

CHAPTER 816. CASH 5

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Cross References

This chapter cited in 61 Pa. Code § 876.2 (relating to definitions).

§§ 816.1—816.21. [Reserved].**Source**

The provisions of these §§ 816.1—816.21 adopted August 22, 1980, effective August 23, 1980, 10 Pa.B. 3451; reserved November 5, 1982, effective November 6, 1982, 12 Pa.B. 3906. Immediately preceding text appears at serial pages (61225), (52078) to (52083), (59325) to (59328) and (61170).

§§ 816.31—816.51. [Reserved].**Source**

The provisions of these §§ 816.31—816.51 adopted March 20, 1981, effective March 21, 1981, 11 Pa.B. 1037; reserved June 8, 1984, effective June 9, 1984, 14 Pa.B. 1940. Immediately preceding text appears at serial pages (76323) to (76324) and (61172) to (61185).

§§ 816.61—816.81. [Reserved].**Source**

The provisions of these §§ 816.61—816.81 adopted May 29, 1981, effective May 30, 1981, 11 Pa.B. 1898; reserved June 8, 1984, effective June 9, 1984, 14 Pa.B. 1940. Immediately preceding text appears at serial pages (61185) to (61195).

§ 816.101. Creation.

Under the act and this part a game is created, called Cash 5, which will commence at the discretion of the Secretary, and will continue until the Secretary publicly announces a termination date.

Source

The provisions of this § 816.101 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.102. Purpose.

The purpose of the Cash 5 game is to determine winners from ticket holders matching five numbers from 1 through 39, or a designated combination thereof, with the five winning numbers randomly drawn once a week or as determined and publicly announced by the Secretary. The object of the game is for a player to have selected five numbers in a single play on a ticket which match two, three, four or five winning numbers drawn in the game drawing for which the ticket is participating. Correctly matching the five winning numbers drawn, or a designated combination thereof, and meeting the other validation criteria, entitles the ticket holder to a prize identified in § 816.108 (relating to determination of prizewinners).

Source

The provisions of this § 816.102 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.103. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Apparent winning ticket—A standard game ticket bearing a winning play which has not been validated by the Lottery.

Bet slip—A card used in marking a player's bet containing one or more grids.

Drawing—The process of selecting winning numbers which determine the number of winners for each prize level of the game.

Game grid—The area of the bet slip which contains 39 squares numbered 1 through 39. A game grid is lettered and, when used to purchase a ticket, must be marked by the player to select the numbers to play and the amount to be played.

On-line retailer or retailer—A person licensed to sell Lottery tickets who has been approved and authorized by the Lottery to sell Cash 5 tickets.

Quick pick—The random selection through a Lottery terminal of five different numbers from 1 through 39 which appear on a ticket and are played by a player in the Cash 5 game.

Standard game ticket or ticket—A Cash 5 ticket, produced by an on-line retailer in an authorized manner, containing a letter prefix followed by five selected numbers from 1 through 39, a drawing date, the amount bet and validation number data. Each set of 5 numbers constitutes a play of which there may be one or more plays on a ticket.

Winning numbers—Five numbers, from 1 through 39, randomly selected at a Cash 5 drawing and subsequently verified by the Lottery, which shall be used to determine the winning plays contained on standard game tickets.

Winnings pool—The amount allocated from Cash 5 gross sales for a particular Cash 5 game drawing for the purpose of paying prizes in a particular Cash 5 game drawing. The term does not include money brought forward from a previous Cash 5 game drawing.

Source

The provisions of this § 816.103 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

Cross References

This section cited in 61 Pa. Code § 816.104 (relating to ticket sales retailers).

§ 816.104. Ticket sales retailers.

(a) Cash 5 game ticket sales may only be made through on-line retailers as defined in § 816.103 (relating to definitions).

(b) The Lottery may terminate sales by a retailer without prior notice if a retailer violates the act or this part, becomes delinquent in payment of proceeds due the Lottery, or fails to handle Lottery funds in the prescribed manner, or if the retailer fails to follow the contract or an addendum thereto, this part or procedures established governing the sale of Cash 5 tickets; or if the Lottery deems it to be in the best interests of the Commonwealth.

Source

The provisions of this § 816.104 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.105. Ticket price.

The price of each Cash 5 ticket is \$1 per game play which ticket shall contain one or more game plays.

Source

The provisions of this § 816.105 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.106. Cash 5 bet slip and ticket characteristics and restrictions.

(a) The player shall select five numbered squares in a game grid on a bet slip or request number selection by quick pick. Bet slips shall be available at no cost to the purchaser. The minimum entry is \$1. For \$1, play game grid A, for \$2, play game grids A and B, for \$3, play game grids A, B and C, for \$4, play game grids A, B, C and D, for \$5, play game grids A, B, C, D and E. Game grids shall be selected in alphabetical order in accordance with the instructions printed on the bet slip. A bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or of numbers selected.

(b) To purchase a Cash 5 ticket, a player shall, in addition to the purchase price, submit the completed bet slip, or request number selection by quick pick, to an on-line retailer to have issued a standard game ticket. The ticket shall contain the five number selections played in each game grid identified by a letter as described in subsection (a), the drawing date, the amount bet and the validation number data. This standard game ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The standard game ticket shall only be valid for the drawing date printed on the ticket.

(c) If bet slips are unavailable, plays may also be given to an authorized retailer in groups of five number selections for each game grid for each \$1 wagered. The selections shall be manually entered into the computer terminal by the retailer.

(d) A Cash 5 ticket may not be canceled or voided once printed by the Lottery terminal, even if the ticket is printed in error.

(e) It is the sole responsibility of the ticket purchaser or holder to verify the accuracy and condition of data printed on the standard game ticket. The placing of bets is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the play or plays.

Authority

The provisions of this § 816.106 amended under section 303 of the State Lottery Law (72 P. S. § 3761-303).

Source

The provisions of this § 816.106 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951; corrected March 20, 1992, effective March 7, 1992, 22 Pa.B. 1260; amended November 8, 2002, effective November 9, 2002, 32 Pa.B. 5516. Immediately preceding text appears at serial pages (249937) to (249938).

§ 816.107. Time, place and manner of conducting drawing.

(a) *Time of drawing.* A Cash 5 drawing will be held once a week or as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A Cash 5 drawing will be conducted by the Lottery at a location designated by the Secretary.

(c) *Manner of conducting drawings.* The Lottery will draw at random, five numbers between 1 and 39, with the aid of mechanical drawing equipment, which will be known as the winning numbers. The validity of a drawing will be solely determined by the Lottery.

Source

The provisions of this § 816.107 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.108. Determination of prize winners.

(a) Prizes are determined on a parimutuel and fixed prize basis. The number of plays in a category entitled to claim a prize will be determined by the Lottery. Prizes awarded will be determined as follows:

<i>Tickets Containing the Following, in one Single, Lettered Game Grid</i>	<i>Prize Category</i>	<i>Percent (%) of Winnings Pool Allocated to Prize Category</i>	
All Five Winning Numbers	First Prize	53.15%	After deduction of fourth prize
Four Winning Numbers	Second Prize	22.24%	After deduction of fourth prize
Three Winning Numbers	Third Prize	24.61%	After deduction of fourth prize
Two Winning Numbers	Fourth Prize	\$1 Fixed	

(b) Prize money allocated to the fourth prize category will be deducted from the total winnings pool before allocation of moneys to the remaining prize categories.

(c) Parimutuel prize money allocated to the first prize category will be paid on a parimutuel basis, divided equally by the number of plays on standard game tickets determined by the Lottery to be entitled to claim a first prize.

(d) Prize money allocated to the second prize category will be paid on a parimutuel basis, divided equally by the number of plays on standard game tickets determined by the Lottery to be entitled to claim a second prize.

(e) Prize money allocated to the third prize category will be paid on a parimutuel basis, divided equally by the number of plays on standard game tickets determined by the Lottery to be entitled to claim a third prize.

(f) If, in a Cash 5 game drawing, there are no plays on standard game tickets which qualify for the first, second, third or fourth prize category, the parimutuel prize money allocated to the particular prize category will be reallocated and added to the amount allocated for the first prize category money in the next Cash 5 game drawing; and the resultant amount will be divided as in subsection (c).

(g) On winning Cash 5 plays, prizes will be paid as follows:

(1) Individual ticket prize payments will be paid entirely in cash.

(2) If more than one winning first prize play is determined, each, upon meeting the requirements of §§ 816.110 and 816.111 (relating to ticket validation requirements; and procedures for claiming and payment of prizes), is entitled to a prorated payment share of the total first prize.

(3) If more than one winning second prize play is determined, each, upon meeting the requirements of §§ 816.110 and 816.111, is entitled to a prorated payment share of the total second prize.

(4) If more than one winning third prize play is determined, each, upon meeting the requirements of §§ 816.110 and 816.111, is entitled to a prorated payment share of the total third prize.

(5) Two winning numbers on a single play will be awarded a fixed prize of \$1.

(h) A winning Cash 5 play may win in only one prize category per single lettered game grid in connection with the winning numbers drawn, and is entitled only to the highest prize won by those numbers.

(i) For purpose of calculation of a prize to be paid with respect to a standard game, the calculation will be rounded down so that prizes can be paid in multiples of 50¢.

(j) The number of prize categories and the allocation of prize money among the prize categories may be changed at the discretion of the Secretary and the change will be announced by public notice.

(k) Retailer incentive and marketing promotion programs may be implemented at the discretion of the Secretary. Funds for the programs will be drawn from the Lottery Fund.

Source

The provisions of this § 816.108 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951; amended April 30, 1993, effective May 1, 1993, 23 Pa.B. 2121. Immediately preceding text appears at serial pages (168347) to (168349).

Cross References

This section cited in 61 Pa. Code § 816.108 (relating to winnings pool).

§ 816.109. Ticket responsibility.

(a) A Cash 5 ticket is a bearer document until signed. A Cash 5 prize claim is deemed to be submitted by the person whose name appears on the ticket or in the case of a ticket not completed with name and address, by the person holding the ticket.

(b) The Commonwealth will not be responsible for lost or stolen Cash 5 tickets.

(c) The purchaser of the Cash 5 ticket has the sole responsibility for checking the accuracy and condition of the data printed on the ticket at the time of the purchase.

(d) The Commonwealth will not be responsible for Cash 5 tickets redeemed in error by a player from an on-line retailer.

Source

The provisions of this § 816.109 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.110. Ticket validation requirements.

(a) *Valid tickets.* To be a valid Cash 5 ticket and entitled to a prize, the following conditions shall be met:

(1) The ticket validation number shall be present in its entirety and shall correspond, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket.

(2) The ticket shall be intact.

(3) The ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The ticket may not be counterfeit or an exact duplicate of another winning ticket.

(5) The ticket shall have been issued by the Lottery through an on-line retailer in an authorized manner.

(6) The ticket may not have been stolen.

(7) The ticket shall be validated in accordance with § 816.111 (relating to procedures for claiming and payment of prizes).

(8) The player selected or quick pick numbers on the ticket shall be in individual groups of five numbers each associated with a single letter, A, B, C, D or E, and the five numbers and the associated letter shall constitute a single play.

(9) The ticket data shall have been recorded on the central computer system prior to the drawing and the ticket data shall match the computer record in every respect.

(10) The ticket shall be signed and presented to the Lottery or its authorized representative as set forth in § 816.111 and validated at Lottery headquarters.

(11) The player selected or quick pick numbers, the validation number data and the drawing date of the winning ticket shall appear on the official file of winning plays; and a ticket with that exact data may not have been previously paid.

(12) The ticket may not be misregistered, defectively printed or printed or produced in error to an extent that it cannot, in the sole opinion of the Lottery, be processed by the Lottery.

(13) The ticket shall pass other confidential security checks of the Lottery.

(14) By submitting a Cash 5 ticket for validation, the player agrees to abide by this chapter as determined by the Director.

(15) There may not be another breach of this chapter in relation to the ticket which, in the opinion of the Director, justifies disqualification.

(b) *Invalid or defective tickets; disputes.* A ticket not passing the validation checks in subsection (a) will be considered invalid and will not be paid.

(1) In cases of doubt, the determination of the Secretary is final and binding. The Secretary may replace an invalid ticket with a ticket of equivalent sale price from a current Lottery game.

(2) If a defective ticket is purchased or if the Secretary determines to adjust an error, the sole and exclusive remedy will be the replacement of the defective or erroneous ticket with a ticket of equivalent sale price from a current Lottery game.

(3) If a ticket is not paid by the Lottery and a dispute occurs as to whether the ticket is a valid winning ticket, the Lottery may replace the ticket as provided in paragraph (2). This is the sole and exclusive remedy of the holder of the ticket.

Authority

The provisions of this § 816.110 amended under section 303 of the State Lottery Law (72 P. S. § 3761-303).

Source

The provisions of this § 816.110 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951; amended November 8, 2002, effective November 9, 2002, 32 Pa.B. 5516. Immediately preceding text appears at serial pages (249941) to (249942).

Cross References

This section cited in 61 Pa. Code § 816.108 (relating to determination of prize winners); and 61 Pa. Code § 816.111 (relating to procedures for claiming and payment of prizes).

§ 816.111. Procedures for claiming and payment of prizes.

(a) A prize shall be claimed only through an on-line retailer beginning on the day following the drawing.

(b) An on-line retailer is authorized and required to make payment of a prize of \$2,500 or less, if the ticket is presented within a designated time period as announced by the Secretary, on the total winning Cash 5 ticket plays, if the retailer has sufficient funds available for payment.

(c) The holder of an apparent winning ticket containing one or more winning plays representing total prizes of \$2,500 or less will be paid by participating on-line retailers as provided in subsection (b), if the ticket validation requirements in § 816.110 (relating to ticket validation requirements) have been met, a proper validation pay ticket has been issued by the retailer's computer terminal and other procedures have been complied with as outlined in the *Retailer Operating Procedure for Pennsylvania Lottery Numbers Games* and addendums thereof.

(d) The holder of an apparent winning ticket containing one or more winning plays representing total prizes in excess of \$2,500, with the exception of the first prize category, shall first validate the apparent winning ticket at a participating on-line retailer to receive a validation ticket and then present the winning ticket and validation ticket to an authorized claim center—on-line retailer—under Chapter 811 (relating to prizes).

(e) The holder of an apparent winning ticket containing one or more winning plays representing a First Prize Category prize shall first validate the apparent winning ticket at a participating on-line retailer to receive a validation ticket and then present, in person, the apparent winning ticket and validation ticket to Lottery Headquarters or a Lottery Area Office under Chapter 811.

(f) If a single ticket contains two or more winning plays other than the first prize, the prize amounts will be added together and will be paid in accordance with the prize payment limits in subsection (c), (d) or (e).

(g) The payment of a prize to a person under 18 years of age and to a person who dies before receiving any or all of a particular prize will be paid under §§ 811.16 and 811.27 (relating to prizes payable after death of prize winner; and payment of prizes to persons under 18 years of age).

(h) The Commonwealth will be discharged of liability after payment of prizes as provided in § 811.26 (relating to discharge of State liability upon payment).

Source

The provisions of this § 816.111 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

Cross References

This section cited in 61 Pa. Code § 816.108 (relating to determination of prize winners); and 61 Pa. Code § 816.110 (relating to ticket validation requirements).

§ 816.112. Winnings pool.

(a) Fifty percent of Cash 5 gross sales for a Cash 5 game drawing will be reserved for prizes and allocated to the winnings pool for payment of prizes as enumerated in § 816.108 (relating to determination of prize winners).

(b) If the Cash 5 game is terminated for any cause, prize monies remaining undistributed will be paid out of the State Lottery Fund and used for purposes otherwise provided for by law.

(c) If the prize pool for a drawing is not sufficient to fund an announced minimum first prize, the prize pool will be increased as necessary from funds authorized for the payment of prizes.

Source

The provisions of this § 816.112 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.113. Unclaimed prize money.

Prize money on a winning Cash 5 game play may be retained by the Secretary for payment to the person entitled to it. If no claim is made on a winning play as determined by the Secretary within 1 year of the drawing date on the ticket, the right to claim prize money terminates, and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute, so that at least 40% of Lottery sale revenues will be used for payment of prizes.

Source

The provisions of this § 816.113 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.114. Withholding.

Federal withholding taxes will be withheld by the Lottery for prize payments in amounts required in accordance with applicable provisions of law.

Source

The provisions of this § 816.114 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.115. Purchase and prize restrictions.

A Cash 5 ticket may not be purchased by, and a prize will not be paid to, an officer or employe of a Lottery professional services contractor or subcontractor, or to a spouse, child, brother, sister or parent residing in the same household of the contractor who is involved in the operation of the on-line lottery games system or its associated drawings.

Source

The provisions of this § 816.115 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.116. Governing law.

(a) In purchasing a ticket, the purchaser agrees to comply with and abide by applicable laws, this part, instructions, conditions and final decisions of the Secretary, and procedures established by the Director for the conduct of the Cash 5 game.

(b) If a name and address is contained on the ticket, the person so named will, for all purposes, be considered to be the owner of the ticket. Number selections or other information appearing on the ticket will be deemed to be made or given exclusively by the owner.

(c) Decisions made by the Director or the Secretary, including the declaration of prizes and the payment thereof in their interpretation of this part, are final and binding on players and persons making a claim in respect thereof.

Source

The provisions of this § 816.116 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

§ 816.117. Probability of winning.

The following table sets forth the probability of winning and distribution of the winnings pool:

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<i>Number of Winning Numbers Selected By Player</i>	<i>Probability of Winning Per Play</i>	<i>Distributions of Winnings Pool</i>	
5 of 5	1:575,757.00	53.15%	after deduction of fourth prize
4 of 5	1:3,386.81	22.24%	after deduction of fourth prize
3 of 5	1:102.63	24.61%	after deduction of fourth prize
2 of 5	1:9.62	\$1 Fixed	

Source

The provisions of this § 816.117 adopted March 6, 1992, effective March 7, 1992, 22 Pa.B. 951.

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