

CHAPTER 875. TERMINAL-BASED LOTTERY GAMES

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Authority

The provisions of this Chapter 875 issued under section 303 of the State Lottery Law (72 P.S. § 3761-303), unless otherwise noted.

Source

The provisions of this Chapter 875 adopted May 19, 2006, effective May 20, 2006, 36 Pa.B. 2406, unless otherwise noted.

Cross References

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

§ 875.1. Creation.

Under the act and this part, there is created a category of lottery games, called terminal-based lottery games, which will commence at the discretion of the Secretary, and will continue until the Secretary publicly announces a suspension or termination date.

§ 875.2. Purpose.

(a) The purpose of a terminal-based lottery game is to determine winners from terminal-based lottery game ticket holders matching a designated combination of numbers, letters, symbols, or a specified combination thereof, with the winning numbers, letters or symbols randomly drawn as determined and publicly announced by the Secretary.

(b) The object of the game is for a player to have selected the designated numbers, letters or symbols, as defined in the game notice for the particular game as published in the *Pennsylvania Bulletin*, which match all or a specified combination of the winning numbers, letters or symbols drawn in the game drawing in which the terminal-based lottery game ticket is participating.

(c) Correctly matching all or a designated combination of the winning numbers, letters or symbols drawn, and meeting the other validation criteria as defined in § 875.7 (relating to determination of prize-winning, terminal-based lottery game tickets), entitles the terminal-based lottery game ticket holder to a prize identified in the game notice for the particular game as published in the *Pennsylvania Bulletin*.

(d) This chapter establishes procedures for the creation of terminal-based lottery games, sales of terminal-based lottery game tickets, validation of winners and payment of prizes for terminal-based lottery games conducted by the Pennsylvania State Lottery.

§ 875.3. Definitions.

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

Apparent winning terminal-based lottery game ticket—A terminal-based lottery game ticket which has not yet been validated by the Lottery, bearing winning numbers, letters or symbols.

Bet slip—A preprinted game-specific form prepared by the Lottery upon which the player may mark or designate the numbers, letters or symbols which when processed through the Lottery terminal produces a terminal-based lottery game ticket with the numbers, letters or symbols constituting the player's selection.

Drawing—The process of selecting the winning numbers, letters or symbols that determine the winners for each designated prize for a particular terminal-based lottery game.

Lottery Central Computer System—The computer gaming system on which all Lottery bets are registered through a computer terminal located at a licensed Lottery retailer.

Lottery terminal—A device installed at a retail location by the Lottery for the purpose of selling and validating on-line and instant tickets, performing inventory functions, generating informational accounting reports and performing other functions at the discretion of the Lottery.

On-line retailer or retailer—A person who is properly licensed by the Lottery and has a valid agreement to sell terminal-based lottery game tickets issued through a Lottery terminal, also referred to as a Lottery retailer or licensed retailer.

Pay status—The Lottery central computer system designation into which a game is placed after the Lottery officials verify the accuracy of the game's drawing and which enables the validation and payment of winning terminal-based lottery game tickets.

Play—A chance to participate in a particular terminal-based lottery game drawing.

Prize—The item or money that can be won as specified by the notice for each terminal-based lottery game as published under § 875.4 (relating to notice of terminal-based lottery game rules).

Quick pick—The random selection through a Lottery terminal of the different numbers, letters or symbols that appear as a play in a particular terminal-based lottery game.

Secretary—The Secretary of Revenue of the Commonwealth.

Terminal-based lottery game—Any Lottery game, also referred to as an on-line game, for which a terminal-based lottery game ticket is generated through a computer connected to the Lottery central computer system.

Terminal-based lottery game ticket—A bearer instrument produced through a Lottery terminal that is the player's record of a wager for an on-line lottery game and sold by a licensed retailer in an authorized manner containing at a minimum the appropriate play data as published in the *Pennsylvania Bulletin* for that particular terminal-based lottery game, the drawing dates, amount bet, and validation data. A terminal-based lottery game ticket may contain one or more plays as prescribed in the notice of terminal-based lottery game rules.

Top prize—The highest prize available to be won as published in the *Pennsylvania Bulletin* for that particular terminal-based lottery game.

Winning numbers—The numbers, letters or symbols selected in a particular Lottery game drawing, which have been subsequently validated by the Lottery, and which shall be used to determine the winning plays as published in the *Pennsylvania Bulletin* for that particular terminal-based lottery game.

§ 875.4. Notice of terminal-based lottery game rules.

Prior to the commencement of sales of a terminal-based lottery game, the Department will publish a notice in the *Pennsylvania Bulletin* containing, at a minimum, the following information about the particular terminal-based lottery game:

- (1) The name of the terminal-based lottery game.
- (2) The purchase price of a terminal-based lottery game.
- (3) A description of the game.
- (4) Bet slip and terminal-based lottery game ticket characteristics.
- (5) The time, place and manner of conducting drawings.
- (6) Prizes available to be won and determination of prize winners.
- (7) Probability of winning and prize restrictions, if any.
- (8) Restrictions on procedures for claiming prizes, if any.
- (9) The existence of a finalist, grand prize, second-chance or other offering, if applicable, and the procedure for conducting the same, if applicable.
- (10) Other information necessary for the conduct of that terminal-based lottery game.

Cross References

This section cited in 61 Pa. Code § 875.3 (relating to definitions); and 61 Pa. Code § 875.7 (relating to determination of prize-winning, terminal-based lottery game tickets).

§ 875.5. Purchase price.

The Secretary will prescribe the purchase price of a terminal-based lottery game play or terminal-based lottery game ticket.

§ 875.6. Terminal-based lottery game ticket sales.

Terminal-based lottery game tickets may only be sold through Lottery retailers.

§ 875.7. Determination of prize-winning, terminal-based lottery game tickets.

(a) Terminal-based lottery game prize-winning plays will be determined under this part and specific terminal-based lottery game notifications published in the *Pennsylvania Bulletin* under § 875.4 (relating to notice of terminal-based lottery game rules).

(b) A prize shall be paid only if the terminal-based lottery game ticket meets the criteria established in § 875.10 (relating to terminal-based lottery game ticket validation and requirements).

Cross References

This section cited in 61 Pa. Code § 875.2 (relating to purpose).

§ 875.8. Terminal-based lottery game purchase and terminal-based lottery game ticket characteristics.

(a) To purchase a terminal-based lottery game ticket, the players shall request an on-line retailer to issue a terminal-based lottery game ticket. The terminal-based lottery game ticket, at a minimum, will contain appropriate play data as published in the *Pennsylvania Bulletin* for that particular terminal-based lottery game, the drawing dates, amount bet, and validation data. The terminal-based lottery game ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The terminal-based lottery game ticket shall only be valid for the drawing dates printed on the terminal-based lottery game ticket.

(b) A terminal-based lottery game ticket may not be canceled or voided once printed by the Lottery terminal, even if the terminal-based lottery game ticket is printed in error.

(c) It is the sole responsibility of the terminal-based lottery game ticket holder to verify the accuracy and condition of data printed on the terminal-based lottery game ticket. The purchase of plays is at the player's own risk.

§ 875.9. Terminal-based lottery game ticket responsibility.

(a) A terminal-based lottery game ticket is a bearer document deemed to be owned by the person holding the terminal-based lottery game ticket, except that if a name is contained on the back of the terminal-based lottery game ticket, the person so named will, for all purposes, be considered the owner of the terminal-based lottery game ticket.

(b) The holder of a terminal-based lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the terminal-based lottery game ticket.

(c) The Commonwealth will not be responsible for a lost or stolen terminal-based lottery game ticket.

(d) The Commonwealth will not be responsible for a terminal-based lottery game ticket redeemed by a player in error.

(e) A prize shall be claimed within 1 year of the date of the terminal-based lottery drawing for which the terminal-based lottery game ticket was entered.

§ 875.10. Terminal-based lottery game ticket validation and requirements.

(a) *Valid terminal-based lottery game tickets.* To be a valid terminal-based lottery game ticket, the presented terminal-based lottery game ticket must meet the following conditions:

(1) The terminal-based lottery game ticket validation numbers shall be present in their entirety and correspond, using the Lottery's validation file, to the selected numbers, letters or symbols printed on the terminal-based lottery game ticket for the dates printed on the terminal-based lottery game ticket.

(2) The terminal-based lottery game ticket must be intact.

(3) The terminal-based lottery game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The terminal-based lottery game ticket may not be counterfeit or an exact duplicate of a winning ticket.

(5) The terminal-based lottery game ticket shall have been issued by the Lottery through a licensed retailer.

(6) The terminal-based lottery game ticket may not have been stolen.

(7) The terminal-based lottery game ticket shall be validated in accordance with § 875.11 (relating to procedures for claiming and payment of prizes).

(8) The terminal-based lottery game ticket data shall have been recorded on the Lottery's central computer system prior to the drawing and the terminal-based lottery game ticket data shall match this computer record in every respect.

(9) The player or computer-selected numbers, letters or symbols, the validation data and the drawing date of an apparent winning terminal-based lottery

game ticket shall appear on the official file of winning terminal-based lottery game tickets. A terminal-based lottery game ticket with that exact data may not have been previously paid.

(10) The terminal-based lottery game ticket may not be misregistered, defectively printed, or printed or produced in error to an extent that it cannot be processed by the Lottery.

(11) The terminal-based lottery game ticket shall pass other confidential security checks of the Lottery.

(12) By submitting a terminal-based lottery game ticket for validation, the player agrees to abide by this chapter as determined by the Secretary.

(13) There may not be another breach of this part in relation to the terminal-based lottery game ticket which, in the opinion of the Secretary, justifies disqualification.

(b) *Invalid or defective terminal-based lottery game tickets/disputes.* A terminal-based lottery game 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. The Secretary may replace an invalid terminal-based lottery game ticket with a terminal-based lottery game ticket of equivalent sale price from a current Lottery game.

(2) If a defective terminal-based lottery game 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 terminal-based lottery game ticket with a terminal-based lottery game ticket of equivalent sale price from a current Lottery game.

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

Cross References

This section cited in 61 Pa. Code § 875.7 (relating to determination of prize-winning, terminal-based lottery game tickets); and 61 Pa. Code § 875.11 (relating to procedures for claiming and payment of prizes).

§ 875.11. Procedures for claiming and payment of prizes.

(a) A prize shall be claimed only through a licensed on-line retailer as soon as that drawing is placed in pay status by the Lottery.

(b) An on-line retailer is authorized and required to make payment of a prize of \$2,500 or less, if the terminal-based lottery game ticket is presented within a

designated time period as announced by the Secretary, on an individual winning terminal-based lottery game ticket, if the retailer has sufficient funds available for payment.

(c) The holder of an apparent winning terminal-based lottery game ticket representing a prize of \$2,500 or less will be paid by participating on-line retailers as provided in subsection (b), if the terminal-based lottery game ticket validation requirements in § 875.10 (relating to terminal-based lottery game ticket validation and requirements) have been met, a proper validation pay ticket has been issued by the retailer's computer terminal and other retailer procedures have been met.

(d) The holder of an apparent winning terminal-based lottery game ticket representing a prize in excess of \$2,500, with the exception of a top prize, shall present the terminal-based lottery game ticket to an on-line retailer or authorized claim center under Chapter 811 (relating to prizes).

(e) The holder of an apparent winning terminal-based lottery game ticket representing a top prize shall present, in person, the ticket to Lottery Headquarters or a Lottery area office.

(f) The payment of a prize to a person who dies before receiving a particular prize or to a person under 18 years of age 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).

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

Cross References

This section cited in 61 Pa. Code § 875.10 (relating to terminal-based lottery game ticket validation and requirements).

§ 875.12. Funding for prizes.

(a) Moneys will be drawn from the Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection.

(b) If the terminal-based lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

§ 875.13. Unclaimed prize money.

Prize money on a winning terminal-based lottery game ticket may be retained by the Secretary for payment to the person entitled thereto. If no claim is made within 1 year of the date of the terminal-based lottery drawing for which the terminal-based lottery game ticket was entered, the right of a terminal-based lottery game ticket holder to claim the prize represented by that terminal-based lottery game ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

§ 875.14. Withholding.

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

§ 875.15. Purchase and prize restrictions.

A terminal-based lottery game ticket may not be purchased by, and a prize will not be paid to, an officer or employee of the Lottery, Lottery professional services contractors or subcontractors who are involved in the operation of the terminal-based lottery games system or its associated drawings, or to a spouse, child, brother, sister or parent residing in the same household of the officer, employee, contractor, or subcontractor.

§ 875.16. 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 Secretary for the conduct of the terminal-based lottery game.

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

§ 875.17. Retailer promotion programs.

Retailer incentive and marketing promotion programs, including the use of unfunded free terminal-based lottery game tickets, may be implemented at the discretion of the Secretary. Funds for the programs, if needed, will be drawn from the Lottery Fund.

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