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## **TITLE 65 STATE LOTTERY COMMISSION**

LSA Document #05-88(E)

### **DIGEST**

Adds 65 IAC 5-18 concerning the draw game Indy Racing Experience 2-Seater Raffle. Effective May 1, 2005.

#### **65 IAC 5-18**

SECTION 1. 65 IAC 5-18 IS ADDED TO READ AS FOLLOWS:

##### **Rule 18. Indy Racing Experience 2-Seater Raffle**

#### **65 IAC 5-18-1 Name**

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

**Affected:** IC 4-30

**Sec. 1. The name of this draw game is “Indy Racing Experience 2-Seater Raffle” (herein “2-Seater Raffle”).** *(State Lottery Commission; 65 IAC 5-18-1; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2738, eff May 1, 2005)*

#### **65 IAC 5-18-2 Definitions**

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

**Affected:** IC 4-30

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

**(b) “2-Seater Raffle prize” means the prize set forth in section 5(b) of this rule.**

**(c) “2-Seater Raffle selection event” means a drawing or other selection event conducted to determine the 2-Seater Raffle winning numbers.**

**(d) “2-Seater Raffle ticket” means a draw ticket purchased in the manner defined in section 4(a) of this rule.**

**(e) “2-Seater Raffle winning numbers” means the ten (10) unique eight (8) digit numbers selected by the commission in a 2-Seater Raffle selection event with digits in the exact order of selection.**

**(f) “Play” means the set of four (4) sequential, unique eight (8) digit numbers that appear on a valid 2-Seater Raffle ticket in the manner defined in section 4(b) of this rule.**

**(g) “Player” means an eligible person who participates in a 2-Seater Raffle selection event by purchasing a 2-Seater Raffle ticket.**

**(h) “Retailer” means a person, other than a state agency or political subdivision, who sells lottery tickets on behalf of the commission pursuant to a retailer contract.** *(State Lottery Commission; 65 IAC 5-18-2; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2738, eff May 1, 2005)*

#### **65 IAC 5-18-3 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 2-Seater Raffle ticket shall be two dollars (\$2) per ticket. Each 2-Seater Raffle ticket shall contain one (1) play consisting of four (4) unique, sequential eight (8) digit numbers and is valid for the 2-Seater Raffle selection event following its purchase. No two (2) 2-Seater Raffle tickets shall contain any of the same eight (8) digit numbers. *(State Lottery Commission; 65 IAC 5-18-3; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2738, eff May 1, 2005)*

**65 IAC 5-18-4 Procedure for playing**

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

**Affected:** IC 4-30

**Sec. 4. (a)** A 2-Seater Raffle ticket may be purchased by requesting a play and the retailer shall generate the 2-Seater Raffle ticket from the lottery terminal.

**(b)** Each play for 2-Seater Raffle shall consist of the set of four (4) unique, sequential eight (8) digit numbers.

**(c)** A 2-Seater Raffle ticket is the only valid proof of a play and the only valid receipt for claiming a prize in 2-Seater Raffle. All plays in the 2-Seater Raffle shall be quick pick. Play slips shall not be available or utilized for any 2-Seater Raffle ticket or play.

**(d)** Four (4) separate and independent 2-Seater Raffle selection events shall be conducted with one (1) on each of the following days: May 7, 2005, May 14, 2005, May 21, 2005, and May 28, 2005. There is no multiple draw opportunity in 2-Seater Raffle.

**(e)** Sales of 2-Seater Raffle tickets shall be suspended prior to the time of each 2-Seater Raffle selection event at a time determined by the director.

**(f)** Neither the commission, the director, nor any employee of the commission shall be liable for the inability of any person to purchase a 2-Seater Raffle ticket containing a particular play.

**(g)** The director may, in the director's sole discretion, authorize the generation of draw entry tickets or promotional prizes from terminals with respect to certain purchases of 2-Seater Raffle tickets. *(State Lottery Commission; 65 IAC 5-18-4; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2738, eff May 1, 2005)*

**65 IAC 5-18-5 Prize**

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

**Affected:** IC 4-30

**Sec. 5. (a)** In each 2-Seater Raffle selection event there shall be ten (10) 2-Seater Raffle prizes available with one (1) such prize awarded to each holder presenting a 2-Seater Raffle ticket containing one (1) of the 2-Seater Raffle winning numbers from a 2-Seater Raffle selection event. If a 2-Seater Raffle ticket contains more than one (1) 2-Seater Raffle winning number, the holder shall be entitled to one (1) 2-Seater Raffle prize for each 2-Seater Raffle winning number on the ticket.

**(b)** Each 2-Seater Raffle prize shall include the following:

**(1)** Participation in a July 23, 2005, event day by each winner and one (1) guest at the Indianapolis Motor Speedway, which shall include lunch, a museum tour, and other amenities.

**(2)** Participation in the Sinden Racing Services, Inc., "Riding Experience Program", which consists of one (1) three-lap ride around the Indianapolis Motor Speedway track in a two-seat, open-wheel racecar by the winner or designee.

**(3)** Payment, on the winner's behalf, of federal income withholding taxes at the rate of twenty-five percent (25%) on the gross value of the prize; and

**(4)** Payment, on the winner's behalf, of state income withholding at the rate of three and four-tenths percent (3.4%) on the gross value of the prize in excess of one thousand two hundred dollars (\$1,200).

**(c)** Each winner may make a one (1) time designation of another person to participate in the events and activities associated with the 2-Seater Raffle prize. No other designations will be permitted and said designation shall be for all aspects of the 2-Seater Raffle prize. Regardless of participation, an IRS Form W-2G will be sent to the winner at year end.

(d) Winners must meet weight, height, physical condition, and other eligibility requirements established by Sinden Racing Services, Inc., before they may participate in the Riding Experience Program. Winners unable to meet the eligibility requirements may designate an eligible person to participate in the winner's place in the Riding Experience Program. In the event Sinden Racing Services, Inc., in its sole discretion, determines that a winner or designee is unable to safely ride in the 2-seater racecar, such winner or designee shall be provided with a certificate for the Riding Experience Program that may be used by an eligible person selected by the winner or designee.

(e) In order to participate in the July 23, 2005, event and related activities, the holder of a 2-Seater Raffle ticket containing one (1) or more 2-Seater Raffle winning numbers must present the ticket and claim the prize on or before June 30, 2005, or such other date determined by the commission.

(f) Participants in the Riding Experience Program agree to release Sinden Racing Services, Inc., the Indy Racing League, LLC, the commission and their officers, employees, and representatives from any and all liability for property damage, bodily injury, or death arising out of said participation and the related activities. Winners agree to complete any and all forms and provide any and all information required by Sinden Racing Services, Inc., the Indy Racing League, and the commission. All forms, including those by designees, must be completed and returned to the commission by July 15, 2005, or the opportunity to participate in the July 23, 2005, event may be forfeited.

(g) In the event a winner or designee fails to meet any of the foregoing deadlines but claims the 2-Seater Raffle prize ticket and provides the completed forms within one hundred eighty (180) days after a particular 2-Seater Raffle selection event, the commission may, in its sole discretion, either schedule the winner's participation in the July 23, 2005, event or provide the winner or the designee with a Sinden Racing Services, Inc., certificate for participation in the Riding Experience Program at a later date. The commission may include other amenities with the each certificate, the choice and value of which shall be within the sole discretion of the commission.

(h) The commission shall assign each winner or designee that has complied with the requirements stated above with a check-in time for participating in the Riding Experience Program on the date of the event. If a winner or designee fails to report at the designated time and the event ends before all participants who arrived on time have completed the Riding Experience Program, such persons shall be provided with a certificate for the Riding Experience Program that may be used at a future date. Similarly, if a winner or designee is unable for any reason to participate in the Riding Experience Program before the conclusion of the event, such person shall be provided with a certificate for the Riding Experience Program that may be used at a future date.

(i) All fulfillment associated with the Riding Experience Program certificates shall be handled through Sinden Riding Services, Inc.

(j) The commission may, in its sole discretion, select an alternate date for the 2-Seater prize activities in the event of inclement weather, equipment failure, or for any other reason. The alternate date is tentatively set for July 24, 2005. The Lottery shall not be responsible for transportation, overnight lodging, or any other expenses incurred by winners, guests, or designees in association with participation in the event. *(State Lottery Commission; 65 IAC 5-18-5; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2739, eff May 1, 2005)*

#### **65 IAC 5-18-6 Determination of winning numbers**

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

Affected: IC 4-30

Sec. 6. (a) The commission shall conduct four (4) 2-Seater Raffle selection events. Each 2-Seater Raffle selection event shall select ten (10) unique eight (8) digit numbers from among a pool of only those unique eight (8) digit numbers printed on 2-Seater Raffle tickets purchased prior to the particular selection event. Any eight (8) digit numbers printed on 2-Seater Raffle tickets that were cancelled shall not be included in the drawing.

(b) Each selection event shall be under the supervision of security personnel and an independent auditor. *(State Lottery Commission; 65 IAC 5-18-6; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2740, eff May 1, 2005)*

#### **65 IAC 5-18-7 Odds of winning**

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

**Affected: IC 4-30**

**Sec. 7. The odds of winning the prize in 2-Seater Raffle are dependent on the number of 2-Seater Raffle numbers printed on 2-Seater Raffle tickets purchased for each particular 2-Seater Raffle selection event.** *(State Lottery Commission; 65 IAC 5-18-7; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2740, eff May 1, 2005)*

**65 IAC 5-18-8 Termination of liability**

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

**Affected: IC 4-30**

**Sec. 8. All liability of the commission and its members, officers, directors, and employees for any prize terminates upon the award of the prize or upon the expiration of one hundred eighty (180) days after the date of the 2-Seater Raffle selection event associated with a 2-Seater Raffle ticket.** *(State Lottery Commission; 65 IAC 5-18-8; emergency rule filed Apr 29, 2005, 1:45 p.m.: 28 IR 2740, eff May 1, 2005)*

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