
TITLE 65 STATE LOTTERY COMMISSION

Emergency Rule
LSA Document #19-460(E)

DIGEST

Amends [65 IAC 1-1-1](#) regarding definitions. Adds [65 IAC 3-2-2](#) regarding courier services. Effective September 6, 2019.

[65 IAC 1-1-1](#); [65 IAC 3-2-2](#)

SECTION 1. [65 IAC 1-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[65 IAC 1-1-1](#) Definitions

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30](#)

Sec. 1. (a) The definitions in [IC 4-30-2](#) and in this section apply throughout this title.

(b) "Applicant" means a person who has submitted an application to receive a certificate of authority to contract with the commission as a retailer.

(c) "Central system" means a system of computers, servers, and databases that is designed to provide comprehensive technology capabilities; including without limitation, controlling, monitoring, and communicating with the terminals and recording the plays and transactions processed by the terminals.

(d) "Chair" means the chairperson of the commission selected pursuant to [IC 4-30-4-3](#).

(e) "Draw game" means a lottery game in which winners are determined by a random selection conducted by the commission at a designated selection event.

(f) "Game rules" means written rules governing the procedures and manner in which a lottery game is to be played, and identifying the necessary criteria or conditions for winning a prize.

(g) "Game play data area" means an area on a scratch-off ticket covered with a latex or other covering, which, when uncovered, reveals play or prize symbols, bar codes, verification codes, or other means for determining the outcome of game play on that ticket.

(h) "Lottery game" means any game that the commission authorizes under [IC 4-30](#), but shall not include promotional drawings under [65 IAC 1-7-4](#).

(i) "Lottery product" means any ticket or other offering authorized by the commission to be sold or distributed to consumers by retailers or by the commission.

(j) "Member" means a member of the commission, as described in [IC 4-30-3-1](#).

(k) "MUSL" means the Multi-State Lottery Association, a government-benefit association wholly owned and operated by member commissions, state agencies, and other political subdivisions, which are authorized to conduct a lottery.

(l) "Nth transaction award" means a free wager that the central system automatically generates either randomly or at a predetermined transaction interval.

(m) "On-line game" means a lottery game where participation is recorded on a computer-generated ticket

distributed through terminals connected to the central system by a communications network.

(n) "Pari-mutuel prize" means a prize equal to the total amount of the winnings pool available for prizes of that type divided by the total number of winning tickets for that prize.

(o) "Play slip" means a form prescribed by the commission on which a player may hand mark the player's desired numbers, symbols, or other characters and which is input into a terminal to generate a ticket for a lottery game.

(p) "Play symbol" means an alphabetic, numeric, or graphic character or symbol appearing in the game play data area of a ticket which is used to determine whether the player won a prize.

(q) "Prize symbol" means numeric symbol expressed in terms of United States currency appearing in the game play data area of a ticket and used to determine the value of a possible prize.

(r) "Prize winner" means any individual or other person ultimately entitled to receive full or partial payment of a lottery prize either directly or by means of a pass through entity, including, but not limited to, the:

- (1) beneficiaries of a trust;
- (2) partners, members, or shareholders of a business entity;
- (3) individual members of a group, club, or association; or
- (4) assigned guardian or adult member of a minor's family functioning as a custodian for a person who is less than eighteen (18) years of age and claiming a prize on a lawfully purchased ticket.

(s) "Scratch-off game" means a lottery game that offers preprinted lottery tickets that, after a covering is removed, immediately reveals numbers, play symbols, or other insignia of whether the player has won a prize.

(t) "Selection event" means a drawing or other random generation and selection of numbers, play symbols, or other objective indicators for the purpose of identifying the winner or winners of a lottery game.

(u) "Terminal" means a device which is authorized by the commission to function in an interactive mode with the central system for the purpose of issuing lottery tickets and entering, receiving, and processing lottery transactions.

(v) "Ticket" means a ticket, receipt, voucher, token, or other acknowledgement of purchase or participation in a lottery game that is capable of being validated by the commission or an authorized agent or contractor.

(w) "Ticket courier service" means a service operated for the purpose of purchasing or facilitating the purchase of tickets on behalf of persons in exchange for monetary compensation.

(State Lottery Commission; [65 IAC 1-1-1](#); emergency rule filed Jul 20, 1989, 4:10 p.m.: 12 IR 2290; emergency rule filed Sep 5, 1989, 3:20 p.m.: 13 IR 90; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; readopted filed Nov 14, 2007, 3:02 p.m.: [20071212-IR-065070656RFA](#); emergency rule filed Sep 16, 2009, 2:24 p.m.: [20090923-IR-065090771ERA](#); emergency rule filed Dec 18, 2009, 10:05 a.m.: [20091230-IR-065090989ERA](#); emergency rule filed Aug 10, 2010, 10:39 a.m.: [20100901-IR-065100542ERA](#); emergency rule filed Jun 28, 2013, 1:11 p.m.: [20130710-IR-065130296ERA](#); emergency rule filed Sep 6, 2019, 8:59 a.m.: [20190911-IR-065190460ERA](#))

SECTION 2. [65 IAC 3-2-2](#) IS ADDED TO READ AS FOLLOWS:

[65 IAC 3-2-2](#) Courier services

Authority: [IC 4-30-3-7](#); [IC 4-30-3-9](#)

Affected: [IC 4-30-9-3](#); [IC 4-30-9-5](#)

Sec. 2. (a) Unless authorized by the commission, a retailer may not:

- (1) sell a ticket to a person who is not physically present at the location identified on the retailer's**

certificate of authority; or

(2) knowingly sell a ticket in a transaction involving a ticket courier service.

(b) The prohibitions outlined in subsection (a) shall not apply to the purchase of tickets by persons acting on behalf of an individual or group of individuals where there is no compensation in any form or manner provided to the purchaser other than recompense for the price of the tickets.

*(State Lottery Commission; [65 IAC 3-2-2](#); emergency rule filed Sep 6, 2019, 8:59 a.m.:
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