

CHAPTER 876. iLOTTERY

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Authority

The provisions of this Chapter 876 issued under 4 Pa.C.S. § 503(b) and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)), unless otherwise noted.

Source

The temporary provisions of this Chapter 876 adopted March 30, 2018, effective March 31, 2018, expire no later than 2 years following publication, 48 Pa.B. 1829. The permanent provisions of this Chapter 876 adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528, unless otherwise noted.

§ 876.1. Scope.

This chapter establishes procedures for the notification of iLottery game rules, iLottery registration and participation requirements, lottery account requirements and iLottery self-exclusion requirements.

Source

The provisions of this § 876.1 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391083).

§ 876.2. Definitions.

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

Bonus money—Credit issued to a registered iLottery player that does not have a cash value, but which can be converted to a predetermined cash value as further detailed in § 876.14a (relating to withdrawals from a lottery account).

Bureau—The Pennsylvania State Lottery created to administer and operate the lottery by order of the Executive Board.

Cash-out games—A type of iLottery game in which the registered iLottery player is given the option to end the game early for a predetermined amount of money.

Drawing—The process of selecting the numbers, letters or symbols that determine the winning numbers, letters or symbols or the outcome of an iLottery game or an individual play, chance or share.

Fixed payouts—The numbers and amounts of prizes established for an iLottery game, regardless of how many plays, chances or shares are sold.

iLottery—A system that provides for the distribution of lottery products through numerous channels that include, but are not limited to, web applications, mobile applications, mobile web, tablets and social media platforms that allow a registered iLottery player to interface through a portal for the purpose of obtaining lottery products and ancillary services, such as account management, game purchase, game play and prize redemption.

iLottery game—

(i) Internet instant games and other lottery products offered through iLottery.

(ii) The term does not include games that represent physical, Internet-based or monitor-based interactive lottery games which simulate casino-style lottery games, specifically including poker, roulette, slot machines and blackjack.

Instant win game—A type of iLottery game in which the result of a play, chance or share is the display of numbers, letters or symbols indicating whether a prize has been won. Unlike Internet instant games, no reveal is required to determine whether a prize has been won.

Internet instant game—A lottery game of chance in which, by the use of a computer, tablet computer or other mobile device, a registered iLottery player purchases a play, chance or share with the result of a play, chance or share

being a reveal on the device of numbers, letters or symbols indicating whether a lottery prize has been won according to an established methodology as provided by the Bureau.

Lottery account—An account established by an individual with the Bureau that shall be used to register for iLottery and to participate in iLottery. A lottery account may be used to purchase or use lottery products, to participate in lottery promotions and second chance drawings and for lottery communications.

Lottery products—Plays, shares or chances offered by the Bureau as well as lottery property that may be exchanged for plays, shares or chances. The term includes any lottery game or lottery product authorized by the Secretary and offered by the Bureau under the act of August 26, 1971 (P.L. 351, No. 91) (72 P.S. §§ 3761-301—3761-315), known as the State Lottery Law, or act 42 of 2017 (P.L. 419, No. 42) (4 Pa.C.S. §§ 501—505 (relating to lottery)) such as instant tickets, terminal-based tickets, raffle games, play-for-fun games, lottery vouchers, subscription services and gift cards.

Lotto game—A type of iLottery game in which a registered iLottery player chooses “X” numbers, letters or symbols from a field of “Y” numbers, letters or symbols. The field of “Y” numbers, letters or symbols is established by the Bureau. To win, a registered iLottery player matches a designated combination of numbers, letters, symbols, or a specified combination thereof, with the winning numbers, letters or symbols randomly drawn by the Bureau. Examples of lotto games include Powerball and MegaMillions® and similar games in which multiple “Y” numbers, letters or symbols are chosen from a single set of numbers, letters or symbols.

Numbers game—A type of iLottery game in which a registered iLottery player chooses “X” numbers, letters or symbols from multiple fields of “Y” numbers, letters or symbols. The player must choose whether to purchase a straight play or a box play. In straight play, the numbers, letters or symbols are matched in the same order as the winning numbers are drawn by the Bureau. In box play, the numbers, letters or symbols match all of the winning numbers drawn by the Bureau, but in any order. Examples of numbers games include Pick 4 and Pick 5 and similar games in which “Y” numbers, letters or symbols are chosen from multiple sets of numbers, letters or symbols.

Pari-mutuel—A prize structure in which the total available prize pool or pool is split between all winners at a particular prize level or levels.

Play—An opportunity, for a predetermined price, to participate in an iLottery game. May also be referred to as a chance or a share.

Prize or lottery prize—The item or money that can be won in each iLottery game as determined by the prize structure for that iLottery game. A prize or lottery prize may also be referred to as lottery winnings in this chapter.

Prize pool or pool—Amount of money designated for payments of prizes for an iLottery game. The term can also mean a preset number of plays, chances or shares containing a predetermined number of winners.

Prize tiers—One or more different levels, amounts or types of prizes for an iLottery game.

Progressive—An iLottery game prize structure in which the top prize available begins with a minimum prize amount, as determined by the Bureau, which grows at a predetermined rate every time a play is purchased and then resets to the minimum prize amount whenever a top prize winning play is purchased.

Purchase price—The cost of a play, chance or share for an iLottery game.

Randomizer—A device or program that generates a random set of numbers.

Random number generator—A secured computerized system, which draws random numbers to determine the outcome of an individual play, chance or share or an iLottery game.

Registered iLottery player—An individual who creates a lottery account with the Bureau, registers for iLottery and is approved for participation in iLottery.

Responsible gambling tools—Settings available to a registered iLottery player through iLottery that promote responsible gambling.

Secretary—The Secretary of Revenue of the Commonwealth.

Subscription services—A payment, advance payment or promise of payment for multiple lottery products over a specified period of time, including payment through iLottery.

Top prize—The highest prize available to be won in an iLottery game.

Traditional lottery products—Lottery products offered by the Bureau under 61 Pa. Code Chapters 801—875 (relating to State Lotteries).

Winning play—A play, chance or share that has been validated by the Bureau and qualifies for a prize.

Winning numbers—The numbers, letters or symbols selected in a particular iLottery game that have been validated by the Bureau and are used to determine the winning plays for that particular iLottery game.

Source

The provisions of this § 876.2 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial pages (391083) to (391084).

§ 876.2a. Lottery products available through iLottery.

The Secretary shall authorize and determine the availability of lottery products through iLottery and for purchase using a lottery account.

Source

The provisions of this § 876.2a adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

This section cited in 61 Pa. Code § 876.2d (relating to iLottery game rules by category of game offered).

§ 876.2b. Traditional lottery products.

(a) The Secretary may authorize the sale of traditional lottery products through iLottery and for purchase using a lottery account.

(b) Traditional lottery products delivered through a lottery account may be delivered to a registered iLottery player electronically or in a form and manner determined by the Bureau.

(c) Traditional lottery products offered through iLottery are governed by applicable regulations and corresponding notices published in the *Pennsylvania Bulletin*, unless otherwise noted by the Bureau in the notice for the applicable traditional lottery product.

Source

The provisions of this § 876.2b adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

This section cited in 61 Pa. Code § 876.2d (relating to iLottery game rules by category of game offered).

§ 876.2c. Categories of iLottery games.

(a) In addition to traditional lottery products, the Secretary may authorize and the Bureau may offer categories of iLottery games which include the following types of iLottery games:

- (1) Numbers games.
- (2) Instant win games.
- (3) Lotto games.
- (4) Internet instant games.
- (5) Cash-out games.

(b) The outcomes of iLottery games or plays, chances or shares of iLottery games may be determined on demand or at a predetermined date and time established by the Secretary.

(c) The outcomes of iLottery games or plays, chances or shares of iLottery games may be determined by one or more of the following methods:

- (1) Randomizer.
- (2) Random number generator.
- (3) Drawing.

(d) Prize structures for iLottery games may include one or more of the following:

- (1) Pari-mutuel.
- (2) Prize tiers.
- (3) Progressive.
- (4) Fixed-payout.
- (5) Prize pool or pools.

(e) Categories of iLottery games may contain any combination of the characteristics described in subsections (a)—(d) and (g).

(f) A drawing may be conducted by a mechanical device using balls, a random number generator, a randomizer or by using any other method authorized by the Secretary.

(g) The outcome of an iLottery game may be determined on demand or at a predetermined date and time as established by the Secretary.

Authority

The provisions of this § 876.2c adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.2c adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

This section cited in 61 Pa. Code § 876.2d (relating to iLottery game rules by category of game offered); and 61 Pa. Code § 876.9 (relating to iLottery terms and conditions).

§ 876.2d. iLottery game rules by category of game offered.

For each category of iLottery game authorized under §§ 876.2a, 876.2b and 876.2c (relating to lottery products available through iLottery; traditional lottery products; and categories of iLottery games), the Secretary will publish a notice in the *Pennsylvania Bulletin* with the following minimum information, as applicable:

- (1) iLottery game type or types under §§ 876.2b(c) and 876.2c(a).
- (2) Definitions.
- (3) Whether the outcome of the iLottery game or plays, chances or shares of the iLottery game is determined on demand or at a predetermined date and time established by the Secretary under §§ 876.2b(c) and 876.2c(b).
- (4) How the outcome or winning numbers of the iLottery game or play, chance or share are determined under § 876.2c(c).

- (5) Prize structure of the iLottery game under § 876.2c(d).
- (6) Purchase price or range of purchase prices for a play, chance or share of the iLottery game.
- (7) Availability.
- (8) Other relevant information as established by the Secretary.

Authority

The provisions of this § 876.2d adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.2d adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

This section cited in 61 Pa. Code § 876.9 (relating to iLottery terms and conditions); and 61 Pa. Code § 876.12 (relating to prizes).

§ 876.3. (Reserved).

Authority

The provisions of this § 876.3 reserved under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.3 reserved March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391084).

§ 876.4. iLottery game description.

The Secretary will post an iLottery game description on the Bureau's iLottery web site and the Bureau's mobile application for each iLottery game, with the following minimum information:

- (1) The name of the iLottery game.
- (2) The purchase price or range of purchase prices of a play, chance or share for the iLottery game.
- (3) The chances of winning the iLottery game and the prizes which can be won.
- (4) iLottery game instructions.
- (5) The existence of a finalist, grand prize, second chance or other offering, if applicable, and the procedure for the conduct of the same, if applicable.
- (6) If applicable, the existence of a bonus game, a mini-game or a game within a game, the instructions for conduct of the same and the chances of winning the bonus game, mini-game or game within a game and the prizes which can be won.
- (7) Other information necessary for the conduct of the iLottery game.

Authority

The provisions of this § 876.4 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.4 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial pages (391084) to (391085).

Cross References

This section cited in 61 Pa. Code § 876.5 (relating to price); and 61 Pa. Code § 876.9 (relating to iLottery terms and conditions).

§ 876.5. Price.

The purchase price of a play, chance or share for each iLottery game will be included in the iLottery game description for each game, as provided for under § 876.4 (relating to iLottery game description).

Authority

The provisions of this § 876.5 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.5 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391085).

§ 876.6. Governing law.

(a) By registering to participate in iLottery, the registered iLottery player agrees to comply with and abide by Federal and State law, this chapter, the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions) and final decisions of the Secretary.

(b) Revenues generated by iLottery games will be apportioned as provided by 4 Pa.C.S. § 503(f) (relating to iLottery authorization) and section 3761-311 of the State Lottery Law (72 P.S. § 3761-311) regarding disposition of funds.

Authority

The provisions of this § 876.6 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.6 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391085).

§ 876.7. General provisions.

(a) An individual shall establish a lottery account and register for iLottery as provided for under § 876.10 (relating to iLottery registration and participation) to purchase a play, chance or share or to purchase lottery products using a lottery account.

(b) An individual shall accept, consent, acknowledge and agree to be legally bound by the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions) to register for iLottery, to purchase a play, chance or share through iLottery and to purchase lottery products using a lottery account.

(c) An individual shall be located in this Commonwealth to purchase a play, chance or share.

(d) An individual shall be 18 years of age or older to register for iLottery, to purchase a play, chance or share or to purchase lottery products using a lottery account.

Authority

The provisions of this § 876.7 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.7 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391085).

§ 876.8. Applicability.

This chapter applies to iLottery and the sale of plays, chances or shares through iLottery and the purchase of lottery products using a lottery account, as offered and administered by the Department and the Bureau.

Authority

The provisions of this § 876.8 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.8 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391085).

§ 876.9. iLottery terms and conditions.

(a) The terms and conditions for the establishment of a lottery account and for the registration and participation in iLottery will be published in the *Pennsylvania Bulletin* and will be known as the iLottery terms and conditions.

(1) Amendments to the iLottery terms and conditions will be published in the *Pennsylvania Bulletin*.

- (2) The iLottery terms and conditions will be available on the Bureau's iLottery web site and other locations as established by the Secretary.
- (b) The iLottery terms and conditions for the establishment of a lottery account and for registration and participation in iLottery will include all of the following:
- (1) Acknowledgment, consent, agreement and acceptance by the individual to all of the following:
 - (i) Confirmation by the Bureau of the applicant's age and identity.
 - (ii) The use of a mechanism by the Bureau to detect the physical location of a registered iLottery player in compliance with 4 Pa.C.S. § 503(h)(1) (relating to iLottery authorization).
 - (iii) The terms of the end user license agreement for the software and terms and conditions of any third-party services used for the implementation and operation of iLottery and the provision of iLottery games.
 - (iv) The monitoring and recording by the Department or the Bureau of any iLottery communications and geographic location information.
 - (v) The jurisdiction of the Commonwealth to resolve disputes arising out of the conduct of iLottery.
 - (vi) Any moneys remaining on deposit in the registered iLottery player's lottery account as abandoned and unclaimed property if the registered iLottery player has not logged into the lottery account using their username and password in more than 3 years.
 - (vii) The registered iLottery player's lottery account may be suspended or closed for reasons established by the Secretary, including any of the following:
 - (A) Violations of the iLottery terms and conditions as provided for under this chapter.
 - (B) The registered iLottery player has been charged with or convicted of an offense under 18 Pa.C.S. §§ 4106, 5111, 5512—5514, 4 Pa.C.S. § 1518 or § 3905 or conspiracy to commit offenses under 18 Pa.C.S. § 903, or equivalent crimes under Federal law or the law of another state.
 - (C) A self-exclusion request under § 876.16 (relating to self-exclusion from iLottery).
 - (D) The application of a responsible gambling tool by a registered iLottery player, as described in the iLottery terms and conditions, which limits the ability of the registered iLottery player to log into the lottery account.
 - (E) Other reasons as established by the Secretary.
 - (viii) Other terms and conditions that may apply related to registration and participation in iLottery.
 - (ix) Lottery winnings are subject to Federal and State withholding taxes and prizes awarded to the registered iLottery player will be reduced by the amount of withholding required under applicable law.

(x) Lottery winnings are subject to certain deductions as required by law and prizes awarded to the registered iLottery player will be reduced by any amount required to be deducted under applicable law.

(xi) To receive certain prizes, as identified and described in the iLottery game rules provided for under § 876.2c (relating to categories of iLottery games) or iLottery game descriptions as provided for under § 876.4 (relating to iLottery game description) or promotional prize notices provided for under § 811.41 (relating to promotional prizes), the registered iLottery player may be required to take additional measures to claim a prize, including to appear in person at a specified Bureau claim center.

(xii) Use of electronic communications to establish a lottery account, for iLottery registration, communications regarding the lottery account and other communications related to iLottery as determined by the Bureau.

(xiii) Ability of the registered iLottery player to use the responsible gambling tools available through iLottery.

(xiv) Ability of the registered iLottery player to self-exclude from iLottery and the extent to which the self-exclusion applies to use of the registered iLottery player's lottery account.

(xv) Methods by which moneys or credits may be deposited and under what circumstances moneys or credits may be deposited into the registered iLottery player's lottery account.

(xvi) Moneys or credits deposited and held in the registered iLottery player's lottery account do not earn interest.

(xvii) Methods by which moneys or credits may be withdrawn and under what circumstances moneys or credits may be withdrawn from the registered iLottery player's lottery account.

(xviii) Reporting of suspected fraudulent or unlawful activity related to the operation of iLottery.

(xix) Dispute resolution procedures related to iLottery.

(xx) Information provided to the Department or Bureau during the establishment, use, access or closure of the registered iLottery player's lottery account is true and correct.

(xxi) Methods by which a registered iLottery player may purchase lottery products as a gift or for the benefit of another person.

(xxii) iLottery game rules as described in § 876.2d (relating to iLottery game rules by category of game offered) and iLottery game descriptions in § 876.4.

(xxiii) Terms and conditions for iLottery promotions as provided for under § 876.17 (relating to iLottery promotional prizes).

(xxiv) Information related to subscription services as provided for under § 876.19 (relating to subscription services).

(2) Rules and obligations applicable to the registered iLottery player, other than rules of individual games, including all of the following:

- (i) Prohibition against allowing another individual to access or use the registered iLottery player's lottery account.
- (ii) Prohibition against purchasing a play, chance or share unless the registered iLottery player is physically located in this Commonwealth.
- (iii) Prohibition against using automated computerized software or other equivalent mechanisms to engage in iLottery. Nothing in this section shall prohibit the use of adaptive technologies by registered iLottery players with a disability as defined in the Americans with Disabilities Act of 1990 (42 U.S.C.A. §§ 12101—12213).
- (iv) Prohibition against participation in iLottery by an individual under 18 years of age.
- (v) Prohibition of an individual who self-excluded from iLottery from participating in iLottery.
- (vi) Prohibition against purchasing a play, chance or share or receiving a prize if the registered iLottery player is:
 - (A) An officer or employee of the Bureau.
 - (B) A spouse, child, brother, sister or parent residing as a member of the same household as an officer or employee of the Bureau.
 - (C) An officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery or the provision of iLottery related services.
 - (D) A spouse, child, brother, sister or parent residing as a member of the same household as an officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery or the provision of iLottery related services.
- (3) Any other terms and conditions the Secretary deems necessary and relevant for the conduct of iLottery.

Authority

The provisions of this § 876.9 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.9 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial pages (391085) to (391088).

Cross References

This section cited in 61 Pa. Code § 876.6 (relating to governing law); 61 Pa. Code § 876.7 (relating to general provisions); 61 Pa. Code § 876.10 (relating to iLottery registration and participation); 61 Pa. Code § 876.10a (relating to registered iLottery player lottery account requirements); 61 Pa. Code § 876.11a (relating to methods to fund a lottery account); 61 Pa. Code § 876.14a (relating to withdrawals from a lottery account); 61 Pa. Code § 876.16 (relating to self-exclusion from iLottery and responsible gambling tools); and 61 Pa. Code § 876.19 (relating to subscription services).

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§ 876.10. iLottery registration and participation.

(a) An individual may not participate in iLottery without first creating a lottery account and registering to participate in iLottery through the Bureau as described in this chapter.

(b) A registered iLottery player agrees to be bound by the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).

(c) To establish a lottery account and register for iLottery, an individual shall provide the following information:

- (1) The individual's name as it appears on a valid government-issued identification or tax documents.
- (2) The individual's date of birth.
- (3) The entire or last four digits of the individual's Social Security Number, or comparable equivalent.
- (4) The individual's address.
- (5) The individual's telephone number.
- (6) The individual's e-mail address.
- (7) Any other information as established by the Secretary to be necessary to verify the age and identity of the individual.

(d) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions as provided for under § 876.9, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(e) The lottery account will require a username and password.

(f) Access to the lottery account and participation in iLottery is limited to the registered iLottery player.

(g) An individual will be prohibited from establishing a lottery account and from registering for iLottery if one or more of the following occurs:

- (1) The Department is unable to verify the age of the individual.
- (2) The Department is unable to verify the identity of the individual.
- (3) The individual fails to agree to the iLottery terms and conditions as provided for under § 876.9.
- (4) The information provided to the Bureau is false or misleading.
- (5) Other reasons set forth in the iLottery terms and conditions as provided for under § 876.9.

(h) A registered iLottery player may not purchase a play, chance or share or purchase lottery products using a lottery account if the Bureau is unable to verify that the registered iLottery player is physically located within the geographical borders of this Commonwealth.

(i) An individual may not open, access, maintain or otherwise use more than one lottery account for participation in iLottery. This does not prohibit a regis-

tered iLottery player who closes a lottery account from reopening the lottery account or creating a new account, as applicable, at a later date.

(j) An individual may not register or attempt to register for iLottery using more than one lottery account.

(k) By establishing a lottery account and registering for iLottery, a registered iLottery player agrees that all communications related to the establishment and use of the lottery account may be through electronic communications. All electronic communications from the Bureau may be directed to a registered iLottery player based on the lottery account information provided by the registered iLottery player and verified by the Bureau.

(l) An individual must create a lottery account and register for iLottery through the Bureau's iLottery web site or the Bureau's mobile application.

(m) A lottery account may be closed by the registered iLottery player at any time.

(n) A registered iLottery player's lottery account information may be retained by the Bureau to prevent another individual from using the same lottery account information to open a different lottery account.

(o) To close the registered iLottery player's lottery account, the registered iLottery player is required to contact the Bureau. The Bureau may require the registered iLottery player to confirm lottery account information prior to closing the lottery account.

Authority

The provisions of this § 876.10 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.10 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial pages (391088) to (391089).

Cross References

This section cited in 61 Pa. Code § 876.7 (relating to general provisions).

§ 876.10a. Registered iLottery player lottery account requirements.

A registered iLottery player is subject to all of the following:

(1) The end user license agreement or agreements for software used in the provision of iLottery.

(2) The terms and conditions of any third-party service providers used in the provision of iLottery, including electronic payment processors, electronic payment transmitters and financial institutions.

(3) The confirmation of the individual's age and identity.

(4) To at all times provide true and correct information to the Department and the Bureau during the establishment, access, use or closure of the registered iLottery player's lottery account.

(5) The continuous monitoring and recording of information communicated and transactions conducted through iLottery, including electronic communications.

(6) The use of a mechanism by the Bureau to detect the physical location of the registered iLottery player in compliance with 4 Pa.C.S. § 503(h)(1) (relating to iLottery authorization).

(7) The registered iLottery player's lottery account may be suspended or closed for any of the following reasons:

(i) Violations of the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).

(ii) A self-exclusion request under § 876.16 (relating to self-exclusion from iLottery and responsible gambling tools).

(iii) The application of a responsible gambling tool which limits access to the registered iLottery player's lottery account as set forth in the iLottery terms and conditions as provided for under § 876.9.

(iv) The determination that the registered iLottery player has been charged with or convicted of an offense under 18 Pa.C.S. §§ 4106, 5111 and 5512—5514, 4 Pa.C.S. § 1518 or § 3905 or conspiracy to commit offenses under 18 Pa.C.S. § 903, or equivalent crimes under Federal law or the law of another state.

(v) Other reasons as established by the Secretary.

(8) The registered iLottery player's use of iLottery and software or third-party services used by the Bureau in the provision of iLottery shall comply at all times with all applicable statutes, regulations and the iLottery terms and conditions as provided for under § 876.9.

(9) The iLottery privacy policy, available on the Bureau's iLottery web site and on the Bureau's mobile application.

Authority

The provisions of this § 876.10a adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.10a adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

§ 876.11. Purchase and prize restrictions.

(a) Individuals must be at least 18 years of age or older to register for iLottery or to purchase a play, chance or share.

(b) A registered iLottery player shall be located within the geographical boundaries of this Commonwealth to purchase a play, chance or share.

(c) A play, chance or share may not be purchased by and a prize may not be awarded to the following:

- (1) An officer or employee of the Bureau.
- (2) A spouse, child, brother, sister or parent residing as a member of the same household as an officer or employee of the Bureau.
- (3) An officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery or the provision of iLottery related services.
- (4) A spouse, child, brother, sister or parent residing as a member of the same household as an officer or employee of a contractor who is directly involved in the operation of iLottery or the provision of iLottery related services.
- (d) A registered iLottery player is prohibited from cancelling the purchase of a play, chance, share or lottery product.

Authority

The provisions of this § 876.11 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.11 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391089).

§ 876.11a. Methods to fund a lottery account.

- (a) A registered iLottery player shall deposit moneys or credits in the lottery account prior to purchasing a play, chance or share or purchasing other lottery products using a lottery account.
- (b) The Secretary will determine the methods by which a registered iLottery player may fund a lottery account and purchase lottery products. The Bureau will describe those methods in the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).
- (c) Methods for funding a lottery account may include the following:
 - (1) A registered iLottery player's credit card or debit card, including pre-paid cards.
 - (2) Gift cards, as authorized by the Secretary and issued by the Bureau.
 - (3) Player cards, as authorized by the Secretary and issued by the Bureau.
 - (4) Automated clearing house transfers.
 - (5) Bonus money, credits or promotional prizes issued by the Bureau.
 - (6) Prizes received from a winning play.
 - (7) Payment processors or payment transmitters.
 - (8) Any other method authorized by the Secretary.
- (d) The Secretary may establish conditions of purchase applicable to credit card and debit card transactions, such as daily deposit limits.
- (e) The Secretary may establish a minimum deposit amount.

Authority

The provisions of this § 876.11a adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.11a adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

§ 876.11b. Lottery account moneys and credits.

(a) Moneys or credits deposited into a registered iLottery player's lottery account may be used to purchase plays, chances or shares and lottery products, as authorized by the Secretary and offered by the Bureau.

(b) Moneys or credits deposited and held in a registered iLottery player's lottery account will not earn interest.

(c) Moneys or credits remaining on deposit in a registered iLottery player's lottery account will be considered abandoned and unclaimed property if the registered iLottery player has not logged into the lottery account using their username and password for more than 3 years.

Authority

The provisions of this § 876.11b adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.11b adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

§ 876.12. Prizes.

(a) Prizes may be awarded by check, draft or electronically through the registered iLottery player's lottery account or other means as authorized by the Secretary and offered by the Bureau.

(b) The Bureau will report taxable prizes and events to relevant taxing authorities based on established statutory thresholds.

(c) The Commonwealth and its agents, officers and employees shall be discharged of liability upon award of a prize.

(d) Prizes will be reduced by required tax withholding and any deductions for outstanding liabilities as required by law, including those set forth in § 876.14 (relating to deductions required by law).

(e) A registered iLottery player may be prohibited from accessing a prize until the Department or the Bureau determines whether there are outstanding liabilities that must be deducted from the prize, including those set forth in § 876.14.

(f) Winning plays will be determined based on the iLottery game rules as established in § 876.2d (relating to iLottery game rules by category of game offered) and by the data recorded by the Bureau on its system or systems of record.

Authority

The provisions of this § 876.12 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.12 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391089).

§ 876.12a. Prize claims.

(a) The Bureau will generate applicable tax forms for reportable gambling and lottery winnings as required by State and Federal laws and regulations.

(b) The Bureau may use lottery account information provided by a registered iLottery player and verified by the Bureau to generate applicable tax forms for reportable gambling and lottery winnings.

(c) The Bureau may require a registered iLottery player to complete a claim form and to submit it in person at a claim center designated by the Bureau.

(d) A prize requiring the completion of a claim form will not be credited to the registered iLottery player's lottery account until a properly completed claim form is submitted to and accepted by the Bureau.

(e) If a registered iLottery player fails to complete a claim form as required by this section, the prize money will be retained for payment to the registered iLottery player for 1 year after the prize is won. If a claim form is not completed within that period, the ability to claim the prize will expire and the prize money will be used consistent with the State Lottery Law (72 P.S. §§ 3761-301—3761-315).

Authority

The provisions of this § 876.12a adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.12a adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

§ 876.13. Withholding.

Federal and State withholding taxes will be withheld by the Bureau from prize payments as required by law.

Authority

The provisions of this § 876.13 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.13 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391089).

§ 876.14. Deductions required by law.

In addition to any withholding required by Federal and State law, the Department will deduct amounts from prizes as required by law, including those amounts required under:

- (1) 23 Pa.C.S. § 4308 (relating to lottery winnings intercept).
- (2) 72 P.S. § 215 regarding lottery winnings intercept.

Authority

The provisions of this § 876.14 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.14 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391089).

Cross References

This section cited in 61 Pa. Code § 876.12 (relating to prizes).

§ 876.14a. Withdrawals from a lottery account.

(a) A registered iLottery player may withdraw moneys from the registered iLottery player's lottery account.

(b) The Secretary may require a minimum balance in the registered iLottery player's lottery account prior to authorizing a withdrawal.

(c) The Bureau shall not be required to grant a withdrawal request immediately. A withdrawal request from a registered iLottery player's lottery account may be delayed for reasons consistent with this chapter and as set forth in the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).

(d) A registered iLottery player may be required to provide the Bureau with information to verify the details of a withdrawal request before the withdrawal request from the registered iLottery player's lottery account is processed.

(e) A registered iLottery player shall be prohibited from withdrawing bonus money from the registered iLottery player's lottery account where the registered iLottery player fails to convert bonus money into cash in conformance with the promotional terms and conditions issued under §§ 811.41 and 876.17 (relating to promotional prizes; and iLottery promotional prizes).

(f) A registered iLottery player may request that a withdrawal from the registered iLottery player's lottery account be credited to any payment type authorized by the Secretary and offered by the Bureau.

(g) The Bureau may make adjustments to a registered iLottery player's lottery account if the Bureau determines that moneys or bonus moneys are mistakenly credited to a registered iLottery player's lottery account.

(h) The Bureau will deduct the purchase price of a lottery product from a registered iLottery player's lottery account following the purchase of a lottery product.

Authority

The provisions of this § 876.14a adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.14a adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

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

§ 876.15. Termination of a game.

The Secretary may terminate an iLottery game at any time and without notice.

Authority

The provisions of this § 876.15 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.15 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391090).

§ 876.16. Self-exclusion from iLottery and responsible gambling tools.

(a) A registered iLottery player may request self-exclusion from iLottery under this section.

(b) A registered iLottery player may request self-exclusion through the registered iLottery player's lottery account or through other means authorized by the Secretary and offered by the Bureau.

(c) A registered iLottery player may select from the predetermined periods of self-exclusion authorized by the Secretary and offered by the Bureau.

(d) During a period of self-exclusion, a self-excluded, registered iLottery player may not purchase plays, shares or chances, deposit moneys into the registered iLottery player's lottery account, or otherwise participate in iLottery and iLottery promotions prior to the conclusion of the self-exclusion period.

(e) During a period of self-exclusion, a registered iLottery player elects not to receive e-mails or other communications about iLottery.

(f) The Bureau may require a registered iLottery player to verify any of the following lottery account information to request self-exclusion:

- (1) The individual's name as it appears on a valid government-issued identification or tax documents.
- (2) The individual's date of birth.
- (3) The entire or last four digits of the individual's Social Security Number or comparable equivalent.
- (4) The individual's address.
- (5) The individual's telephone number.
- (6) The individual's e-mail address.
- (7) Any other information as established by the Secretary to be necessary to verify the age and identity of the individual.

(g) To request self-exclusion, a registered iLottery player must:

- (1) Acknowledge and agree that self-exclusion is requested voluntarily.
- (2) Acknowledge and agree that self-exclusion applies to iLottery but may apply to other lottery products, promotions and drawings as set forth in the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).
- (3) Acknowledge and agree to waive and release the Commonwealth and its agents and employees from all liability relating to the processing and enforcement of self-exclusion.

(h) A self-excluded, registered iLottery player shall be prohibited from logging into the registered iLottery player's lottery account using their username and password until the self-exclusion period expires.

(i) A self-excluded, registered iLottery player may request the release of moneys in the registered iLottery player's lottery account as set forth in the iLottery terms and conditions as provided for under § 876.9.

(j) The self-exclusion period will become effective immediately upon submission and verification of the request.

(k) A request for self-exclusion is irrevocable.

(l) At the conclusion of any period of self-exclusion, a self-excluded, registered iLottery player must contact the Bureau to reinstate the registered iLottery player's lottery account.

(m) The Bureau may offer responsible gambling tools applicable to iLottery and the purchase of lottery products through a lottery account as set forth in the iLottery terms and conditions provided for under § 876.9.

(n) During any period of self-exclusion or through the use of responsible gambling tools, a registered iLottery player may be prohibited from participating in second chance drawings, promotions offered by the Bureau and marketing communications from the Bureau.

Authority

The provisions of this § 876.16 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.16 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391090).

Cross References

This section cited in 61 Pa. Code § 876.9 (relating to iLottery terms and conditions); and 61 Pa. Code § 876.10a (relating to registered iLottery player lottery account requirements).

§ 876.17. iLottery promotional prizes.

The Secretary may authorize iLottery promotions and issue the terms and conditions related thereto under this chapter and § 811.41 (relating to promotional prizes).

Authority

The provisions of this § 876.17 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.17 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391090).

Cross References

This section cited in 61 Pa. Code § 876.9 (relating to iLottery terms and conditions); and 61 Pa. Code § 876.14a (relating to withdrawals from a lottery account).

§ 876.18. Agent promotion programs.

Agent incentive and marketing promotion programs may be implemented at the discretion of the Secretary. Funds for the programs, if needed, will be drawn from the Lottery Fund.

Authority

The provisions of this § 876.18 amended under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.18 amended March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528. Immediately preceding text appears at serial page (391090).

§ 876.19. Subscription services.

(a) The Bureau may offer subscription services for lottery products as authorized by the Secretary.

(b) The subscription services will be governed by the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions).

(c) Details of subscription services purchased through iLottery will be available electronically through a registered iLottery player's lottery account.

Authority

The provisions of this § 876.19 adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.19 adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

Cross References

This section cited in 61 Pa. Code § 876.9 (relating to iLottery terms and conditions).

§ 876.20. Confidential information.

The following information about a registered iLottery player is confidential, exempt from being disclosed and will be maintained by the Bureau:

- (1) The individual's last name.
- (2) The individual's address.
- (3) The individual's telephone number.
- (4) The individual's financial information.
- (5) The individual's self-exclusion information.
- (6) The individual's Social Security Number or comparable equivalent.
- (7) Information related to the individual's use of responsible gambling tools.
- (8) The individual's play history, including information related to wins and losses.
- (9) The individual's play tendencies.

Authority

The provisions of this § 876.20 adopted under 4 Pa.C.S. § 503; and section 303(a) of the State Lottery Law (72 P.S. § 3761-303(a)).

Source

The provisions of this § 876.20 adopted March 13, 2020, effective March 14, 2020, 50 Pa.B. 1528.

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