

# Chapter 315-10 WAC

## INSTANT GAMES—GENERAL RULES

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

315-10-050	Notification to commission. [Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-038 (Order 3), § 315-10-050, filed 10/15/82.] Repealed by WSR 96-11-107, filed 5/20/96, effective 6/20/96. Statutory Authority: RCW 67.70.040.
315-10-062	May a lottery retailer continue to sell instant game tickets for a particular game after the official end of that game? [Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-062, filed 1/31/97, effective 3/3/97.] Repealed by WSR 08-11-043, filed 5/14/08, effective 6/14/08. Statutory Authority: RCW 67.70.040.

### **WAC 315-10-010 Instant games—Authorized—Director's authority.** The director shall:

(1) Select, operate, and contract relating to and for the operation of instant games meeting the criteria set forth in this chapter.

(2) Establish final instant game specifications, including the determination of winning tickets, in executed working papers or software requirement specifications; keep the portions of these documents that are subject to public disclosure available for one hundred eighty days after the end of each game for public review during normal business hours.

(3) Inform commission members of instant game development.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-010, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-010, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 98-08-067, § 315-10-010, filed 3/30/98, effective 4/30/98; WSR 97-04-047, § 315-10-010, filed 1/31/97, effective 3/3/97. Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-038 (Order 3), § 315-10-010, filed 10/15/82.]

**WAC 315-10-020 Definitions.** (1) Ticket. The ticket purchased for participation in an instant game and any ticket used in media promotions and retailer incentive programs authorized by the director for an instant game.

(2) Instant game. A game in which a ticket is purchased and the ticket bearer determines his or her winnings, if any.

(3) Ticket bearer. The person who has signed the ticket or has possession of the unsigned ticket.

(4) Play symbols. The numbers or symbols appearing in the designated areas on the front and or the back of the ticket. Play symbols were formerly called play numbers. Both terms shall have the same meaning.

(5) Your(s). The ticket bearer's play area or areas (for example, "your hand(s)," "your card(s)," or "your roll(s)").

(6) Their(s). The opponent's play area or areas (for example, "their card(s)," or "their roll(s)").

(7) Validation number. The multidigit number found on the ticket and on any ticket stub. There must be a validation number on the ticket or any stub.

(8) Working papers or software requirement specifications. The documents providing production and winning ticket specifications for each instant ticket game.

(9) Scratch game. An instant game in which a ticket is purchased and, upon removal of a scratch-off coating on the front and or the back of the ticket, the ticket bearer determines his or her winning, if any.

[Statutory Authority: RCW 67.70.040 (1), (3). WSR 12-24-009, § 315-10-020, filed 11/27/12, effective 12/28/12. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-020, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 98-08-067, § 315-10-020, filed 3/30/98, effective 4/30/98; WSR 97-04-047, § 315-10-020, filed 1/31/97, effective 3/3/97; WSR 89-21-029, § 315-10-020, filed 10/10/89, effective 11/10/89; WSR 86-01-060 (Order 83), § 315-10-020, filed 12/16/85; WSR 84-05-008 (Order 51), § 315-10-020, filed 2/7/84. Statutory Authority: RCW 67.70.040 and 67.70.050. WSR 83-05-029 (Order 14), § 315-10-020, filed 2/10/83. Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-038 (Order 3), § 315-10-020, filed 10/15/82.]

**WAC 315-10-022 Essential elements of instant game tickets.** The director shall establish in executed working papers or software requirement specifications for each instant game the specific form and location in which the following essential elements shall appear on each instant game ticket:

(1) **Play field** is generally the area that may contain play symbols, play symbol captions, prize symbols, prize symbol captions, and validation numbers;

(2) **Play spots** are the specific areas where play symbols are located;

(3) **Play symbols** are symbols, letters, or numbers appearing in each play spot of a ticket;

(4) **Play symbol captions** are small printed characters generally associated with each play symbol which may appear on the play field and correspond with and verify that play symbol. These captions spell out, in full or abbreviated form, the play symbol. There is only one play symbol caption for each play symbol, and each play symbol caption is associated with the three-digit ticket number;

(5) **Prize symbols** may be numeric or symbolic representations, printed either in a display printed prize legend or on the play field, which indicate the amount of money a player may win;

(6) **Prize symbol captions** may be small printed characters generally associated with each prize symbol appearing

on the play field which correspond to and verify that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol;

(7) **Validation number** is a unique multidigit number on the ticket;

(8) **Pack-ticket number** is a number that may include the game, pack and ticket identifier;

(9) **Retailer verification code** is the code on the ticket that the lottery retailer uses to verify instant winners; and

(10) **Odds of winning** shall always appear on the back of the ticket.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-022, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-022, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-022, filed 1/31/97, effective 3/3/97.]

#### **WAC 315-10-023 Prizes available for instant games.**

Prizes available are as set forth on the instant game ticket. Prizes may also include "Win for Life" prizes. "Win for Life" prizes will be paid in accordance with WAC 315-06-120(15) and may include prizes exceeding one million dollars.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-023, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-023, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 98-08-067, § 315-10-023, filed 3/30/98, effective 4/30/98.]

**WAC 315-10-024 Methods of selecting winning tickets.** (1) Methods for selecting winning tickets may be as set forth on the instant game ticket and in the executed working papers or software requirement specifications. Methods for selecting winning tickets may include:

(a) Higher number. Your (the player's) number is greater than their number.

(b) Match one or more. Match your play symbols to the winning play symbol(s).

(c) Bonus play. Find a bonus symbol to win a bonus prize instantly.

(d) Match two or more consecutive. Match two or more consecutive "Game Cards" within a game to the "Draw Cards" to win the corresponding amount shown on the ticket.

(e) Match two or more. Match two or more "Game Cards" within a game to the "Draw Cards" to win the corresponding amount shown on the legend on the ticket.

(f) Three like cards. Get three like cards with one hand to win the corresponding amount shown on the ticket.

(g) Grand prize drawing. Find a bonus symbol that qualifies you to enter a grand prize drawing or submit one or more nonwinning tickets to enter a grand prize drawing.

(h) Match symbols. Match a specified number of identical play symbols on a play area.

(i) Add up "yours." Add up the play symbols designated as "yours" and the total is greater than, less than or equal to the symbol or symbols designated as "theirs."

(j) Add up. Add up the play symbols and the amount is greater than or equal to the designated symbols on the ticket.

(k) Tic tac toe. Match three identical play symbols, in a row, column, or diagonal, on a grid in the play area.

(l) Sequence. Find the designated play symbols in the specified sequential order.

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(m) Spellout. Find the play symbols to form the designated word or words.

(n) In between. Find the play symbol or symbols designated as "yours" with a value less than the play symbol or symbols designated as "their high value" and greater than the play symbol or symbols designated as "their low value."

(2) Each of the methods described in subsection (1) of this section may include a special variant such as "automatic win feature," "doubler," "wild card," or "free space" that provides added or alternative methods of winning.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-024, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-024, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 98-08-067, § 315-10-024, filed 3/30/98, effective 4/30/98.]

**WAC 315-10-025 Cost to purchase an instant game ticket.** The price of an instant game ticket shall not be less than \$1.00 and not more than \$20.00, except for those tickets used in media promotions authorized by the director and retailer incentive programs authorized by the commission.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3). WSR 10-16-025, § 315-10-025, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-025, filed 5/14/08, effective 6/14/08; WSR 98-08-067, § 315-10-025, filed 3/30/98, effective 4/30/98; WSR 97-04-047, § 315-10-025, filed 1/31/97, effective 3/3/97.]

**WAC 315-10-030 Instant games criteria.** (1) The total of all prizes available to be won in an instant game shall not be less than forty-five percent of the instant game's projected revenue.

(2) There is no required frequency of drawing or method of selection of a winner in an instant game.

(3) At the director's discretion, an instant game may include a grand prize or second chance drawing(s). The criteria for the grand prize or second chance drawing shall be as follows:

(a) Finalists for such drawing(s) shall be selected in an elimination drawing(s) from tickets meeting the criteria stated on the ticket and in executed working papers or software requirement specifications or stated in lottery promotional materials, at the discretion of the director. Participation in the elimination drawing(s) shall be limited to such tickets that are actually received or ticket information is actually received and validated by the director on or before a date to be announced by the director. The director may reserve the right to place any semi-finalist whose entry was not entered in the elimination drawing(s) and who is subsequently determined to have been entitled to such entry into an elimination drawing of a subsequent instant game, and the determination of the director shall be final.

(b) The number of prizes and the amount of each prize in the drawing(s) shall be determined by the director to correspond with the size and length of the instant game and to comply with subsection (1) of this section.

(c) The dates and times as well as the procedures for conducting the drawing(s) shall be determined by the director.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-030, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-030, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 98-08-067, § 315-10-030, filed 3/30/98, effective 4/30/98; WSR 97-04-047, § 315-10-030, filed 1/31/97, effective 3/3/97; WSR 94-03-020, § 315-10-030, filed 1/7/94, effective 2/9/94; WSR 89-21-

029, § 315-10-030, filed 10/10/89, effective 11/10/89; WSR 88-17-024 (Order 111), § 315-10-030, filed 8/11/88; WSR 85-22-057 (Order 81), § 315-10-030, filed 11/5/85; WSR 85-16-031 (Order 77), § 315-10-030, filed 7/30/85; WSR 85-09-004 (Order 72), § 315-10-030, filed 4/5/85; WSR 84-05-008 (Order 51), § 315-10-030, filed 2/7/84; WSR 83-16-029 (Order 30), § 315-10-030, filed 8/27/83. Statutory Authority: 1982 2nd ex.s. c 7 § 4. WSR 83-03-034 (Order 10), § 315-10-030, filed 1/14/83. Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-038 (Order 3), § 315-10-030, filed 10/15/82.]

**WAC 315-10-035 Winning an instant game ticket.**

Each instant ticket shall be printed with instructions clearly indicating what constitutes a winning ticket. In addition, written descriptions of winning play and prize symbol combinations shall be included in the executed working papers or software requirement specifications for the production of each game. The ticket bearer must submit the winning ticket to the lottery as specified by the director. The winning ticket must be validated by the lottery through use of the validation number or any other means as specified in WAC 315-10-070 or by the director.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-035, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-035, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-035, filed 1/31/97, effective 3/3/97.]

**WAC 315-10-040 Confidentiality of tickets.** No lottery retailer or its employees or agents shall attempt to ascertain the retailer verification code or otherwise attempt to identify unsold winning tickets.

[Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-040, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 86-01-060 (Order 83), § 315-10-040, filed 12/16/85. Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-038 (Order 3), § 315-10-040, filed 10/15/82.]

**WAC 315-10-055 Redemption time.** (1) A player may submit a winning ticket for prize payment up to one hundred eighty days after the official end of game or one hundred eighty days from date of purchase of a computer generated ticket.

(2) In order to participate in a grand prize drawing in which the entry is the submittal of one or more winning or nonwinning tickets, a player must redeem and submit such a ticket or tickets or ticket information within the time limits set forth in chapter 315-06 WAC governing the conduct of that specific game.

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-055, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-055, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-055, filed 1/31/97, effective 3/3/97.]

**WAC 315-10-060 Official beginning and end of an instant ticket game ticket sales.** The director shall announce the official start date and closing date of each instant ticket game in an official lottery publication via printed or electronic media, or both. Lottery retailers shall not sell any tickets prior to the start date of a game unless expressly authorized by the director.

A lottery retailer may continue to sell tickets for each instant game up to sixty days after the official end of that game.

(11/27/12)

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-060, filed 5/14/08, effective 6/14/08; WSR 97-04-047, § 315-10-060, filed 1/31/97, effective 3/3/97; WSR 94-03-020, § 315-10-060, filed 1/7/94, effective 2/9/94; WSR 89-09-008 (Order 115), § 315-10-060, filed 4/10/89; WSR 87-17-012 (Order 103), § 315-10-060, filed 8/10/87; WSR 86-12-002 (Order 92), § 315-10-060, filed 5/22/86; WSR 86-01-060 (Order 83), § 315-10-060, filed 12/16/85; WSR 85-09-004 (Order 72), § 315-10-060, filed 4/5/85; WSR 84-05-008 (Order 51), § 315-10-060, filed 2/7/84; WSR 84-01-004 (Order 42), § 315-10-060, filed 12/8/83.]

**WAC 315-10-065 Return of instant game tickets by state liquor control board outlets.** Return of tickets by state liquor control board outlets shall be governed by the interlocal cooperative agreement between the lottery and the state liquor control board.

[Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-065, filed 1/31/97, effective 3/3/97.]

**WAC 315-10-070 Ticket validation requirements.** (1)

To be a valid Washington state lottery instant game ticket, a ticket must meet all of the following validation requirements.

(a) The ticket must have been issued by the director in an authorized manner.

(b) The ticket must not be altered, unreadable, or tampered with in any manner.

(c) The ticket must not be counterfeit in whole or in part.

(d) The ticket must not be stolen nor appear on any list of omitted tickets on file with the lottery.

(e) The ticket must be complete and not blank or partially blank, miscut, misregistered, defective, or printed or produced in error.

(f) If play symbol and play symbol captions are present in the playfield, the ticket must have at least one play symbol and at least one play symbol caption under each play spot. Play symbols must be present in their entirety, legible, right-side up, and not reversed in any manner.

(g) The ticket must have at least one pack-ticket number or serial number, exactly one retailer verification code, and exactly one validation number. These elements must be present in their entirety, legible, and not reversed in any manner.

(h) The validation number of an apparent winning ticket shall appear on the lottery's official list of validation numbers of winning tickets; and a ticket with that validation number shall not have been previously paid.

(i) The ticket must pass all additional confidential validation requirements, if any, established by the director.

(2) The director may authorize reconstruction of an alleged winning ticket which was not received and/or cannot be located by the lottery; provided, that the person requesting reconstruction submits to the lottery sufficient evidence to enable reconstruction and that they have submitted a claim for the prize, if any, for that ticket. If the reconstructed ticket is a winning ticket and meets the validation requirements contained in subsection (1) of this section and the specific validation requirements contained in the rules for its specific game, the director may authorize payment of the prize; provided, that the ticket shall not be validated nor the prize paid prior to one hundred eighty days following the official end of that instant game. A ticket(s) validated pursuant to this subsection shall not entitle the claimant entry into the grand prize drawing, if any, for that or any subsequent instant game.

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(3) Any ticket not passing all the validation requirements in subsection (1) of this section and the specific validation requirements contained in the rules for its specific game is invalid and ineligible for any prize.

(4) The director may replace any invalid ticket with an unplayed ticket of equivalent sales price from any current instant game. In the event a defective ticket is purchased, the only responsibility or liability of the lottery shall be the replacement of the defective ticket with an unplayed ticket of equivalent sales price from any current instant game, or issue a refund of the sales price. However, if the ticket is partially mutilated or if the ticket is not intact but it still can be validated by other validation tests, the director may pay the prize for that ticket.

[Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-070, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-070, filed 1/31/97, effective 3/3/97; WSR 85-16-031 (Order 77), § 315-10-070, filed 7/30/85; WSR 84-22-047 (Order 68), § 315-10-070, filed 11/7/84.]

#### **WAC 315-10-075 Claiming an instant game prize.**

Procedures for claiming instant game prizes are as follows:

(1) To claim an instant game prize of \$600.00 or less the claimant may either present the apparent winning ticket to any lottery retailer regardless of where the ticket was purchased, or may present the apparent winning ticket to the lottery by mail or in person. When a retailer is presented with a claim under this section, the retailer shall verify the claim and, if acceptable, make payment of the amount due the claimant. The prizes shall be paid during all normal business hours of that retailer provided that claims can be validated on the lottery's terminal. The retailer shall not charge the claimant any fee for payment of the prize or for cashing a business check drawn on the retailer's account.

(2) In the event the retailer cannot verify the claim, the claimant shall present a claim to the lottery by mail or in person. If the claim is validated by the lottery, funds shall be forwarded to the claimant in payment of the amount due. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(3) To claim an instant prize of more than \$600.00, the claimant shall complete a claim form, as provided in WAC 315-06-120, which is obtained from the lottery retailer or the lottery and mail or present in person the completed form together with the apparent winning ticket to the lottery. Upon validation by the director, funds shall be forwarded or presented to the claimant in payment of the amount due, less any applicable federal income tax withholding and deductions pursuant to RCW 67.70.255 and WAC 315-06-125. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(4) To claim an instant prize pursuant to WAC 315-10-070(2), the claimant shall notify the lottery of the claim and request reconstruction of the ticket not later than one hundred eighty days after the official end of that instant game or one hundred eighty days from purchase of a computer generated ticket. If the director authorizes reconstruction, the ticket shall not be validated nor the prize paid prior to one hundred eighty days following the official end of that instant game or one hundred eighty days from purchase of a computer generated ticket. A ticket(s) validated pursuant to WAC 315-10-

070(2) shall not entitle the claimant entry into the grand prize drawing, if any, for that or any subsequent instant game.

(5) Any ticket not passing all the validation checks specified by the director is invalid and ineligible for any prize and shall not be paid. However, the director may, solely at his or her option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current game). In the event a defective ticket is purchased, the only responsibility or liability of the director shall be the replacement of the defective ticket with another unplayed ticket (or tickets of equivalent sale price from any other current game).

[Statutory Authority: RCW 67.70.040. WSR 08-11-043, § 315-10-075, filed 5/14/08, effective 6/14/08. Statutory Authority: Chapter 67.70 RCW. WSR 05-11-049, § 315-10-075, filed 5/13/05, effective 6/13/05. Statutory Authority: RCW 67.70.040. WSR 97-04-047, § 315-10-075, filed 1/31/97, effective 3/3/97.]

**WAC 315-10-080 Retailer settlement.** (1) Each retailer licensed with the lottery to sell instant tickets shall establish an account for deposit of moneys derived from instant game sales with a financial institution that has the capability of electronic funds transfer (EFT) and shall make payment of all moneys due the lottery through the EFT account. Funds generated from the sale of instant tickets are held in trust by the retailer until transfer to the lottery.

(2) Each retailer shall make deposits periodically to its EFT account sufficient to cover moneys due the lottery. The director shall specify the days on which moneys due shall be withdrawn by EFT. Moneys not deposited by a specified day of withdrawal shall be overdue and delinquent.

[Statutory Authority: RCW 67.70.040. WSR 94-03-020, § 315-10-080, filed 1/7/94, effective 2/9/94; WSR 91-20-062, § 315-10-080, filed 9/25/91, effective 10/26/91.]