

**SUBJECT:** Including gambling hotline number in lottery advertisements

**COMMITTEE:** Licensing and Administrative Procedures — committee substitute recommended

**VOTE:** 6 ayes — Wilson, Hamric, D. Jones, Pickett, Torres, Yarbrough  
1 nay — Goolsby  
2 absent — Kubiak, Haggerty

**WITNESSES:** None

**DIGEST:** CSHB 2676 would require certain advertisements and promotions for the Texas Lottery to display the toll-free gambling hotline telephone number maintained by by the Texas Commission on Alcohol and Drug Abuse.

The number would have to be displayed in any television or radio ad or promotion of 30 seconds or longer and in printed ads or promotions, except for billboards or other signs. These requirements would not apply to advertising or promotion at a sporting or athletic event or to any buttons, pins, or other premium merchandise.

The Texas Lottery Commission also would have to require televising the toll-free number as a contract term or condition of any agreement to telecast the drawing or selection of a winning lottery ticket.

The bill would take effect September 1, 1997, and apply to an advertisement or promotion contracted for or printed on or after that date.

**SUPPORTERS SAY:** CSHB 2676 would reinforce the Legislature's original intent regarding promotion of the lottery, which was that any lottery advertising would not be of a nature to “unduly influence” any person to purchase a ticket or number. Including the hotline number in most ads and promotions would help those persons with a real or potential gambling problem to get assistance, information, or treatment to deal with their addiction.

The Lottery Commission has a substantial advertising budget and uses a variety of media outlets to promote the lottery. CSHB 2676 would not force the Lottery Commission to broadcast information about the gambling hotline in any particular manner, but would leave all final control over the content and format of the hotline reference to the judgment and experience of the commission and its advertising firm. The inclusion of the toll-free number in most forms of lottery ads would clearly be appropriate and effective, since some 73 percent of those persons who contact the gambling awareness hotline first learned about the number from the back of the lottery ticket itself.

Only three percent of the persons calling the hotline said mass media was the source of their information, making it is apparent that the state needs to better use these mass media outlets to publicize the available sources of assistance for persons with gambling problems. This bill is not intended to harm the operation of the lottery or to decrease this useful revenue source, but would simply require that since the commission does use substantial funds to promote and advertise the lottery, that promotion should be done in a responsible manner.

**OPPONENTS  
SAY:**

The success of the Texas lottery has far exceeded the most optimistic expectations, and one of the unintended, but predictable, results of that success is that a small number of citizens have developed problems with the game. However, the vast majority of citizens have not experienced gambling problems and should be allowed to enjoy this harmless diversion without being subjected to constant reminders of the possible damage that playing the lottery might do to their lives.

In addition, the Legislature will likely dedicate all lottery proceeds to the state's education budget this session, so this is no time for the state to attempt to discourage lottery purchases, which is exactly what constant reminders about problem gambling and the hotline could do. CSHB 2676 may actually result in higher overall advertising costs for the lottery, since some players may be discouraged from buying a ticket, and revenue from the lottery could begin to fall.

OTHER  
OPPONENTS  
SAY:

There has already been some confusion among players of the scratch-off and lottery games, since many of them have used the hotline number to attempt to find out the winning number, rather than to obtain information about problem gambling. It would be more sensible to include the telephone number in a separate series of public service ads that were consistent in theme than sending a mixed message through a hybrid of promotion and public service.

NOTES:

The original version of the bill would have required that an advertisement or promotion prominently display the toll-free number; the committee substitute added specific criteria.