

CHAPTER 819. INSTANT LOTTERY GAMES

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

§§ 819.1—819.23. [Reserved].**Source**

The provisions of these §§ 819.1—819.23 adopted August 30, 1985, effective August 31, 1985, 15 Pa.B. 3093; reserved October 28, 1988, effective October 29, 1988, 18 Pa.B. 4867. Immediately preceding text appears at serial pages (99695) to (99706) and (102581).

§§ 819.101—819.122. [Reserved].**Source**

The provisions of these §§ 819.101—819.122 adopted November 3, 1989, effective November 4, 1989, 19 Pa.B. 4709; reserved April 24, 1992, effective April 25, 1992, 22 Pa.B. 2244. Immediately preceding text appears at serial pages (142081) to (142090), (147151) to (147152) and (142093).

GENERAL**§ 819.201. Purpose.**

This chapter establishes procedures for the creation of instant lottery games, sales of tickets, validation of winners, payment of prizes and compensation of retailers for instant lottery games conducted by the Pennsylvania State Lottery.

Source

The provisions of this § 819.201 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.202. Definitions.

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

Bar code—The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets, in a position as published under § 819.203 (relating to notice of instant game rules).

Bonus area—The area on a ticket which, when the coating is removed, reveals one or more bonus play symbols.

Bonus play symbol—A character found in the bonus area on an instant lottery ticket which is identified by an accompanying caption.

NTS number—The sequential number that identifies tickets within a pack.

Pack—A number of instant lottery tickets bound together bearing a common pack number.

Pack number—A numeric serial number used for accounting and control purposes which appears on each instant lottery ticket.

Play area—The area on a ticket which, when the coating is removed, reveals one or more play symbols.

Play symbol—A character found in the play area on an instant lottery ticket which is identified by an accompanying caption.

Prize—The item or money that can be won as specified by the notice for each instant lottery game as published under § 819.203.

Standards on file—Lottery specifications for the printing and production of an instant lottery game.

Validation number—A unique serial number found on the ticket used for identifying winning and losing tickets, printed according to lottery standards on file.

Winning ticket—An instant lottery ticket which has been validated and qualifies for a prize.

Source

The provisions of this § 819.202 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.203. Notice of instant game rules.

Prior to the commencement of an instant lottery game, the Department will publish a notice in the *Pennsylvania Bulletin* containing, at a minimum, the following information about the instant lottery game:

- (1) The name of the instant lottery game.
- (2) The purchase price of an instant lottery ticket for that game.
- (3) The play symbols and associated captions that will be used on the tickets printed for that game.
- (4) The odds of that game and the prizes which can be won.
- (5) The approximate number of tickets printed for the game.
- (6) The number and description of prizes available to be awarded under that game.
- (7) The existence of a finalist, grand prize, second chance or other offering, if applicable, and the procedure for the conduct of same, if applicable.
- (8) The existence of retailer bonus programs, if any, and the rules for determining awards under the programs.
- (9) Other information necessary for the conduct of the instant game.

Source

The provisions of this § 819.203 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

Cross References

This section cited in 61 Pa. Code § 819.202 (relating to definitions); 61 Pa. Code § 819.204 (relating to price); 61 Pa. Code § 819.211 (relating to determination of prize winning tickets); 61 Pa. Code § 819.213 (relating to ticket validation and requirements); and 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

§ 819.204. Price.

The purchase price of instant lottery tickets will be prescribed by the Secretary in conformance with the law. The purchase price for each instant ticket shall be published in the notice provided by § 819.203 (relating to notice of instant game rules).

Source

The provisions of this § 819.204 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.205. Governing law.

Instant lottery games conducted by the Lottery will be governed by this chapter and the law. In purchasing a ticket, the customer agrees to comply with and abide by state statutes, this chapter, final decisions of the Secretary and procedures established by the Secretary for the conduct of the instant lottery games. Revenues generated by instant lottery games shall be apportioned as provided by law.

Source

The provisions of this § 819.205 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

TICKET REQUIREMENTS**§ 819.211. Determination of prize winning tickets.**

(a) Instant lottery game prize winning tickets will be determined under this part and specific game notifications published in the *Pennsylvania Bulletin* under § 819.203 (relating to notice of instant game rules).

(b) A prize shall be paid only if the ticket meets the criteria established in § 819.213 (relating to ticket validation and requirements).

Source

The provisions of this § 819.211 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.212. Ticket responsibility.

(a) An instant lottery game ticket is a bearer document.

(b) The Lottery is not responsible for a lost or stolen instant lottery game ticket.

- (c) The Lottery is not responsible for a ticket redeemed by a player in error.
- (d) A prize shall be claimed within 1 year of the announced end of the instant lottery game for which the ticket was issued.

Source

The provisions of this § 819.212 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.213. Ticket validation and requirements.

(a) To be a valid instant lottery game ticket, the presented ticket shall meet the following conditions:

- (1) A play symbol shall appear in each play area of the ticket in accordance with standards on file.
- (2) Each play symbol shall be captioned, and each play symbol and caption shall agree with the play symbols and captions published in the *Pennsylvania Bulletin* under § 819.203 (relating to notice of instant game rules).
- (3) Each play symbol and caption shall be printed according to Lottery standards on file.
- (4) The ticket shall be intact.
- (5) The ticket may not be mutilated, altered, unreadable, reconstituted or tampered with.
- (6) The ticket may not be counterfeit in whole or in part.
- (7) The ticket shall have been issued by the Lottery in an authorized manner.
- (8) The ticket may not have been stolen.
- (9) The play symbol, pack number and validation number shall be complete, shall be legible, shall be right-side-up, may not be reversed and shall appear on the ticket according to Lottery standards on file.
- (10) The ticket shall be complete, not blank or partially blank, may not have a hole punched through it, may not be miscut, shall have the designated play symbol and caption in the play area, shall have exactly one validation number and exactly one pack number printed according to Lottery standards on file.
- (11) The validation number of the ticket shall appear on the Lottery's official file of validation numbers of winning tickets, and a ticket with that validation number may not have been previously paid.
- (12) The ticket may not be misregistered, defective or produced in error.
- (13) The printing on the ticket may not be irregular.
- (14) The ticket shall pass additional confidential validation tests of the Lottery and shall be present on the Lottery's validation file.

(b) A ticket not passing all validation checks in subsection (a) is not a valid instant lottery game ticket, is void, ineligible for a prize, and will not be paid. In cases of doubt, the Secretary will determine whether an instant Lottery ticket is valid under this section. The determination will be final and binding.

Source

The provisions of this § 819.213 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

Cross References

This section cited in 61 Pa. Code § 819.211 (relating to determination of prize winning tickets).

§ 819.214. Defective tickets and disputes.

(a) The Secretary may permit the replacement of a ticket that has been determined to be invalid with an unplayed ticket or tickets of equivalent sale price from a current lottery game. If a defective ticket is purchased, the only liability of the Lottery will be the replacement of the defective ticket with another unplayed Pennsylvania instant lottery game ticket or tickets of equivalent sale price from a current Pennsylvania lottery game.

(b) If a ticket is not paid by the Lottery and a dispute occurs as to whether the ticket is a winning ticket, the Secretary may permit the replacement of the ticket as provided under subsection (a). This is the exclusive remedy to the holder of the ticket.

Source

The provisions of this § 819.214 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

RETAILER INFORMATION**§ 819.221. Retailers' compensation.**

The Lottery will compensate retailers who sell instant lottery game tickets. Compensation will be paid at a 5% rate for each ticket sold which compensation shall be deducted by the retailer from monies collected upon settlement.

Source

The provisions of this § 819.221 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.222. Retailer bonuses and incentive.

(a) The Lottery may pay bonuses to retailers selling validated winning instant Lottery game tickets. The amount of the bonuses, if any, will be specified in the notice published in the *Pennsylvania Bulletin* under § 819.203 (relating to notice of instant game rules).

(b) The Lottery may conduct a separate Retailer Incentive Program for retailers who sell instant Lottery tickets. Notice of the Program will be announced to retailers through normal methods of communication.

Source

The provisions of this § 819.222 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.223. Retailer conduct.

- (a) A retailer shall sell a pack of tickets in ascending NTS sequence.
- (b) A retailer is prohibited from exchanging a pack of tickets with another retailer.
- (c) A retailer is prohibited from playing or selling a ticket using a method other than fair chance or a method that is contrary to the principle that every ticket has an equal and random chance of winning.

Source

The provisions of this § 819.223 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

PRIZES**§ 819.231. Procedure for claiming and payment of prizes.**

- (a) A prize shall be claimed through licensed lottery sales retailers.
- (b) A prize shall be claimed within 1 year of the announced close of the instant lottery game.
- (c) A lottery sales retailer is required to perform a validation process on all instant prize levels by entering certain data elements from the ticket through the terminal, or by using onsite bar code units provided by the Lottery and make immediate payment of authorized prizes up to and including \$100.
- (d) Other prizes shall be claimed at the lottery sales retailer. The retailer shall complete proper validation steps as outlined in the Pennsylvania Lottery Retailers Operating Procedure Manual and under §§ 811.11—811.17 (relating to procedure for claiming prizes).
- (e) The payment of a prize to a person who dies before receiving a particular prize or to a person 17 years of age or younger shall be paid according to §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).
- (f) The Commonwealth is discharged from liability upon the payment of a prize under § 811.26 (relating to discharge of State liability upon payment).

Source

The provisions of this § 819.231 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.232. Unclaimed prize money.

Unclaimed prize money on winning instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the

announced close of the instant lottery game. If no claim is made within 1 year of the announced close of the instant lottery game conducted by the State Lottery under this chapter, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

Source

The provisions of this § 819.232 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.233. Withholding.

Federal withholding taxes will be withheld by the Lottery for prize payments as required by statute.

Source

The provisions of this § 819.233 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.234. Finalist, grand prize, second chance or other offering procedures.

The notice published under § 819.203 (relating to notice of instant game rules) will state whether that instant lottery game will have a finalist, grand prize, second chance or other offering. An offering conducted pursuant to an instant lottery game will be governed by this section.

Source

The provisions of this § 819.234 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

§ 819.235. Purchase and prize restrictions.

An instant lottery game ticket may not be purchased by and a prize may not be paid to an officer or employe of a contractor, subcontractor or to a spouse, child, brother, sister or parent residing in the same household of a contractor or subcontractor who is involved in the production, distribution or the operation of systems for the validation or accounting of instant lottery games.

Source

The provisions of this § 819.235 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

TERMINATION

§ 819.241. Termination of the game.

The Secretary may announce a termination date, after which no tickets from an instant lottery game may be sold, and a date by which eligible tickets for that

instant lottery game can be included into a finalist, grand prize, second chance or other offering if that instant lottery game was participating in an offering under § 819.234 (relating to finalist, grand prize, second chance or other offering procedures). The announcement will be disseminated through media used to advertise or promote instant lottery games or through normal communications methods.

Source

The provisions of this § 819.241 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

APPLICABILITY

§ 819.251. Applicability.

This chapter applies only to Pennsylvania instant lottery games initiated after the effective date of this chapter.

Source

The provisions of this § 819.251 adopted December 17, 1993, effective December 18, 1993, 23 Pa.B. 5916.

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