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TITLE 65 STATE LOTTERY COMMISSION

LSA Document #02-26(E)

DIGEST

Adds 65 IAC 5-15 concerning the on-line game Max 5. Effective January 11, 2002.

65 IAC 5-15

SECTION 1. 65 IAC 5-15 IS ADDED TO READ AS FOLLOWS:

Rule 15. Max 5

65 IAC 5-15-1 Name

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 1. The name of this on-line game is “Max 5”. *(State Lottery Commission; 65 IAC 5-15-1; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1909)*

65 IAC 5-15-2 Definitions

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 2. (a) The definitions in this sections shall apply throughout this rule.

(b) “Max 5 winning numbers” means the two (2) numbers selected by the commission in a Max 5 selection event, one (1) from a range of one (1) through ten (10) and one (1) from a range of eleven (11) through twenty (20).

(c) “Max 5 selection event” means a drawing or other selection event conducted to determine Max 5 winning numbers.

(d) “Max 5 ticket” means an on-line ticket purchased in a manner defined in section 4(a) of this rule.

(e) “Play” means the four (4) numbers that appear on a valid Max 5 ticket in the manner defined in section 4(b) of this rule.

(f) “Player” means an eligible person who participates in a Max 5 selection event by purchasing a Max 5 ticket and/or claiming a prize.

(g) “Play slip” means a commission approved form containing two (2) columns of ten (10) numbers each, ranging from one (1) to ten (10) in the left column and eleven (11) to twenty (20) in the right column, that is used by a player to mark one (1) play for the Max 5 on-line game.

(h) “Quick pick” means a play randomly selected by a commission approved terminal.

(i) “Retailer” means a person who sells lottery tickets on behalf of the commission pursuant to a retailer

contract.

(j) “Secondary prizes” means all prizes other than the top prize.

(k) “Set prizes” means prizes that are fixed in amount and paid in a single, lump sum.

(l) “Top prize” means the prize available to a player who holds a ticket containing the Max 5 winning numbers in all five (5) associated Max 5 selection events. *(State Lottery Commission; 65 IAC 5-15-2; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910)*

65 IAC 5-15-3 Ticket price and content

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 3. The price of a Max 5 ticket shall be five dollars (\$5). Each Max 5 ticket shall contain one (1) play that is valid for the five (5) consecutive Max 5 selection events following its purchase. *(State Lottery Commission; 65 IAC 5-15-3; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910)*

65 IAC 5-15-4 Procedure for playing

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 4. (a) A Max 5 ticket may be purchased by one (1) of the following methods:

- (1) The player may submit a completed play slip containing two (2) hand marked numbers in each of the two (2) columns to an authorized on-line retailer who shall generate the Max 5 ticket.
- (2) The player may orally advise an authorized on-line retailer of the four (4) numbers contained in the player’s play, and the on-line retailer shall generate the Max 5 ticket.
- (3) The player may request a quick pick of the four (4) numbers in a play, and the on-line retailer shall generate the Max 5 ticket.
- (4) The player may purchase a Max 5 ticket from a player activated terminal.

(b) Each play for Max 5 shall consist of the following:

- (1) Two (2) different numbers from one (1) to ten (10), and
- (2) Two (2) different numbers from eleven (11) to twenty (20).

(c) A Max 5 ticket is the only valid proof of a play and the only valid receipt for claiming a prize in Max 5. A play slip shall have no pecuniary or prize value and shall not constitute evidence of purchase of a Max 5 ticket or a play.

(d) Max 5 selection events shall be conducted twice each day at times designated by the director, typically midday and evening except on Sundays when there shall be no midday Max 5 selection event. There is no multiple draw opportunity in Max 5 other than that associated with each Max 5 ticket.

(e) Sales of Max 5 tickets shall be suspended prior to the time of each Max 5 selection event at a time determined by the director.

(f) Sales of Max 5 tickets for a Max 5 selection event containing a particular play may be suspended if the total liability of the commission for winning Max 5 tickets containing that play would exceed an amount established by the director. No person shall be entitled to purchase an on-line ticket containing any particular play if such play has been suspended and neither the commission, the director, nor any employee of the commission shall be liable for the inability of any person to purchase an on-line ticket containing a particular play.

(g) If a play slip is used to select a player’s play for a Max 5 selection event, the play slip must have been approved by the commission and completed by hand. The play slip may be scanned by the on-line terminal or keyed in by hand by the retailer.

(h) The director may, in the director's sole discretion, authorize the generation of on-line entry tickets or promotional prizes from terminals with respect to certain purchases of Max 5 tickets. (State Lottery Commission; 65 IAC 5-15-4; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910)

65 IAC 5-15-5 Prize amounts and determination of winners

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 5. (a) A top prize of one million dollars (\$1,000,000) shall be paid to players presenting Max 5 tickets containing the Max 5 winning numbers in all five (5) associated Max 5 selection events. However, if two (2) or more such Max 5 tickets are issued with respect to one (1) Max 5 selection event, a pari-mutuel prize of two million dollars (\$2,000,000) shall be equally divided among those holding such tickets.

(b) Secondary prizes in Max 5 are as follows:

(1) Prizes of twenty thousand dollars (\$20,000) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in four (4) of the associated Max 5 selection events.

(2) Prizes of five hundred dollars (\$500) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in three (3) of the associated Max 5 selection events.

(3) Prizes of fifty dollars (\$50) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in two (2) of the associated Max 5 selection events.

(4) Prizes of five dollars (\$5) and one (1) free Max 5 ticket are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in one (1) of the associated selection events.

(c) Notwithstanding subsection (b) of this section, the commission's liability for any secondary prize category in a single Max 5 selection event is limited to five hundred thousand dollars (\$500,000). In such an event, that amount shall be equally divided as a pari-mutuel prize among holders of Max 5 tickets containing the Max 5 winning numbers for the affected secondary prize category. (State Lottery Commission; 65 IAC 5-15-5; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911)

65 IAC 5-15-6 Determination of winning numbers

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 6. The commission shall conduct Max 5 selection events under the supervision of security personnel and an independent auditor. (State Lottery Commission; 65 IAC 5-15-6; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911)

65 IAC 5-15-7 Payment of prizes

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30-15-1

Sec. 7. (a) All Max 5 prizes are set prizes and shall be paid in a single, lump sum payment less federal income withholding taxes and statutory off-sets.

(b) Max 5 prizes shall not be paid until after the last Max 5 selection event associated with a player's Max 5 ticket has been completed.

(c) The holder of a valid Max 5 ticket containing the Max 5 winning numbers is entitled only to the highest prize associated with the on-line ticket.

(d) Pari-mutuel prizes may be rounded down so that the prizes may be paid in multiples of whole dollars. (State Lottery Commission; 65 IAC 5-15-7; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911)

65 IAC 5-15-8 Odds of winning

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 8. (a) The odds of winning the top prize of one million dollars (\$1,000,000) (or an equal share of two million dollar [sic., dollars] (\$2,000,000) if the prize becomes pari-mutuel) are approximately 1:9,765,625.

(b) The odds of winning a prize of twenty thousand dollars (\$20,000) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:81,380.21.

(c) The odds of winning a prize of five hundred dollars (\$500) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:1,695.42.

(d) The odds of winning a prize of fifty dollars (\$50) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:70.64.

(e) The odds of winning a prize of five dollars (\$5) and one (1) free Max 5 ticket are approximately 1:5.89.

(f) The overall odds of winning a prize in Max 5 are 1:5.416317. (State Lottery Commission; 65 IAC 5-15-8; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911)

65 IAC 5-15-9 Termination of liability

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

Sec. 9. All liability of the commission and its members, officers, directors, and employees for any prize terminates upon payment of the prize or upon the expiration of one hundred eighty (180) days after the date of the last Max 5 selection event associated with a Max 5 ticket. (State Lottery Commission; 65 IAC 5-15-9; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1912)

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