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## TITLE 65 STATE LOTTERY COMMISSION

LSA Document #05-312(E)

### DIGEST

Amends 65 IAC 4-2-6 to clarify scratch-off ticket dispute procedures. Amends 65 IAC 5-2-6 to clarify draw ticket dispute procedures. Effective October 24, 2005.

**65 IAC 4-2-6**

**65 IAC 5-2-6**

SECTION 1. 65 IAC 4-2-6, AS AMENDED AT 28 IR 2153, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

#### **65 IAC 4-2-6 Disputes**

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

**Affected:** IC 4-30-11

Sec. 6. (a) If a person claiming a prize in a scratch-off game is unable to produce the alleged winning scratch-off ticket, the commission shall not pay the claimed prize unless the person presents terminal-generated evidence sufficient to establish the validity of the claim. If a person claiming a prize in a scratch-off game presents a scratch-off ticket that is mutilated or unreadable, the commission shall not pay the claimed prize unless there is sufficient readable data remaining on the scratch-off ticket to establish the validity of the claim. Any person making a claim under this subsection may submit an affidavit to the director setting forth all facts ~~witnesses, and supporting information~~ surrounding the person's claim. The director, in the director's sole discretion, may authorize that the prize be paid to the claimant if satisfied that the validity of the claim has been established. If any prize claimed under this subsection exceeds ~~one five thousand dollars (\$1,000)~~, **(\$5,000)**, a determination by the director to pay the prize shall be reviewed and authorized by the commission.

(b) The director may, solely at the director's option, replace a scratch-off ticket which is not a valid ticket or which is otherwise determined not to be a winning scratch-off ticket, despite a claim to the contrary, with an unplayed scratch-off ticket or scratch-off tickets of equivalent sale price for any current scratch-off game. In the event a defective scratch-off ticket is purchased, the only responsibility or liability of the commission shall be the replacement of the defective scratch-off ticket with another unplayed scratch-off ticket or scratch-off tickets of equivalent sale price from a current scratch-off game. (*State Lottery Commission; 65 IAC 4-2-6; emergency rule filed Oct 2, 1989, 2:10 p.m.: 13 IR 304; emergency rule filed Jan 24, 1990, 4:00 p.m.: 13 IR 1072; emergency rule filed Sep 25, 1998, 11:21 a.m.: 22 IR 474; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Feb 25, 2005, 12:00 p.m.: 28 IR 2153, eff Mar 1, 2005; emergency rule filed Oct 24, 2005, 2:50 p.m.: 29 IR 828*)

SECTION 2. 65 IAC 5-2-6, AS AMENDED AT 28 IR 2153, SECTION 2, IS AMENDED TO READ AS FOLLOWS:

#### **65 IAC 5-2-6 Disputes**

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

**Affected:** IC 4-30-11

Sec. 6. (a) If a person claiming a prize in a draw game is unable to produce the alleged winning **draw** ticket, the commission shall not pay the claimed prize unless the person presents terminal-generated evidence sufficient to establish the validity of the claim. If a person claiming a prize in a draw game presents a draw ticket that is mutilated or unreadable, the commission shall not pay the claimed prize unless there is sufficient readable data remaining on the draw ticket to establish the validity of the claim. Any person making a claim under this subsection may submit an affidavit to the director setting forth all facts ~~witnesses, and supporting information~~ surrounding the person's claim. The director, in the director's sole discretion, may authorize that the prize be paid to the claimant if satisfied that the validity of the claim has been established. The director shall not authorize payment of any prize under

this subsection until the period for claiming prizes for the selection event applicable to the draw ticket involved has elapsed, and the director shall consider the amount of prizes paid with respect to the selection event involved in determining whether to pay the prize. If any prize claimed under this subsection exceeds ~~one~~ **five** thousand dollars (~~\$1,000~~), **(\$5,000)**, a determination by the director to pay the prize shall be reviewed and authorized by the commission.

(b) The director may, solely at the director's option, replace a draw ticket which is not a valid draw ticket or which is otherwise determined not to be a winning draw ticket, despite a claim to the contrary, with a new draw ticket or draw tickets of equivalent sales price for the same draw game or another draw game. In the event a defective draw ticket is purchased, the only responsibility or liability of the commission shall be the replacement of the defective draw ticket with another draw ticket or draw tickets of equivalent sales price from the same draw game or another draw game. (*State Lottery Commission; 65 IAC 5-2-6; emergency rule filed May 7, 1990, 2:10 p.m.: 13 IR 1742; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Feb 25, 2005, 12:00 p.m.: 28 IR 2153, eff Mar 1, 2005; emergency rule filed Oct 24, 2005, 2:50 p.m.: 29 IR 828*)

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