

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify the attached copies* are true, full, and correct copies of the **PERMANENT RULES** adopted on November 18, 2011 by the:

Oregon State Lottery 177
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

to become effective December 1, 2011. Rulemaking Notice was published in the October 1, 2011 *Oregon Bulletin*.
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RULE CAPTION

Establishes requirements for Oregon Lottery® second chance drawings
Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT:	OAR 177-052-0000 OAR 177-052-0010 OAR 177-052-0020 OAR 177-052-0030 OAR 177-052-0040 OAR 177-052-0050 OAR 177-052-0060 OAR 177-052-0070	Purpose Definitions Eligibility Entry Requirements Odds of Winning Selection of Winners Winner Notifications and Claiming of Prizes Governing Law
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Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

REPEAL:	OAR 177-052-0000(T) OAR 177-052-0010(T) OAR 177-052-0020(T) OAR 177-052-0030(T) OAR 177-052-0040(T) OAR 177-052-0050(T) OAR 177-052-0060(T) OAR 177-052-0070(T)	Purpose Definitions Eligibility Entry Requirements Odds of Winning Selection of Winners Winner Notifications and Claiming of Prizes Governing Law
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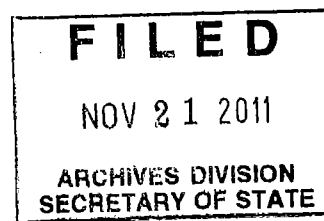
ORS Chapter 461
Statutory Authority

Oregon Constitution, Article XV, § 4(4)
Other Authority

ORS 461.220, 461.230, and 461.250
Statutes Implemented

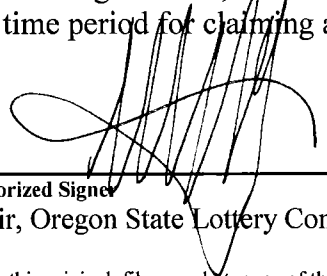
RULE SUMMARY

The Oregon State Lottery initiated permanent rulemaking to set forth the requirements for second chance drawings conducted by the Lottery, which are drawings in which an eligible, non-winning Oregon Lottery® ticket is submitted to the Lottery for entry into a drawing for the



LOG 1-2011

chance to win a prize. These new rules set forth eligibility and entry requirements, the method for selecting winners, how the odds of winning are determined, winner notification, the method and time period for claiming a second chance drawings prize, and the governing law.



Authorized Signer
Chair, Oregon State Lottery Commission

Steve Ungar

Printed Name

November 18, 2011

Date

*With this original, file one photocopy of the certificate, one paper copy of the rules listed in Rulemaking Actions, and electronic copy of rules.

** The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 PM on the 15th day of the preceding month unless the deadline falls on a Saturday, Sunday, or legal holiday when Notice forms are accepted until 5:00 PM on the preceding workday. ARC 930-2005

OREGON STATE LOTTERY

DIVISION 52

OREGON LOTTERY® SECOND CHANCE DRAWINGS

September 2, 2011

177-052-0000

Purpose

The purpose of this Division of OAR Chapter 177 is to authorize and set forth the provisions for second chance drawings that the Oregon Lottery® may conduct from time to time. This Division is not applicable to any second chance drawings that a Lottery retailer may operate under OAR 177-040-0200.

177-052-0010

Definitions

- (1) **“Active Scratch-it™ game”** means a Lottery Scratch-it™ game that has not officially ended as set forth in OAR 177-050-0100.
- (2) **“Entry Requirements”** means the instructions that specify how to enter a second chance drawing.
- (3) **“Second Chance Drawing” or “2nd Chance Drawing”** means a drawing in which an eligible non-winning Oregon Lottery® ticket is submitted to the Oregon Lottery® for entry into a drawing for a chance to win a prize.

177-052-0020

Eligibility

- (1) **Requirements:** To be eligible to win a prize in a second chance drawing, a person must meet the following eligibility requirements:
 - (a) Be a natural person 18 years of age or older;
 - (b) Must reside in the United States;
 - (c) Must not be:
 - (A) An employee or representative of the Oregon Lottery®, or the spouse, child, brother, sister, or parent of any such employee or representative;

(B) An employee or representative of the Oregon State Police, Gaming Enforcement Division; or

(C) A Lottery vendor who is prohibited by contract with the Oregon Lottery® from participating in a second chance drawing or is prohibited from playing Oregon Lottery® games.

(d) Must submit a valid entry with the required information through whichever method for entry the Lottery requires for the particular second chance drawing. All entries must be submitted by the deadline specified for the second chance drawing.

(2) **Person Ineligible:** If at any time the Lottery determines that a person who submitted a second chance drawing entry does not meet the requirements listed in section (1) of this rule, that person is disqualified and is ineligible for a prize. If the Lottery determines that a person is disqualified before the second chance drawing is conducted, any entries submitted by that person are void, may be removed from the drawing, or any prize won may be forfeited and may be awarded to an alternate eligible winner at the discretion of the Lottery. If a person who receives a prize in a second chance drawing is later disqualified, the person may be required to forfeit the prize and return it to the Lottery.

177-052-0030

Entry Requirements

(1) **Method of Entry:** The Lottery will determine the method of entry for any second chance drawing, which may include, but is not limited to, electronic entry through a website, mail, or walk-in entries.

(2) **Electronic Entry:** To submit a valid electronic entry, a person must:

- (a) Register as a member on a Lottery designated website;
- (b) Enter the Game ID number, the box code, and the ticket code from the Lottery game ticket that is eligible for the particular second chance drawing;
- (c) Provide any additional information as required by the Lottery; and
- (d) Submit the electronic entry prior to the deadline for submission of entries for the second chance drawing as announced by the Lottery.

(3) **Mail or Walk-in Entry:** To submit an entry by mail or personal delivery to the Lottery, if such entry is specifically authorized by the Lottery for a particular second chance drawing, a person must:

- (a) Submit an entry with the required information provided legibly and accurately in all blanks on the form. The entry may contain only one entrant's name. Illegible entries are invalid.

(b) Mail the entry to the Oregon Lottery®, P.O. Box 14515, Salem, Oregon 97309 or deliver the entry to the Oregon Lottery® Headquarters, 500 Airport Road SE, Salem, Oregon 97301 by the deadline specified in the second chance drawing. The entry must be received during the Lottery's business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. PST, excluding holidays and furlough closure days.

(4) **Ticket Requirements:** Only one Lottery game ticket may be used for each entry. If the second chance drawing specifies use of a Scratch-it™ ticket for entry into the drawing, only a Lottery Scratch-it™ game ticket from an active Scratch-it™ game is eligible for entry into the second chance drawing.

(5) **Single Entrant:** Only one person per entry may submit an entry for a second chance drawing. An entry with more than one name on the entry form is invalid.

(6) **Other Entry Requirements:** The Lottery may establish additional entry requirements for any second chance drawing. These additional requirements will be posted on a Lottery website or as otherwise announced by the Lottery.

(7) **Invalid Entry:** Failure to follow any of the entry requirements of a second chance drawing will invalidate the entry. An invalid entry is void and is not eligible for a second chance drawing prize. Invalid entries will not be returned to the entrant.

177-052-0040

Odds of Winning

(1) **General:** The odds of winning a second chance drawing depend on the total number of entries received.

(2) **Multiplier:** The Lottery may use a multiplier to increase the number of entries a single second chance drawing entry receives. When a multiplier is used, the odds of winning depend on the total number of entries received plus the calculations of the multiplier, which increases the total number of entries.

177-052-0050

Selection of Winners

(1) **When Drawing Held:** A second chance drawing will be held at such date, time, place, and in such manner as is determined by the Lottery and will be conducted only after the deadline for submitting entries has closed, as announced by the Lottery.

(2) **Random Drawing:** During the drawing for each available prize in a second chance drawing, the Lottery will randomly select a winner from all the entries submitted for that drawing. Only valid entries that have been submitted to the Lottery are eligible for selection as a winner.

(3) **Selection of Winning Ticket:** To select a winner, the Lottery or its authorized agents, may conduct a manual or electronic drawing, or may use any other selection procedure as determined by the Lottery that ensures a random selection of a winner for a prize in the particular second chance drawing.

(4) **Suspension or Cancellation of Drawing:** At the discretion of the Lottery Director, a second chance drawing may be suspended. If the Director suspends a drawing the Director may hold a replacement drawing or cancel the drawing. If the second chance drawing is canceled, the Lottery, in its sole discretion, may provide an entrant who entered the drawing with a coupon for a Lottery product, or a promotional reward, the value of which shall be solely determined by Oregon Lottery. This is an entrant's sole and exclusive remedy.

177-052-0060

Winner Notification and Claiming of Prizes

(1) **Second Chance Prize Notification:** The Lottery will notify the winner of a second chance drawing by e-mail. The Lottery may also notify the winner by telephone or by mailing a certified letter through the U.S. Postal Service. The effective date of notification is the date the initial e-mail notification is sent by the Lottery as noted electronically within the Lottery's information processing system.

(2) **Time Limits for Claiming Prize:** A winner of a second chance drawing has 60 days from the date of the e-mail notification in which to claim the prize.

(3) **Forfeiture of Prize:** If the winner of a second chance drawing is determined by the Lottery to be ineligible or fails to respond to the notification to claim the prize within 60 days, then the winner forfeits the prize.

(4) **Claim Forms:** As a condition of receiving a prize, the Lottery may require the winner to submit a claim form to the Lottery. To be valid, the claim form must contain the required information, such as name, address, signature or identifying mark, social security number (if applicable), and a valid reference number. Only the person who submitted the entry may claim the prize. A second chance drawing prize may not be claimed by multiple owners. A valid claim form must be received by the Lottery within the applicable time period for claiming a prize. An invalid claim form will not be accepted by the Lottery and will be returned to the claimant. The claimant may resubmit a valid claim form as long as the time for claiming the prize has not expired.

(a) **Electronic Claim Form:** The Lottery may require that the claimant submit an electronic claim form through the Internet. The electronic claim form is received by the Lottery when the form enters the Lottery's information processing system in a retrievable form. The electronic claim form will be deemed received at the time and date noted electronically by the Lottery's information processing system. An electronic claim form must include the claimant's electronic signature that meets the requirements specified by the Lottery on the instructions for the claim form.

(b) **Paper Claim Form:** Unless specified otherwise, the Lottery may permit a claimant to submit a paper claim form. The paper claim form is deemed received by fax to (503) 540-1001 or upon physical delivery to the Oregon Lottery® Headquarters, 500 Airport Road SE, Salem, Oregon 97301, either in person, or by delivery service, or through the U.S. mail to the Oregon Lottery®, P.O. Box 14515, Salem, Oregon 97309. The claim form must be received by the Lottery during the Lottery's business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. PST, excluding holidays and furlough closure days.

(5) **Identification:** The Lottery may require that a prize be claimed in person at the Oregon Lottery® Headquarters, 500 Airport Road SE, Salem, Oregon 97301. At any time, the Lottery may require the claimant to present valid proof of identity to confirm that the claimant is the person who submitted the second chance drawing entry. A claimant who is unable to present valid identification upon request is ineligible to receive a prize.

(6) **Delivery of Prize:** The Lottery may require the winner of a second chance drawing prize to claim the winner's prize at the Oregon Lottery® Headquarters, 500 Airport Road SE, Salem, Oregon 97301, or the Lottery may mail or otherwise deliver the prize to the winner's address if it is within the United States.

(7) **Taxes and Fees:** Unless otherwise stated by the Lottery in the terms for a particular second chance drawing, all taxes and fees are the responsibility of the winner claiming the prize.

177-052-0070

Governing Law

(1) **Compliance with Law and Terms:** By entering a second chance drawing, a person agrees to abide by and comply with Oregon law, including the statutes and administrative rules governing second chance drawings, and any additional terms and entry requirements for a second chance drawing as posted by the Lottery, which are in effect, and which may be amended from time to time.

(2) **Decisions of the Director:** The decisions of the Director, including, but not limited to, the amount or nature of a prize, the validity of an entry, whether an entry is a winner, whether it was submitted in error, and whether an entrant has won a prize, are final.