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TITLE 65 STATE LOTTERY COMMISSION

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DIGEST

Amends 65 IAC 4-2-3 to remove references to clarify instant game termination and suspension practices. Amends 65 IAC 4-2-5 to clarify end of game practice. Amends 65 IAC 4-3-1 to clarify that instant tickets must be claimed within 60 days after the end of the game as determined by the director. Amends 65 IAC 4-3-2 by removing the word "announced". Effective December 18, 2003.

65 IAC 4-2-3

65 IAC 4-3-1

65 IAC 4-2-5

65 IAC 4-3-2

SECTION 1. 65 IAC 4-2-3 IS AMENDED TO READ AS FOLLOWS:

65 IAC 4-2-3 Termination of an instant game

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

Affected: IC 4-30

Sec. 3. (a) An instant game will end when all instant tickets for that instant game have been sold or on a date ~~announced in advance~~ **determined** by the director **in the director's sole discretion**. The director may suspend ~~or terminate~~ an instant game ~~without advance notice~~ if the director finds that such suspension ~~or termination~~ is in the best interests of the commission. No instant tickets shall be sold with respect to an instant game which has ended or which has been suspended or ~~terminated~~ **otherwise ended**.

(b) Telephone plays with respect to an instant game which provides for telephone plays may be made for sixty (60) days after the end of the instant game unless earlier terminated on a date ~~announced in advance~~ **determined** by the director **in the director's sole discretion**. The director may suspend ~~or terminate~~ telephone plays with respect to an instant game ~~without advance notice~~ if the director finds that such suspension ~~or termination~~ is in the best interests of the commission. (*State Lottery Commission; 65 IAC 4-2-3; emergency rule filed Oct 2, 1989, 2:10 p.m.: 13 IR 303; emergency rule filed Oct 7, 1991, 2:00 p.m.: 15 IR 114; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 18, 2003, 4:30 p.m.: 27 IR 1596*)

SECTION 2. 65 IAC 4-2-5 IS AMENDED TO READ AS FOLLOWS:

65 IAC 4-2-5 Validation of tickets

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

Affected: IC 4-30-11

Sec. 5. (a) Except as provided in section 6 of this rule, all of the following requirements must be met for an instant ticket to be a valid ticket:

- (1) The number of play symbols in the game play data area must correspond with the number of play symbols established with respect to instant tickets for the applicable instant game.
- (2) Each of the play symbols must have a play symbol caption underneath it, and each play symbol must agree with its play symbol caption.
- (3) Each of the play symbols must be present in its entirety and be fully legible.
- (4) Each of the play symbols and its play symbol caption must be printed in black ink, unless a different color of ink is specified in the rule applicable to the particular instant game for which the instant ticket is issued, in which case each of the play symbols and its play symbol caption must be printed in the specified color ink.
- (5) The instant ticket must be intact and not defaced in any manner.
- (6) The game/pack/ticket number must be present in its entirety and be fully legible.

- (7) The instant ticket must not be reconstituted or tampered with in any manner.
- (8) The instant ticket must not be counterfeit in whole or in part.
- (9) The instant ticket must have been issued by the commission in the authorized manner.
- (10) The instant ticket must not be stolen nor appear on any list of omitted instant tickets on file with the commission.
- (11) The play symbols, the play symbol captions, the validation number, the agent verification codes, and the game/pack/ticket number must be right-side-up and not reversed in any manner.
- (12) The instant ticket must have exactly one (1) play symbol caption for each play symbol, exactly one (1) game/pack/ticket number, exactly one (1) validation number, and the correct number and type of agent verification codes on file with the commission for that instant ticket, except that an instant ticket may have multiple copies of the same play symbols and corresponding play symbol captions, game/pack/ticket number, validation number, and agent verification codes if authorized by the commission for instant tickets with respect to a particular instant game.
- (13) The validation number of an apparent winning instant ticket must appear on the commission's official list of validation numbers of winning instant tickets, and the instant ticket with that validation number must not have been paid previously according to the records of the commission.
- (14) The ticket must not have a hole punched through it and must not be blank or partially blank, misregistered, defective, or printed or produced in error.
- (15) Each of the play symbols on the instant ticket and each of the play symbol captions on the instant ticket must be exactly one (1) of those described in this article as applicable to instant tickets for the instant game in which the instant ticket was issued.
- (16) Each of the play symbols and the play symbol captions on the instant ticket must correspond exactly to the typeface and artwork on file with the commission.
- (17) The game/pack/ticket number must correspond exactly to the typeface and artwork on file with the commission.
- (18) The validation number must correspond exactly to the typeface and artwork on file with the commission.
- (19) The agent verification codes must correspond exactly to the typeface and artwork on file with the commission.
- (20) The display printing must be regular in every respect and correspond exactly to the artwork on file with the commission.
- (21) The agent verification codes on an apparent winning instant ticket must correspond with the agent verification codes specified in this article or on file with the commission as applicable to winning instant tickets of that type.
- (22) The instant ticket must pass any additional validation tests specified in this article as applicable to the specific instant game for which the instant ticket was issued.
- (23) The instant ticket must pass all additional confidential validation tests prescribed by the commission.
- (24) The instant ticket must be an instant ticket offered for sale by the commission during the period ~~announced~~ **determined** by the director for that instant game.
- (25) The instant ticket must have been submitted within the claim period applicable to the instant game for which it was issued.

(b) Except as provided in section 6 of this rule, any instant ticket not passing all of the validation requirements in subsection (a) is void and ineligible for any prize, and no prize shall be paid thereon. (*State Lottery Commission; 65 IAC 4-2-5; emergency rule filed Oct 2, 1989, 2:10 p.m.: 13 IR 303; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 18, 2003, 4:30 p.m.: 27 IR 1596*)

SECTION 3. 65 IAC 4-3-1 IS AMENDED TO READ AS FOLLOWS:

65 IAC 4-3-1 Prize-winning tickets

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

Affected: IC 4-30-11

Sec. 1. Prize-winning instant tickets are valid instant tickets that have been determined by the commission in accordance with this article to be official prize winners. Criteria and specific rules for winning prizes shall be published for each instant game and available for all players. The commission shall in all cases make final determination regarding validation of instant tickets and whether instant tickets are prize-winning instant tickets. Unless specified to the contrary in the rule applicable to the instant game for which the instant ticket was issued, an instant prize will be paid only for the highest instant prize won on a valid instant ticket unless a lower instant prize has been claimed. **No prize shall be awarded to a player who fails to file a claim prior to the end of an instant game.** (*State Lottery Commission; 65 IAC 4-3-1; emergency rule filed Oct 2, 1989, 2:10 p.m.: 13 IR 304; emergency rule filed Oct 7, 1991, 2:00 p.m.: 15 IR 114; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 18, 2003, 4:30 p.m.: 27 IR 1597*)

SECTION 4. 65 IAC 4-3-2 IS AMENDED TO READ AS FOLLOWS:

65 IAC 4-3-2 Claiming prizes from the commission

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

Affected: IC 4-30-11

Sec. 2. (a) A telephone prize awarded pursuant to section 10 of this rule may only be claimed from the commission's central office in Indianapolis. Any other prize may be claimed from any of the commission's regional offices or from the commission's central office in Indianapolis.

(b) The commission will pay instant prizes by check or in cash at the option of the commission or with lottery tickets if both the commission and the winner agree, in each case after instant tickets are validated and after any other applicable requirements contained in this article are met. The commission will pay telephone prizes after instant tickets are validated to the extent required by the commission and after any other applicable requirements contained in this article are met.

(c) A prize claim shall be made on such form or forms as are prescribed by the director. To the extent required by federal tax law, the claimant shall furnish a tax identification number to the commission in the following manner:

(1) An individual shall provide his or her Social Security number.

(2) A legal entity shall furnish a federal employer's identification number issued by the Internal Revenue Service.

(3) A group, family unit, club, or other organization which is not a legal entity or which does not possess a federal employer's identification number shall file Internal Revenue Service Form 5754, "Statement by Person(s) Receiving Gambling Winnings", or a successor form, with the commission designating to whom the prize is to be paid and the person or persons to whom the prize is taxable.

(d) Prize payment shall be made to the person, entity, or group identified on the claim form and associated documents, and the claim shall be final and binding on the claimant and those for whom the prize is claimed.

(e) An instant prize must be claimed within sixty (60) days of the ~~announced~~ end of the instant game in which the prize was won or it will be forfeited. A telephone prize must be claimed within sixty (60) days of the telephone play in which the telephone prize was won or it will be forfeited. A prize awarded pursuant to section 10 of this rule must be claimed within sixty (60) days of the day it was won or it will be forfeited, unless a longer or shorter period for claiming prizes is determined and announced pursuant to that section. All unclaimed prize money or other prizes required to be paid or delivered by the commission shall be added to the pool from which future prizes are to be awarded or used for special prize promotions. (*State Lottery Commission; 65 IAC 4-3-2; emergency rule filed Oct 2, 1989, 2:10 p.m.: 13 IR 305; emergency rule filed May 4, 1990, 4:35 p.m.: 13 IR 1731; emergency rule filed Oct 7, 1991, 2:00 p.m.: 15 IR 114; emergency rule filed Sep 3, 1992, 9:00 a.m.: 16 IR 79; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Dec 18, 2003, 4:30 p.m.: 27 IR 1597*)

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