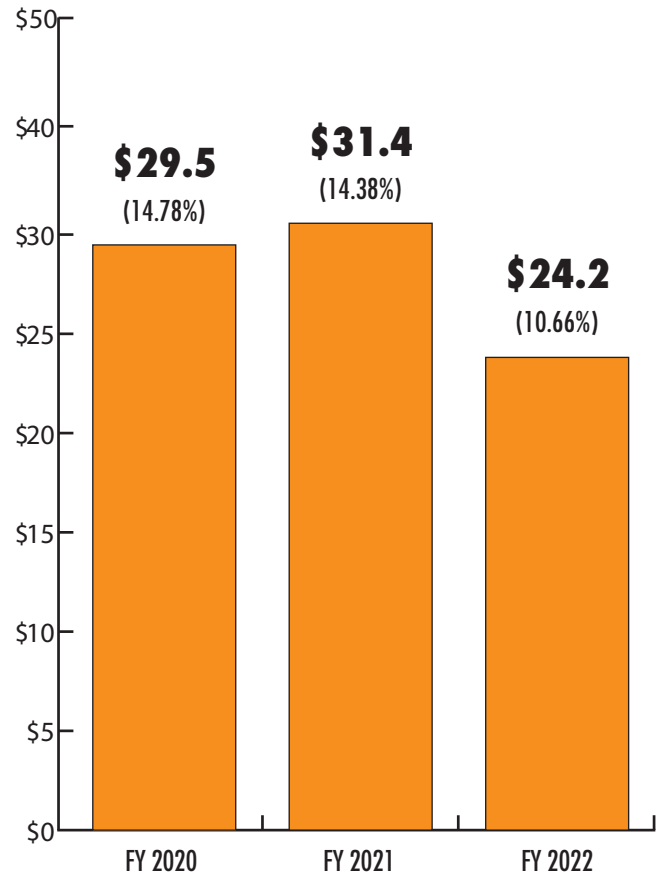
The TLC's overall expenditures, as captured by the CPA's *Fiscal Year 2022 Texas Historically Underutilized Business (HUB) Annual Report*, increased from FY 2021 to FY 2022. During this reporting period, the Commission ranked 20th by overall expenditures among the 50 largest-spending agencies, compared with ranking 19th during FY 2021.

**FIG. 2
MINORITY SPENDING***



*Amounts have been rounded to the nearest dollar.

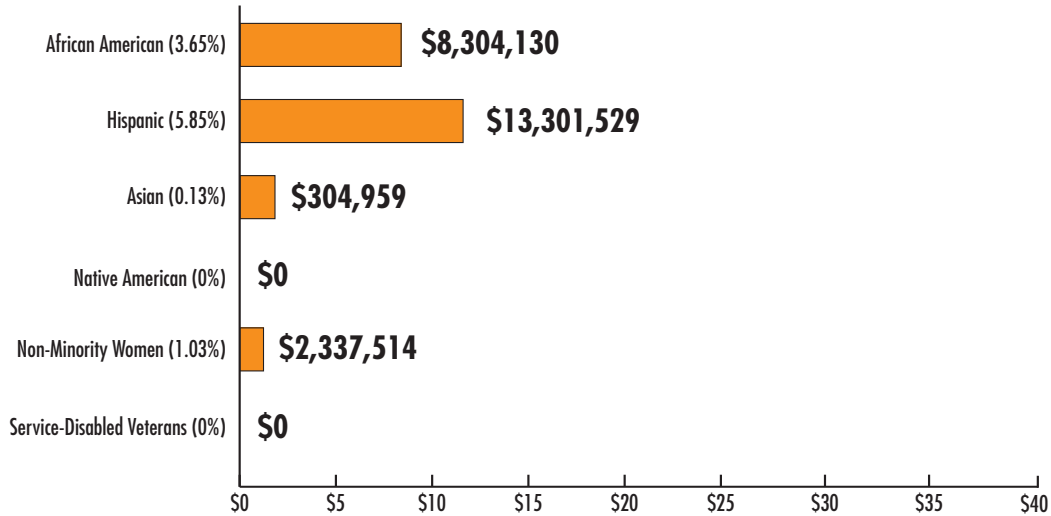
**FIG. 1
MINORITY/HUB SPENDING
(IN MILLIONS)**



During FY 2022, the TLC achieved an overall participation rate in its minority/HUB contracting activity of 10.66 percent. As shown in Figure 1, total expenditures paid to all minority/HUB vendors decreased from the previous fiscal year. The TLC's overall minority/HUB percentage also decreased.

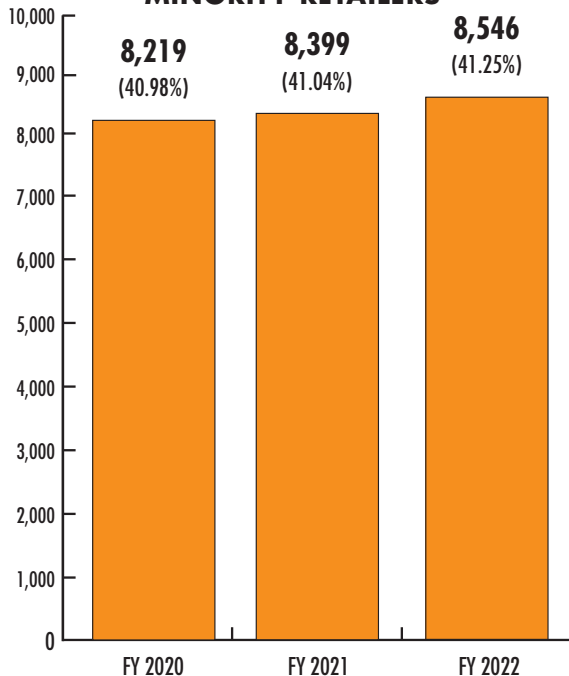
Figure 2 summarizes payments made to minority-owned businesses only (not including non-minority women or service-disabled veterans). During this reporting period, direct expenditures to minority-owned businesses decreased and subcontracting payments decreased. Figure 3 shows the breakdown of FY 2022 minority/HUB spending by ethnic group.

**FIG. 3
MINORITY/HUB SPENDING BY ETHNICITY**

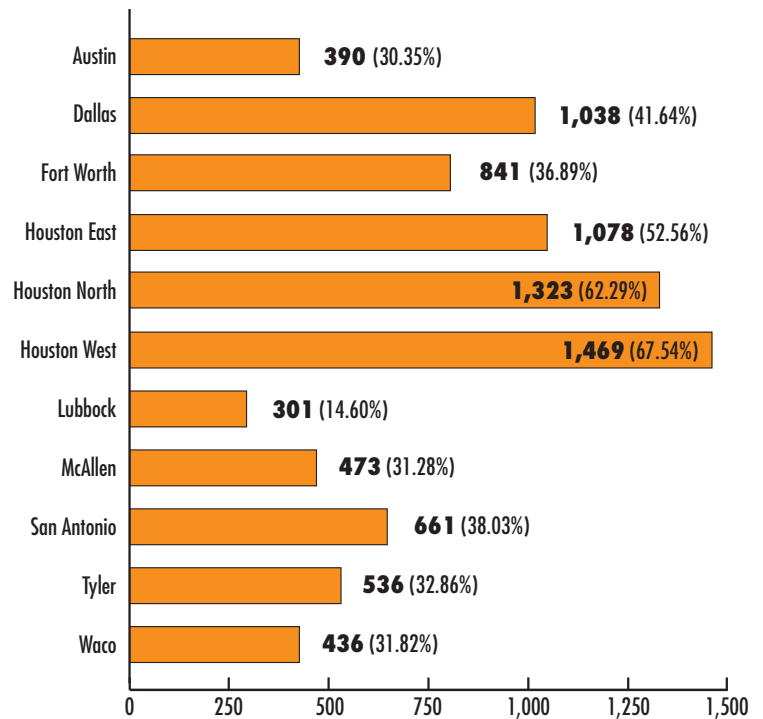


During FY 2022, the TLC continued to exceed the 20-percent goal for its minority retailer base which is set out in Texas Government Code Section 466.151. Minority retailers now number 8,546, representing 41.25 percent of the agency's total Texas Lottery retailer base (see Figures 4 and 5). More detailed information on minority retailers by county is located in Appendix B (page 18). In addition, the TLC has maintained a minority retailer percentage of more than 40 percent for 16 consecutive years.

**FIG. 4
NUMBER OF
MINORITY RETAILERS**



**FIG. 5
MINORITY RETAILERS
BY DISTRICT**



KEY CONTRACTORS

The Commission's key contractors during FY 2022 for contracts estimated to be \$100,000 or more* included the following:

ALLIANT INSURANCE SERVICES, INC. – Retailer Bonus Payment Management Services

BARKER & HERBERT ANALYTICAL LABORATORIES, INC. – Lottery Products Testing Services

BEEHIVE SPECIALTY CO.** – Promotional Products

BERRY DUNN MCNEIL & PARKER, LLC – Security Study Services

DK PARTNERS PC – Lottery Drawings CPA Services

ELEPHANT PRODUCTIONS, INC. – Drawing Studio and Production Services

ELSYM CONSULTING, INC. – Internal Control System and Related Services

EUBANK AND YOUNG STATISTICAL CONSULTING – Statistical Consulting Services

GRANT THORNTON, LLP – Risk Review and Compliance Monitoring Services

IGT GLOBAL SOLUTIONS CORPORATION DBA IGT SOLUTIONS (FKA GTECH CORPORATION®) – Lottery Operations and Services

IGT GLOBAL SOLUTIONS CORPORATION DBA IGT SOLUTIONS (FKA GTECH PRINTING CORPORATION) – Instant Ticket Manufacturing and Services

JOHNSON CONTROLS SECURITY SOLUTIONS (FKA TYCO INTEGRATED SECURITY, LLC) – Security Management System and Monitoring Services

KAMPFE DE STIJL, INC. – Professional Architect Services

KOWERT, HOOD, MUNYON, RANKIN AND GOETZEL, P.C. – Outside Counsel Intellectual Property Legal Services

LATINWORKS MARKETING, LLC DBA THIRD EAR** – Advertising Services

MCCONNELL AND JONES, LLP** – Internal Audit Services

NETSYNC NETWORK SOLUTIONS – Hyper Converged Infrastructure with Server Lease

POLLARD BANKNOTE, LTD. – Instant Ticket Manufacturing and Services

RFD & ASSOCIATES, INC.** – IT Staffing Augmentation Services

SCIENTIFIC GAMES INTERNATIONAL, INC. – Instant Ticket Manufacturing and Services

SHI GOVERNMENT SOLUTIONS** – Desktop Computer Lease

SMITH PROTECTIVE SERVICES, INC. – Security Officer Services

SOFTWARE ONE, INC. – Microsoft Software Enterprise Agreement

TECHNOLOGY SPA (FORMERLY AGENCIES OF CHANGE) – Website Hosting Services

WEAVER AND TIDWELL, LLP – Annual Financial Audit Services

WEAVER AND TIDWELL, LLP – Lottery Drawings CPA Services

XEROX BUSINESS SOLUTIONS SOUTHWEST (FKA DAHILL) – Document Management Services

*List does not include interagency contracts, property leases or licensed property contracts.

**HUB certified contractors

FISCAL YEAR 2022 HIGHLIGHTS

- The Texas Lottery Commission's minority/HUB expenditures in FY 2022 totaled more than \$24 million.
- For FY 2021, the TLC ranked 20th among the largest spending agencies in terms of overall expenditures as captured by the CPA's *Fiscal Year 2022 Texas Historically Underutilized Business (HUB) Annual Report*. Of the top 20, the TLC ranked 11th by overall HUB percentage (see Table C, page 12).
- In FY 2022, the agency paid certified HUBs approximately \$168,411.95 for goods and services in expenditure categories not included in the CPA's HUB Report.
- Two of the TLC's key contractors increased subcontracting payments to minority/HUB businesses.
- Five HUB companies provided key contract services to the agency during FY 2022 (see page 6).
- The TLC awarded \$14,012.30 in bid opportunities at the "Doing Business Texas Style Spot Bid Fair" held in conjunction with ACCESS 2022 in Irving, Texas.
- The TLC continued to assist vendors with the HUB subcontracting plan (HSP) process by offering one-on-one HSP workshops and reviews of draft HSPs. These efforts resulted in greater numbers of compliant HSPs and increased competition.
- The TLC participated in two economic opportunity forums and HUB-related outreach events statewide.
- The TLC participated in HUB Discussion Workgroup meetings that were held during the fiscal year.
- The TLC maintained a minority retailer percentage of more than 40% for the 16th consecutive year. This represents a lottery retailer participation of more than twice the established goal.



FISCAL YEAR 2022 MINORITY/HUB EXPENDITURE SUMMARY

TABLE A

I. DIRECT MINORITY/HUB EXPENDITURES

MINORITY/HUB GROUP	DIRECT EXPENDITURES	% OF TOTAL	TOTAL EXPENDITURES
AFRICAN AMERICAN	\$174,029	3.08%	
HISPANIC AMERICAN	\$12,237,842	5.38%	
ASIAN AMERICAN	\$291,462	0.13%	
NATIVE AMERICAN	\$0	0.00%	
AMERICAN WOMEN	\$1,228,784	0.54%	
SERVICE DISABLED VETERANS	\$0	0.00%	
TOTAL	\$24,248,132	10.66%	\$227,527,374

II. MINORITY/HUB SUBCONTRACTING EXPENDITURES

MINORITY/HUB GROUP	SUBCONTRACTING EXPENDITURES	% OF NON-MINORITY NON-HUB TOTAL	TOTAL NON-MINORITY/ NON-HUB EXPENDITURES
AFRICAN AMERICAN	\$8,130,101	3.87%	
HISPANIC AMERICAN	\$1,063,687	0.51%	
ASIAN AMERICAN	\$13,497	0.01%	
NATIVE AMERICAN	\$0	0.00%	
AMERICAN WOMEN	\$1,108,790	0.53%	
SERVICE DISABLED VETERANS	\$0	0.00%	
TOTAL	\$10,316,074	4.91%	\$213,595,317

III. GRAND TOTAL OF MINORITY/HUB EXPENDITURES

MINORITY/HUB GROUP	MINORITY/HUB EXPENDITURES	% OF TOTAL	TOTAL EXPENDITURES
AFRICAN AMERICAN	\$8,304,130	3.65%	
HISPANIC AMERICAN	\$13,301,529	45.85%	
ASIAN AMERICAN	\$304,959	0.13%	
NATIVE AMERICAN	\$0	0.00%	
AMERICAN WOMEN	\$2,337,514	1.03%	
SERVICE DISABLED VETERANS	\$0	0.00%	
TOTAL	\$24,248,132	10.66%	\$227,527,374

NOTE: Fiscal Year expenditures were based on the reportable expenditure object codes utilized by the Comptroller of Public Accounts (CPA) for the State of Texas HUB Report. Totals may not sum exactly to CPA report due to rounding or adjustments for term contract expenditures which are excluded from the report.

FISCAL YEAR 2022 ACCOMPLISHMENTS

The Texas Lottery Commission promotes fair and competitive opportunities for minority/HUB vendors interested in doing business with the agency and its key contractors. The TLC conducted an effective program during FY 2022 to inform and educate minority businesses/HUBs about opportunities to provide supplies, equipment, and services for the operation of the agency and to serve as licensed lottery retailers. The following sections detail some of the TLC's achievements in FY 2022.

INCLUSION IN PROCUREMENTS

The TLC's procurement-related initiatives included:

- Participating in forums and other outreach events to inform minority/HUB vendors about the TLC's contracting and subcontracting opportunities.
- Determining the probability of subcontracting and identifying potential minority/HUB subcontracting opportunities for contracts with an expected value of \$100,000 or more.
- Providing vendor support by offering one-on-one HUB subcontracting plan (HSP) workshops and reviews of draft HSPs.
- Evaluating good-faith-effort compliance with HSP requirements as part of the bid/proposal process.
- Conducting post-contract award follow-up with awarded vendors to discuss HSP requirements; monitoring contracts to ensure compliance.
- Providing procurement opportunities at HUB forums and other outreach events.
- Hosting meetings with interested vendors to assist them in becoming familiar with the TLC's procurement processes.
- Assisting eligible vendors to become certified as HUBs.



FISCAL YEAR 2022 ACCOMPLISHMENTS

Bids/Proposals Received and Contracts Awarded:

During FY 2022, the TLC received 37 competitive bids and proposals from HUB vendors, which represented 75.51 percent of all responses. Overall, the agency awarded 129 total contracts to HUB vendors, 41 of which were awarded to minority-owned business. These included contracts resulting from noncompetitive “spot purchases,” informal and formal quotes, bids, offers, and proposals received from HUB vendors.

OUTREACH ACTIVITIES

Outreach Materials: The TLC provided information to minority businesses and HUBs that were interested in doing business with the agency. This included information regarding the agency’s procurements, and contacts for both agency staff and key TLC contractors.

Website: Information about the TLC’s HUB Program is available via the agency’s website (www.texaslottery.com), which also provides links to Statewide HUB Program information.

Forums: In accordance with legislative mandates, the TLC participated in conferences, forums and events to provide information regarding the agency’s procurement opportunities. As part of the TLC’s outreach program, staff attended Economic Opportunity Forums (EOFs) sponsored by state agencies and/or other governmental entities. These included forums presented by the Statewide Procurement Division (SPD) of the Comptroller of Public Accounts (CPA). A summary of the agency’s outreach efforts is provided in Appendix C (page 25) of this report.

Prior to the COVID-19 pandemic, the Lottery Commission conducted an annual HUB forum which attracted minority/HUB participants from across the state. Roundtable networking sessions at these events allowed maximum interaction between attendees, agency staff, and key TLC contractors. The agency plans to resume this annual HUB event in FY 2023.

Subcontracting Opportunities: In FY 2022, the TLC continued to identify subcontracting opportunities for minority/HUB vendors and to monitor HUB Subcontracting Plan requirements.

MENTOR-PROTÉGÉ PROGRAM

In accordance with Texas Government Code, Section 2161.065, all state agencies with biennial budgets of more than \$10 million are required to have a Mentor-Protégé Program. The purpose of the Mentor-Protégé Program is to foster long-term relationships between prime contractors and HUBs. The ultimate goal of the program is to provide developmental assistance to HUBs that will potentially increase their ability to contract directly with the state and/or to obtain subcontract opportunities under a state contract. All relationships among mentors, protégés and the program sponsor are voluntary, and participation in the agency’s Mentor-Protégé Program is neither a guarantee for a contract opportunity nor a promise of business.

The Mentor- Protégé Program is an ongoing initiative, and the TLC will continue its efforts to form additional relationships during FY 2023.

FISCAL YEAR 2022 ACCOMPLISHMENTS

HUB DISCUSSION WORKGROUP

The TLC participates in the HUB Discussion Workgroup, an established group of HUB Coordinators from state agencies and institutions of higher education who meet on a regular basis. The workgroup shares program practices and ideas, supports outreach events, and provides input to the CPA on methods for improving the state's HUB Program.

CONTRACTOR SUPPORT

Contractors are encouraged to include minority businesses and HUBs when purchasing goods and/or services related to the fulfillment of their contracts with the TLC. When the TLC determines that subcontracting is probable for contracts with an expected value of \$100,000 or more, respondents shall submit a completed HUB Subcontracting Plan demonstrating evidence of good faith effort in developing the plan. The state's Centralized Master Bidders List and HUB Directory are key resources for identifying potential HUB subcontractors. Many of the TLC's largest contractors participate in TLC's Annual HUB Forum, providing information and networking opportunities to HUBs. Although TLC did not conduct its Annual HUB Forum in FY 2022, the agency's key contractors who utilized minority and/or HUB subcontractors achieved the following results in FY 2022:

TABLE B

CONTRACTOR NAME	MINORITY/HUB SUBCONTRACTING EXPENDITURES*
LATINWORKS MARKETING, LLC DBA THIRD EAR	\$6,992,130
IGT CORPORATION	\$5,009,022
POLLARD BANKNOTE, LTD.	\$2,929,880
SCIENTIFIC GAMES INTERNATIONAL, INC.	\$1,620,871
IGT CORPORATION (FKA GTECH PRINTING CORPORATION)	\$394,495
**ELEPHANT PRODUCTIONS, INC.	\$305,054
**ELEPHANT PRODUCTIONS, INC.	\$56,796
BEEHIVE SPECIALTY	\$8,253

*Amounts have been rounded to the nearest dollar.

**Two separate contracts

FISCAL YEAR 2022 ACCOMPLISHMENTS

RANK AMONG LARGEST-SPENDING AGENCIES

The Texas Lottery Commission ranked 20th in terms of overall expenditures captured by the CPA's *Fiscal Year 2022 Texas Historically Underutilized Business (HUB) Annual Report*. Of the largest-spending agencies, the TLC ranked 11th by overall HUB percentage (see Table C).

TABLE C
ANNUAL FISCAL YEAR 2022 HUB REPORT
TWENTY LARGEST-SPENDING AGENCIES RANKED BY OVERALL HUB PERCENTAGE

RANK	AGENCY NAME	TOTAL EXPENDITURES	TOTAL HUB EXPENDITURES	HUB % OF EXPENDITURES
1	GENERAL LAND OFFICE	\$963,286,141	\$306,238,544	31.79%
2	THE TEXAS A&M UNIVERSITY SYSTEM	\$281,983,983	\$89,283,351	31.66%
3	UNIVERSITY OF HOUSTON	\$322,708,163	\$85,437,352	26.48%
4	TEXAS FACILITIES COMMISSION	\$322,850,329	\$75,144,359	23.28%
5	TEXAS A&M UNIVERSITY (MAIN UNIV)	\$481,573,694	\$100,906,237	20.95%
6	TEXAS DEPT OF CRIMINAL JUSTICE	\$280,342,663	\$51,136,196	18.24%
7	UNIVERSITY OF TEXAS AT AUSTIN	\$651,013,694	\$109,244,166	16.78%
8	UT HEALTH SCIENCE CENTER - SAN ANTONIO	\$420,433,148	\$59,674,848	14.19%
9	HEALTH & HUMAN SERVICES COMMISSION	\$1,322,824,737	\$148,197,194	11.20%
10	UT HEALTH SCIENCE CENTER - HOUSTON	\$468,827,271	\$51,407,563	10.97%
11	TEXAS LOTTERY COMMISSION	\$227,527,374	\$24,248,132	10.66%
12	UT SOUTHWESTERN MEDICAL CENTER	\$1,564,484,933	\$122,044,609	7.80%
13	TEXAS DEPARTMENT OF TRANSPORTATION	\$10,008,854,939	\$722,211,975	7.22%
14	UNIVERSITY OF TEXAS MEDICAL BRANCH	\$632,848,136	\$43,009,204	6.80%
15	UT MD ANDERSON CANCER CENTER	\$2,179,465,934	\$106,511,460	4.89%
16	TEXAS EDUCATION AGENCY	\$254,695,898	\$9,644,880	3.79%
17	TEXAS DIVISION OF EMERGENCY MANAGEMENT	\$550,771,995	\$17,510,351	3.18%
18	TEXAS MILITARY DEPARTMENT	\$528,313,062	\$15,730,765	2.98%
19	DEPARTMENT OF STATE HEALTH SERVICES	\$2,986,168,701	\$50,184,031	1.68%
20	WEST TEXAS A&M UNIVERSITY	\$436,079,070	\$2,548,641	0.58%

Note: The largest-spending agencies are determined by total expenditures made for object codes which are reportable in the CPA's *Fiscal Year 2022 Texas Historically Underutilized Business (HUB) Annual Report*. The state does not have an overall HUB goal, but utilizes six procurement category goals, in accordance with the State Disparity Study. These figures are unaudited and have been rounded to the nearest dollar.

MINORITY RETAILERS

The Texas Lottery Commission's minority retailer base consistently exceeds its statutory goal of 20 percent. In FY 2022, the agency's minority retailers numbered 8,546, which represented 41.25 percent of the Texas Lottery's total retailer base (see Figure 4 and Appendix B). The agency has maintained a minority retailer percentage of more than 40 percent for the past 16 years.

FISCAL YEAR 2023 RECOMMENDED IMPROVEMENTS

- Enhance the Commission's Mentor-Protégé Program and develop new mentor-protégé relationships.
- Work with TLC technical staff to improve internal HUB reporting capabilities.
- Attend at least one outreach event that is focused on service-disabled veterans.
- Continue providing bid opportunities at Spot Bid Events including the "Doing Business Texas Style" Spot Bid Fair.
- Include TLC Purchasing staff in additional HUB outreach events.
- Maintain active participation in the HUB Discussion Workgroup.
- Conduct TLC Annual HUB Forum.



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APPENDICES

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DEFINITIONS

MINORITY BUSINESS: As defined in Texas Government Code §466.107 (b), “Minority Business” means a business entity at least 51% of which is owned by minority group members or, in the case of a corporation, at least 51% of the shares of which are owned by minority group members, and that:

- 1) is managed and, in daily operations, is controlled by minority group members; and
- 2) is a domestic business entity with a home or branch office located in this state and is not a branch or subsidiary of a foreign corporation, firm or other business entity.

“MINORITY GROUP MEMBERS” include African Americans, American Indians, Asian Americans, and Mexican Americans and other Americans of Hispanic origin.

HISTORICALLY UNDERUTILIZED BUSINESS (HUB): As defined in Texas Government Code, §2161.001 subdivisions (2) and (3), “historically underutilized business” means an entity with its principal place of business in the state of Texas that is:

- 1) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation’s control, operation, and management;
- 2) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person;
- 3) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the partnership’s control, operation and management;
- 4) a joint venture in which each entity in the venture is a historically underutilized business, as determined under another paragraph of this subdivision; or
- 5) a supplier contract between a historically underutilized business as determined under another paragraph of this subdivision and a prime contractor under which the historically underutilized business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.

“ECONOMICALLY DISADVANTAGED” PERSON means a person who is economically disadvantaged because of the person’s identification as a member of a certain group, including Black Americans, Hispanic Americans, women, Asian Pacific Americans, Native Americans, and veterans as defined by 38 U.S.C. Section 101(2) who have suffered at least a 20% service-connected disability as defined by 38 U.S.C. Section 101(16), and who has suffered the effects of discriminatory practices or other similar insidious circumstances over which the person has no control.

DEFINITIONS

COMMISSION: As defined in Texas Government Code, §466.002(1), “Commission” means the Texas Lottery Commission.

HUB SUBCONTRACTING PLAN: As defined by Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter D, Division 1, Rule §20.282, a HUB subcontracting plan is “written documentation regarding the use of subcontractors, which is required to be submitted with all responses to state agency contracts with an expected value of \$100,000 or more where subcontracting opportunities have been determined by the state agency to be probable. The HUB subcontracting plan subsequently becomes a provision of the awarded contract and shall be monitored for compliance by the state agency during the term of the contract.”

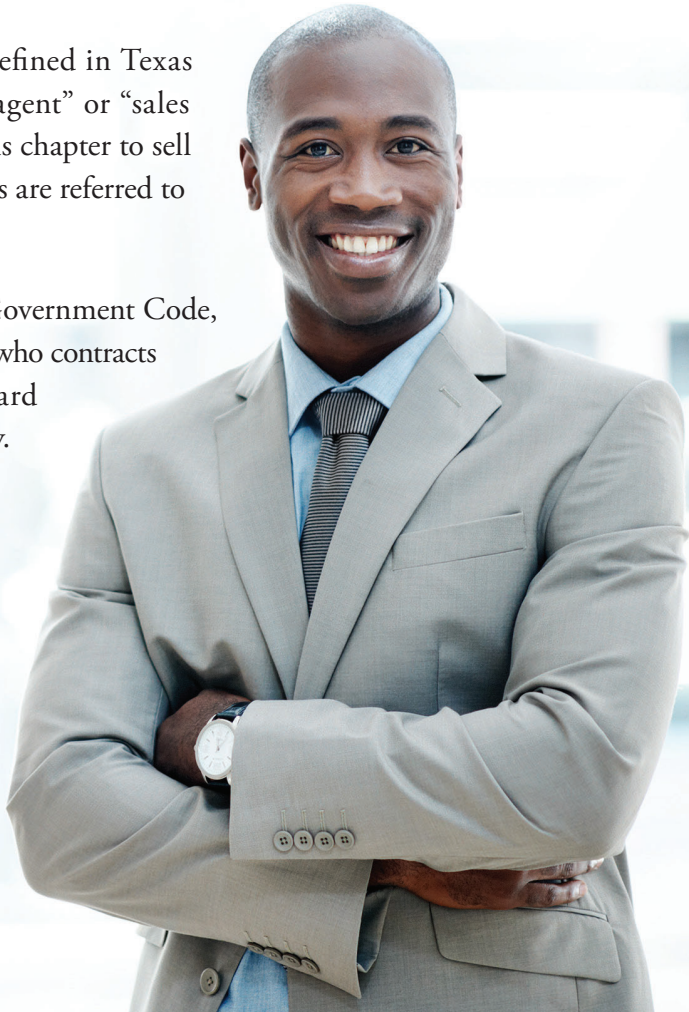
LOTTERY: As defined in Texas Government Code, §466.002(5), “lottery” means the procedures operated by the state under this chapter through which prizes are awarded or distributed by chance among persons who have paid, or unconditionally agreed to pay, for a chance or other opportunity to receive a prize.

SALES AGENT OR SALES AGENCY: As defined in Texas Government Code, §466.002(9), “sales agent” or “sales agency” means a person licensed under this chapter to sell tickets. Throughout this report, sales agents are referred to as “retailers.”

SUBCONTRACTOR: As defined in Texas Government Code, §2251.001, “subcontractor” means a person who contracts with a vendor to work or contribute toward completing work for a governmental entity.

LOTTERY OPERATOR: As defined in Texas Government Code, §466.002(7), “lottery operator” means a person selected under §466.014(b) to operate a lottery.

VENDOR: As defined in Texas Government Code, §2251.001, “vendor” means a person who supplies goods or a service to a governmental entity or another person directed by the entity.



APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
ANDERSON	56	11	19.64%
ANDREWS	12	1	8.33%
ANGELINA	90	40	44.44%
ARANSAS	26	14	53.85%
ARCHER	13	1	7.69%
ARMSTRONG	4	0	0.00%
ATASCOSA	46	19	41.30%
AUSTIN	43	25	58.14%
BAILEY	8	1	12.50%
BANDERA	15	5	33.33%
BASTROP	88	34	38.64%
BAYLOR	6	0	0.00%
BEE	24	8	33.33%
BELL	258	100	38.76%
BEXAR	1128	499	44.24%
BLANCO	18	7	38.89%
BORDEN	0	0	0.00%
BOSQUE	35	10	28.57%
BOWIE	86	16	18.60%
BRAZORIA	255	146	57.25%
BRAZOS	132	74	56.06%
BREWSTER	9	0	0.00%
BRISCOE	3	0	0.00%
BROOKS	6	1	16.67%
BROWN	39	8	20.51%
BURLESON	30	12	40.00%
BURNET	45	16	35.56%
CALDWELL	37	14	37.84%
CALHOUN	22	9	40.91%
CALLAHAN	19	4	21.05%
CAMERON	229	50	21.83%
CAMP	12	4	33.33%
CARSON	6	0	0.00%
CASS	33	5	15.15%
CASTRO	8	1	12.50%
CHAMBERS	62	32	51.61%
CHEROKEE	47	16	34.04%
CHILDRESS	10	0	0.00%
CLAY	10	3	30.00%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
COCHRAN	3	0	0.00%
COKE	5	2	40.00%
COLEMAN	13	1	7.69%
COLLIN	423	137	32.39%
COLLINGSWORTH	4	0	0.00%
COLORADO	36	17	47.22%
COMAL	92	16	17.39%
COMANCHE	16	3	18.75%
CONCHO	6	0	0.00%
COOKE	50	12	24.00%
CORYELL	45	15	33.33%
COTTLE	2	0	0.00%
CRANE	6	1	16.67%
CROCKETT	8	2	25.00%
CROSBY	9	1	11.11%
CULBERSON	8	1	12.50%
DALLAM	11	0	0.00%
DALLAS	1811	864	47.71%
DAWSON	10	2	20.00%
DE WITT	21	4	19.05%
DEAF SMITH	17	1	5.88%
DELTA	7	4	57.14%
DENTON	366	145	39.62%
DICKENS	3	0	0.00%
DIMMIT	15	6	40.00%
DONLEY	6	1	16.67%
DUVAL	13	5	38.46%
EASTLAND	31	6	19.35%
ECTOR	133	24	18.05%
EDWARDS	2	0	0.00%
EL PASO	414	86	20.77%
ELLIS	126	30	23.81%
ERATH	33	10	30.30%
FALLS	21	8	38.10%
FANNIN	33	7	21.21%
FAYETTE	30	12	40.00%
FISHER	4	0	0.00%
FLOYD	9	1	11.11%
FOARD	2	0	0.00%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
FORT BEND	368	207	56.25%
FRANKLIN	12	1	8.33%
FREESTONE	23	7	30.43%
FRIO	21	8	38.10%
GAINES	15	0	0.00%
GALVESTON	320	193	60.31%
GARZA	6	1	16.67%
GILLESPIE	15	3	20.00%
GLASSCOCK	1	0	0.00%
GOLIAD	6	1	16.67%
GONZALES	22	7	31.82%
GRAY	21	3	14.29%
GRAYSON	132	36	27.27%
GREGG	147	47	31.97%
GRIMES	33	19	57.58%
GUADALUPE	96	30	31.25%
HALE	30	3	10.00%
HALL	7	0	0.00%
HAMILTON	13	1	7.69%
HANSFORD	5	1	20.00%
HARDEMAN	7	1	14.29%
HARDIN	66	9	13.64%
HARRIS	3810	2630	69.03%
HARRISON	56	25	44.64%
HARTLEY	2	0	0.00%
HASKELL	9	0	0.00%
HAYS	126	32	25.40%
HEMPHILL	4	0	0.00%
HENDERSON	95	38	40.00%
HIDALGO	464	149	32.11%
HILL	54	14	25.93%
HOCKLEY	21	2	9.52%
HOOD	56	10	17.86%
HOPKINS	34	5	14.71%
HOUSTON	35	21	60.00%
HOWARD	35	3	8.57%
HUDSPETH	4	3	75.00%
HUNT	88	29	32.95%
HUTCHINSON	24	5	20.83%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
IRION	3	1	33.33%
JACK	10	2	20.00%
JACKSON	21	8	38.10%
JASPER	47	4	8.51%
JEFF DAVIS	1	0	0.00%
JEFFERSON	320	76	23.75%
JIM HOGG	7	3	42.86%
JIM WELLS	40	15	37.50%
JOHNSON	124	32	25.81%
JONES	14	2	14.29%
KARNES	19	6	31.58%
KAUFMAN	113	31	27.43%
KENDALL	25	8	32.00%
KENEDY	0	0	0.00%
KENT	0	0	0.00%
KERR	43	0	0.00%
KIMBLE	14	1	7.14%
KING	0	0	0.00%
KINNEY	5	0	0.00%
KLEBERG	26	9	34.62%
KNOX	6	0	0.00%
LA SALLE	10	1	10.00%
LAMAR	49	13	26.53%
LAMB	13	1	7.69%
LAMPASAS	18	6	33.33%
LAVACA	22	7	31.82%
LEE	25	8	32.00%
LEON	29	11	37.93%
LIBERTY	114	69	60.53%
LIMESTONE	31	14	45.16%
LIPSCOMB	3	0	0.00%
LIVE OAK	17	1	5.88%
LLANO	25	4	16.00%
LOVING	0	0	0.00%
LUBBOCK	210	48	22.86%
LYNN	4	0	0.00%
MADISON	16	8	50.00%
MARION	14	5	35.71%
MARTIN	3	0	0.00%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
MASON	6	1	16.67%
MATAGORDA	52	27	51.92%
MAVERICK	35	9	25.71%
MCCULLOCH	10	2	20.00%
MCLENNAN	221	86	38.91%
MCMULLEN	3	1	33.33%
MEDINA	44	14	31.82%
MENARD	3	0	0.00%
MIDLAND	111	5	4.50%
MILAM	32	9	28.13%
MILLS	5	0	0.00%
MITCHELL	10	0	0.00%
MONTAGUE	22	6	27.27%
MONTGOMERY	423	220	52.01%
MOORE	25	8	32.00%
MORRIS	12	4	33.33%
MOTLEY	3	1	33.33%
NACOGDOCHES	63	27	42.86%
NAVARRO	54	18	33.33%
NEWTON	14	4	28.57%
NOLAN	21	3	14.29%
NUECES	239	63	26.36%
OCHILTREE	10	2	20.00%
OLDHAM	4	1	25.00%
ORANGE	107	15	14.02%
PALO PINTO	47	10	21.28%
PANOLA	23	1	4.35%
PARKER	99	22	22.22%
PARMER	8	0	0.00%
PECOS	23	3	13.04%
POLK	50	22	44.00%
POTTER	111	30	27.03%
PRESIDIO	8	1	12.50%
RAINS	14	3	21.43%
RANDALL	69	6	8.70%
REAGAN	5	0	0.00%
REAL	6	1	16.67%
RED RIVER	12	5	41.67%
REEVES	22	0	0.00%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
REFUGIO	12	3	25.00%
ROBERTS	1	0	0.00%
ROBERTSON	25	11	44.00%
ROCKWALL	42	10	23.81%
RUNNELS	16	1	6.25%
RUSK	35	12	34.29%
SABINE	13	1	7.69%
SAN AUGUSTINE	12	3	25.00%
SAN JACINTO	24	14	58.33%
SAN PATRICIO	66	19	28.79%
SAN SABA	8	1	12.50%
SCHLEICHER	4	0	0.00%
SCURRY	15	1	6.67%
SHACKELFORD	5	1	20.00%
SHELBY	30	10	33.33%
SHERMAN	4	0	0.00%
SMITH	181	92	50.83%
SOMERVELL	14	3	21.43%
STARR	57	29	50.88%
STEPHENS	15	4	26.67%
STERLING	2	0	0.00%
STONEWALL	2	0	0.00%
SUTTON	11	0	0.00%
SWISHER	5	0	0.00%
TARRANT	1391	521	37.46%
TAYLOR	120	7	5.83%
TERRELL	2	0	0.00%
TERRY	10	2	20.00%
THROCKMORTON	4	0	0.00%
TITUS	36	8	22.22%
TOM GREEN	84	8	9.52%
TRAVIS	669	214	31.99%
TRINITY	20	6	30.00%
TYLER	24	0	0.00%
UPSHUR	35	8	22.86%
UPTON	7	1	14.29%
UVALDE	29	4	13.79%
VAL VERDE	29	5	17.24%
VAN ZANDT	53	13	24.53%

APPENDIX B

MINORITY RETAILERS BY COUNTY

COUNTY	TOTAL RETAILERS	MINORITY RETAILERS	PERCENTAGE
VICTORIA	77	23	29.87%
WALKER	63	33	52.38%
WALLER	53	30	56.60%
WARD	22	1	4.55%
WASHINGTON	37	12	32.43%
WEBB	126	49	38.89%
WHARTON	49	26	53.06%
WHEELER	10	0	0.00%
WICHITA	116	42	36.21%
WILBARGER	14	5	35.71%
WILLACY	12	5	41.67%
WILLIAMSON	274	79	28.83%
WILSON	32	7	21.88%
WINKLER	11	0	0.00%
WISE	59	17	28.81%
WOOD	36	14	38.89%
YOAKUM	8	0	0.00%
YOUNG	19	1	5.26%
ZAPATA	15	8	53.33%
ZAVALA	11	4	36.36%
TOTAL	20,720	8,546	41.25%

APPENDIX C

FISCAL YEAR 2022 HUB, MINORITY AND SMALL BUSINESS OUTREACH EVENTS

I. STATE ECONOMIC OPPORTUNITY FORUMS	LOCATION
"DOING BUSINESS TEXAS STYLE" AT ACCESS 2022	IRVING
II. TEXAS LOTTERY COMMISSION FORUM	
NO TLC ANNUAL HUB FORUM HELD IN FY2022 DUE TO COVID-19	
III. VENDOR FAIRS, CONFERENCES & PROCUREMENT EVENTS	
BEXAR COUNTY ANNUAL SMALL, MINORITY, WOMAN AND VETERAN BUSINESS OWNER'S CONFERENCE	SAN ANTONIO

APPENDIX D

The Commission strives to ensure that its employee population reflects the ethnic and gender composition of the state of Texas. A workforce comprising of **58.07%** women and **51.40%** minorities is the result of our aggressive approach to equal opportunity practices (see table below).

The Commission takes great pride in its workforce diversity. Efforts to maintain and enhance this diversity are apparent in the open and fair availability of employment opportunities to all members of the public, as well as to Commission employees. Commission employees are expected to treat others with respect, regardless of individual differences and lifestyle choices. The Commission recognizes that maintaining a diverse workforce plays a role in reaching our goal of increased minority participation. This recognition of the value of employee uniqueness is an important factor in the Commission's overall effectiveness.

Programs and policies that aid in accomplishing the goal of workforce diversity include:

- Encouraging a Team Approach
- Emphasizing employment recruiting and retention
- Monitoring workforce demographics
- Defining management roles and responsibilities
- Equal Employment Opportunity (EEO) training for management

TEXAS LOTTERY COMMISSION WORKFORCE

**TEXAS LOTTERY EMPLOYEES BY ETHNICITY
FISCAL YEAR 2022**

ETHNICITY	NUMBER OF EMPLOYEES	% OF AGENCY EMPLOYEES
AFRICAN AMERICAN	34.00	11.61%
HISPANIC AMERICAN	96.50	32.96%
ASIAN AMERICAN	11.75	4.01%
AMERICAN INDIAN OR ALASKAN NATIVE	4.0	1.37%
TWO OR MORE	4.25	1.45%
TOTAL MINORITIES	150.50	51.40%
CAUCASIAN	142.25	48.60%
TOTAL EMPLOYEES	292.75	100%

**TEXAS LOTTERY EMPLOYEES BY GENDER
FISCAL YEAR 2022**

ETHNICITY	NUMBER OF MALES	% OF AGENCY EMPLOYEES
AFRICAN AMERICAN	11.75	4.01%
HISPANIC AMERICAN	40.00	13.66%
ASIAN AMERICAN	4.25	1.45%
AMERICAN INDIAN OR ALASKAN NATIVE	3.0	1.03%
TWO OR MORE	2.5	0.86%
CAUCASIAN	61.25	20.92%
TOTAL MALES	122.75	41.93%
ETHNICITY	NUMBER OF FEMALES	% OF AGENCY EMPLOYEES
AFRICAN AMERICAN	22.25	7.60%
HISPANIC AMERICAN	56.50	19.30%
ASIAN AMERICAN	7.50	2.56%
AMERICAN INDIAN OR ALASKAN NATIVE	1.00	0.34%
TWO OR MORE	1.75	0.60%
CAUCASIAN	81.00	27.67%
TOTAL FEMALES	170.00	58.07%
TOTAL EMPLOYEES	292.75	100%

