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 State Lottery, or a drawing agent, may conduct from time to time.

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.

OAR 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 be a registered member on a Lottery designated website;

(d) Must submit a valid entry with the required information, through whichever method for entry the Lottery requires for the particular second chance drawing and by the deadline specified by the Lottery; and

(e) Must not be:

(A) An employee or representative of the 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 the Lottery prohibits by contract with the Lottery from
participating in a second chance drawing or is otherwise prohibited from playing
Lottery games.

(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.

OAR 177-052-0030 Entry Requirements

(1) Method of Entry: The Lottery will determine the method of entry for any second chance
drawing. This includes, 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. A person may only have one
active membership at a time;

(b) Enter such information as the Lottery may specify on the designated website for
each drawing, such as the Game ID number, the alphanumeric entry code, and ticket
information 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) Confirmation of Entry: For a ticket and drawing entry to be successfully entered into a
drawing, the website must validate each ticket and drawing entry, and issue confirmation of the
entry to the player.

(4) Ticket Requirements: Only one Lottery game ticket or share may be used for each entry. If
the second chance drawing specifies use of a Scratch-it\textsuperscript{SM} ticket for entry into the drawing, only
a Lottery Scratch-it\textsuperscript{SM} game ticket from an active Scratch-it\textsuperscript{SM} game, as specified by the Lottery,
is eligible for entry into the second chance drawing. The Lottery may specify in the terms and
conditions applicable to a particular drawing that submission of certain tickets or shares may
constitute more than one entry in that 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 terms and conditions and entry requirements for any second chance drawing. These additional terms and conditions and entry requirements will be posted on a Lottery website or as otherwise announced by the Lottery.

(7) **Invalid Entry**: Failure to follow any of the terms and conditions or entry requirements of a second chance drawing invalidates the entry. An invalid entry is void and is not eligible for a second chance drawing prize. The Lottery does not return invalid entries to the entrant.

**OAR 177-052-0040 Odds of Winning**

**General**: The odds of winning a Lottery second chance drawing depend on the total number of entries received and the total number of winners selected per drawing or game.

**OAR 177-052-0050 Selection of Winners**

(1) **When Drawing Held**: The Lottery will hold second chance drawings at such dates, times, places, and in such manner as determined by the Lottery and only after the deadline for submitting entries has closed, as announced by the Lottery. At Lottery’s discretion, the Lottery may select more than one winning entry in a second chance drawing, award more than one prize, and may select alternate winners. An alternate winner is only eligible to receive a prize if the prior selected winner (including any alternate winners selected) is ineligible or does not claim the prize. Lottery will announce the prize structure when the second chance drawing is posted to the Lottery’s website or as otherwise announced by the Lottery.

(2) **Random Drawing**: During a drawing, the Lottery, or a drawing agent, will randomly select a winning entry or entries (including multiple winning entries for drawings with multiple prizes), and may also select alternate winners from all the entries submitted for that drawing. For each drawing, a player may receive only the highest single prize won.

(3) **Selection of Entry or Entries**: To select a winning entry or entries, the Lottery, or a drawing agent, may conduct a manual or electronic drawing, or may use any other selection procedure as determined by the Lottery Director that ensures a random selection of a winning entry or entries.

(4) **Suspension or Cancellation of Drawing**: At the discretion of the Lottery Director, the Director may suspend or cancel a second chance drawing. If the Director suspends a drawing the Director may hold a replacement drawing or cancel the drawing. If the Director cancels a second chance drawing, 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 the Lottery. This is an entrant’s sole and exclusive remedy.

**OAR 177-052-0060 Winner Notification and Claiming of Prizes**

(1) **Second Chance Prize Notification**: If the entry is valid, the Lottery will notify the person who submitted the winning entry (“the winner”) in 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:** Unless otherwise specified for a specific second chance drawing, a winner (including any eligible alternate winner) of a second chance drawing has 60 calendar days from the date of the e-mail notification in which to claim the prize. A prize must be claimed by 5:00 p.m. on the last date to claim a prize. If the final date of the claim period falls on a day when the Oregon Lottery Headquarters is not open to the general public, such as a weekend, Lottery holiday, or furlough closure day, the claim period is extended until 5:00 p.m. on the next day the Oregon Lottery Headquarters in Salem is open to the general public.

(3) **Forfeiture of Prize:** If the Lottery determines that a winner and any alternate winners of a second chance drawing are ineligible or fail to claim the prize within the timeframe provided in section (2) of this rule, or if the entry and any alternate winning entries selected for that drawing are invalid, then the prize is an unclaimed prize and remains the property of the Lottery Commission to be allocated to the benefit of the public purpose.

(4) **Winner Claim Forms:** To claim a prize in a second chance drawing, the winner must submit a winner claim form to the Lottery. To be valid, the winner 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 (the winner). A second chance drawing prize may not be claimed by multiple owners. The Lottery must receive a valid winner claim form within the applicable time period for claiming a prize. The Lottery will not accept an invalid winner claim form and will return the claim form to the claimant. The winner 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 winner submit an electronic claim form through the Internet.

   (A) **Receipt:** If the winner submits an electronic claim, the form is received by the Lottery only when the claim enters the Lottery’s information processing system in a form that is retrievable by the Lottery and at the time and date noted by the Lottery’s information processing system.

   (B) **Non-Receipt:** The Lottery is not responsible for any electronic transmission failures or errors.

   (C) **Electronic Signature:** An electronic winner claim form must include the winner’s electronic signature that meets the requirements specified by the Lottery on the instructions for the winner claim form.

(b) **Paper Claim Form:** Unless specified otherwise, the Lottery may permit a winner to submit a paper claim form by mail, delivery service, facsimile transmission, or in person.
(A) Mail or Delivery Service: If a winner claim form is submitted by mail or a delivery service that will deliver to a P.O. Box, it must be sent through the U.S. Mail or delivery service to the Oregon State Lottery, P.O. Box 14515, Salem, Oregon 97309 and must be documented as received by the Lottery according to the Lottery’s internal procedures.

(B) Facsimile Transmission: If a winner claim form is submitted by facsimile transmission, it will be received by the Lottery only if it is successfully transmitted to (503) 540-1001 and receipt of the successful transmission is generated by the Lottery’s facsimile machine.

(C) In Person: If a winner claim form is submitted in person by the winner, or through another individual or delivery service on behalf of the winner, the claim form must be delivered to and received by the Oregon State Lottery at its Player Services Office, 500 Airport Road SE, Salem, Oregon 97301, (or at such other locations and for such prize amounts as may be designated by the Director) during the Lottery’s business hours of Monday through Friday, 8:00 a.m. to 5:00 p.m. prevailing time, excluding holidays and other officially declared closure days.

(D) Non-Receipt: The Lottery is not responsible for non-receipt of a claim form due to failures to deliver or errors of the U.S. Mail, individuals, transmitting equipment, delivery services, or otherwise.

(5) Verification of Identity: The Lottery may require the winner to present valid proof of identity to confirm that the winner is the registered member who submitted the second chance drawing entry. If the Lottery is unable to confirm the person claiming the prize is the registered member, the person 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 in person at the Oregon State Lottery Headquarters, 500 Airport Road SE, Salem, Oregon 97301, or at such other locations designated by the Director, 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 and conditions for a particular second chance drawing, all taxes and fees are the responsibility of the winner claiming the prize.

(8) Deceased Winner: If the winner of a second chance drawing prize is deceased, the Lottery may make payment of the prize to the estate of the deceased prize winner.

(a) General: The Director may rely on the presentment of certified copies of the court’s appointment of a personal representative, the death certificate for the deceased prize winner, or other evidence of a person entitled to the payment of prize winnings when
due and may make payment to the estate of the deceased prize winner once the Director is satisfied that such payment is lawful and proper.

(b) **Release Form:** For a deceased prize winner, the personal representative of the winner’s estate must sign the Lottery release form on behalf of the estate before payment of the prize or any remaining portions of the prize to the estate.

(c) **Court Petition:** The Director reserves the right to petition any court of competent jurisdiction to determine the proper payment of any prize due to a deceased prize winner.

**OAR 177-052-0070**  
**Governing Law**

(1) **Compliance with Law and Terms and Conditions:** By entering a Lottery second chance drawing, a person agrees to abide by and comply with Oregon law, including the statutes and administrative rules governing Lottery second chance drawings, and any additional terms and conditions 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 Lottery Director are final. This includes, but is 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.