

NORTH DAKOTA LOTTERY

Underlining represents proposed additions to the present rules.  
~~Strikethrough~~ represents proposed deletions to the present rules.

**ARTICLE 10-16**  
**MULTI-STATE LOTTERY**

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**CHAPTER 10-16-01**  
**GENERAL RULES**

**10-16-01-01. Definitions.** As used in this article:

1. “Applicant’s agent” means a general manager, sole proprietor, partner of a partnership, or, for a corporation, an officer or director who is primarily responsible for financial affairs or a shareholder who owns ten percent or more of the common stock, of a business that is applying for or renewing a license. A general manager is a person who regularly is onsite and primarily responsible and accountable for managing and controlling the day-to-day operation of the business.
2. “Cash Voucher” means a voucher generated by the lottery’s player- activated terminal that can be validated for cash at the retailer’s lottery terminal.
3. “Draw” means the formal process of randomly selecting winning numbers, letters, or symbols that determine the number of winning plays for each prize level of a game.
4. “Deposit account” means the account to which funds are deposited and from which ~~subscription~~online play purchases are made.
5. “Game” means an on-line game authorized by the lottery.

6. "Game group" means a group of lotteries that have joined together to offer a game on a multi-state basis according to the terms of the MUSL or the game group's rules or both.
7. "Grand prize" means the top prize that can be won in a game.
8. "Group play" means two or more individuals sharing a purchase made.
9. "Lottery" means the North Dakota lottery.
10. "Multi-state lottery" means a lottery game that spans the individual borders of a state, jurisdiction, province, district, commonwealth, territory, or country.
11. "MUSL" means the multi-state lottery association.
12. "North Dakota Lottery Players Club<sup>SM</sup>Club®" means a program that players can join to earn exclusive benefits and rewards.
13. "Online gaming system" means a computer system designed to control, monitor, communicate with a terminal, and record play transactions and accounting data.
14. "Online Play" means the purchase of a draw game play for drawings up to one year.
15. "Pick & Click" means the name of the online play service formerly known as subscriptions.
4416. "Play" means the numbers, letters, or symbols that are on a ticket or properly and validly registered ~~subscription~~online play to be played by a player in a draw, excluding a lottery promotion.
4517. "Play area" means the area of a play slip that contains one or more sets of numbered squares to be marked by a player for a game. Each set contains a certain number of numbers, letters, or symbols that correspond to the game.
4618. "Play slip" means a physical or electronic means by which a player communicates their intended play selection to the retailer as defined and approved by the lottery.
4719. "Player-activated terminal" means a device authorized by the lottery and operated by a player to function in an on-line, interactive mode with the lottery's computer system to receive and process lottery transactions, including the purchase and issuance of a ticket, the validation of a ticket, and the issuance of a cash voucher.
4820. "Points for Drawings<sup>TM</sup>" means a program where players can enter drawings by using points received from the submission of valid tickets.
4921. "Points for Prizes®" means a rewards program where players can earn points by becoming registered members and submitting valid tickets.

- ~~20~~22. "Quick pick" means a random selection of numbers, letters, or symbols by a computer system that are printed on a ticket or properly and validly registered ~~subscriptions~~online play and played by a player for a draw in a game.
- ~~21~~23. "Retailer fraud" means an owner or employee of a licensed retailer who knowingly and intentionally:
- a. Fails to properly validate a player's winning ticket;
  - b. Fails to pay the player the proper prize amount on a winning ticket;
  - c. Fails to provide the player the proper exchange ticket on a winning multi-draw ticket; or
  - d. Performs any other act that causes financial harm to a player in violation of the lottery law or rules.
- ~~22~~24. "Set prize" means all prizes, except the grand prize for a game that are to be paid by a single cash payment and, except as provided by rule, will be equal to the prize amount established by the MUSL and/or the game group for the prize level of the game.
- ~~23~~. "~~Subscriptions~~" means ~~a purchase of a draw game play for drawings up to one year.~~
- ~~24~~25. "Terminal" means a device authorized by the lottery and operated by a retailer or the lottery to function in an on-line, interactive mode with the lottery's computer system to issue a ticket and enter, receive, and process a lottery transaction, including a purchase, validation of a ticket, and issuance of a report.
- ~~25~~26. "Ticket holder" means a person who has signed a ticket or possesses an unsigned ticket.
- ~~26~~27. "Top Prize" means the first prize that can be won in a game.
- ~~27~~28. "Validation" means the process of determining whether a ticket presented for a prize is a winning ticket.
- ~~28~~29. "Winning Account" means the account to which ~~subscriptions~~online play winnings are deposited and from which player withdrawals are made.
- ~~29~~30. "Winning numbers" means the numbers, letters, or symbols randomly selected in a draw to determine a winning play contained on a ticket or properly and validly registered ~~subscriptions~~online play or randomly selected in a lottery promotion to determine a winning prize stated on a ticket or coupon.

**History:** Effective February 1, 2004; amended effective April 1, 2006; July 1, 2008; July 6, 2014; January 31, 2016; February 1, 2016; October 29, 2017; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

#### **10-16-01-05. Restrictions, requirements, and authorizations.**

1. An employee of the lottery or a member of the immediate family or a person who regularly resides in the same household of the employee may not receive a gift, gratuity, or other thing of value, excluding food, nonalcoholic beverage, or incidental item, from an applicant for a license, licensed retailer, or online gaming system or advertising vendor.
2. The lottery may waive a rule when it is in the best interest of the state, lottery industry, or public.
3. In applying subdivision d of subsection 1 of North Dakota Century Code section 53-12.1-11, personal information on a winning player does not include an amount won or the player's city or state of residence. If the player signs a release, the lottery may disclose or publish personal information that the player authorizes to be released. Subdivision d of subsection 1 of North Dakota Century Code section 53-12.1-11 does not apply to cash, merchandise, aan subscriptionsonline play, gift certificate, or ticket that the lottery awards as a prize in a promotion.
4. If a lottery rule conflicts with an official or updated MUSL or game group rule or game rule, the official or updated MUSL or game group rule or game rule supersedes the lottery rule. The official MUSL or game group rule or game rule governs the administration of a game.
5. The lottery may conduct a promotion that includes a prize and shall prescribe promotional rules. The prize may be cash, gift certificate, ticket, subscriptionsonline play, or merchandise.
6. The lottery may immediately withdraw a lottery terminal, equipment, and supplies from a retailer's site if the retailer's license is inactive, suspended, revoked, or the retailer's license was not renewed.

**History:** Effective February 1, 2004; amended effective April 1, 2006; July 1, 2006, April 1, 2008; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-02, 53-12.1-08, 53-12.1-11, 53-12.1-13

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**CHAPTER 10-16-02  
RETAILER**

**10-16-02-07. Sales commission and bonus.**

1. The lottery shall credit a retailer's account for:

- a. A sales commission of five percent of the retail price of a ticket sold or otherwise issued by the retailer;
- b. A sales commission of five percent of the amount of ~~an~~ subscriptiononline play sale that is transacted through the North Dakota Lottery Players ~~Club<sup>SM</sup>~~ Club® when a player chooses a specific retailer. The retailer must be currently licensed when the ~~subscription~~ online play is purchased; and
- c. A sales bonus for selling a ticket with a winning play for a game as stated below. However, the retailer must be currently licensed when a draw is conducted that results in the winning play of a ticket. If the winning play for POWERBALL® has the power play option, or the winning play for MEGA MILLIONS® has the Megaplier® option, or the winning play for LOTTO AMERICA<sup>SM</sup> has the All Star Bonus<sup>SM</sup> option, the retailer's account must also be credited for an additional bonus as stated below:

<u>Prize</u>	<u>Bonus</u>	<u>Additional Bonus</u>
POWERBALL®		
Grand prize	\$50,000	Additional \$50,000 with Power Play
\$1,000,000	\$5,000	Additional \$5,000 with Power Play
\$50,000	\$1,000	Additional \$1,000 with Power Play
MEGA MILLIONS®		
Grand prize	\$50,000	Additional \$50,000 with Megaplier®
\$1,000,000	\$5,000	Additional \$5,000 with Megaplier®
\$10,000	\$500	Additional \$500 with Megaplier®

LUCKY FOR LIFE®

\$7,000/Week for Life	\$25,000
\$25,000/Year for Life	\$2,500
\$5,000	\$250

2BY2®

\$22,000	\$500
\$44,000*	\$1,000

\*Tuesday draw double grand prize winning play on a qualifying multi-draw ticket.

LOTTO AMERICA<sup>SM</sup>

Grand prize	\$5,000	Additional \$5,000 with All Star Bonus <sup>SM</sup>
\$20,000	\$500	Additional \$500 with All Star Bonus <sup>SM</sup>

2. The lottery may credit a retailer's account for a fixed or graduated sales commission or bonus for a special promotion, including power play, Megaplier®, and All Star Bonus<sup>SM</sup>, that the lottery conducts for a certain period of time based on parameters set by the lottery.

**History:** Effective February 1, 2004; amended effective January 1, 2006; January 3, 2008; January 31, 2010; January 15, 2012; October 19, 2013; July 6, 2014; October 4, 2015; October 29, 2017; May 14, 2018.

**General Authority:** NDCC, 53-12.1-13

**Law Implemented:** NDCC 53-12.1-02, 53-12.1-03, 53-12.1-13

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**CHAPTER 10-16-03**  
**CONDUCT AND PLAY**

Section	
10-16-03-01	Games Authorized
10-16-03-02	Ineligible Player
10-16-03-03	Play Slip
10-16-03-04	Multiple Draw
10-16-03-05	Sale or Gift of a Ticket
10-16-03-06	Ownership of a Ticket
10-16-03-07	Validation of a Ticket or Cash Voucher
10-16-03-08	Claim of a Prize
10-16-03-08.1	<del>Subscription</del> <u>Pick &amp; Click Online Play</u>
10-16-03-09	Payment of a Prize to a Person's Estate
10-16-03-10	Counterfeit or Theft of a Ticket or Gift Certificate
10-16-03-11	Remedy for a Defective Ticket and Dispute Resolution
10-16-03-12	Delay of Paying a Prize

**10-16-03-02. Ineligible player.** A ticket issued by a retailer or ~~an~~ subscriptiononline play may not be bought by, or a prize won by that ticket or ~~subscriptiononline play~~ or lottery-related promotion may not be paid or issued to:

1. An employee, officer, or director of the lottery's online gaming system vendor or the MUSL;
2. A person who regularly resides in the same household of a person described in subsection 1; or
3. A minor.

**History:** Effective February 1, 2004; amended effective November 8, 2005; April 1, 2008; January 1, 2011; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-02, 53-12.1-08, 53-12.1-13

**10-16-03-08.1. ~~Subscription~~Pick & Click Online Play.**

1. A player shall purchase ~~an~~ subscriptiononline play only from, and the financial transaction for that ~~subscriptiononline play~~ must be only with, the lottery through the North Dakota Lottery Players Club<sup>SM</sup>Club® website and payment processor. A player

may use automated clearinghouse, debit card, or authorized credit card to pay for ~~aan~~ subscriptiononline play.

2. A person must be at least eighteen years of age.
3. A person must provide the following information when registering as a player, or a member of a group, for the lottery ~~subscriptiononline play~~ service:
  - a. Name;
  - b. Address;
  - c. Date of Birth;
  - d. Telephone number;
  - e. Valid email address; and,
  - f. Last four digits of their social security number.
4. A person, whether individually or as a member of a group, must have a North Dakota mailing address, must be physically located within the borders of North Dakota and must pass all verification processes used by the lottery during the player's registration process.
5. A player may purchase one or more ~~subscriptionsonline plays~~ for one or more games. Each ~~subscriptiononline play~~ is limited to one play for a draw for one game. A player may purchase ~~aan~~ subscriptiononline play for up to fifty-two weeks. ~~AAn~~ subscriptiononline play is not refundable or cancelable by a player unless the game group makes a matrix change to the game at which time, the ~~subscriptiononline play~~ would be canceled by the lottery and funds used to purchase the ~~subscriptiononline play~~ would be refunded to the player's deposit account through the lottery's ~~subscriptiononline play~~ service, based on the number of draws actually held under the former game matrix in relation to the total number of draws purchased.
6. To be valid, ~~aan~~ subscriptiononline play must be properly and validly registered with the lottery on its ~~subscriberplayer~~ data base at its central computer site which meets the requirements established by the product group and MUSL security and integrity committee. All data on a ~~subscriberplayer~~ is confidential.
7. The owner of ~~aan~~ subscriptiononline play is the person whose name is validly and properly registered with the lottery. However, the lottery may split a prize among two or more persons who are registered members of a group play.
8. After the lottery properly and validly registers ~~aan~~ subscriptiononline play, the lottery shall send a confirmation email to the ~~subscriberplayer~~. The confirmation email is the player's evidence of an actual play in a draw and there is no actual



ticket. The confirmation email must include:

- a. Name of game. For the game of POWERBALL® indication of whether the play has the power play option. For the game of MEGA MILLIONS®, indication of whether the play has the Megaplier® option. For the game of LOTTO AMERICA<sup>SM</sup>, indication of whether the play has the All Star Bonus<sup>SM</sup> option.
  - b. Number of and starting and ending dates of the draws;
  - c. Numbers, letters or symbols of the play;
  - d. The subscriber/player is responsible for ensuring that all subscriber/player information and game play numbers, letters, or symbols are correct; and
  - e. Explanation of how a prize will be awarded.
9. Except as provided by subsection 10, ~~aan~~ subscriptiononline play is valid for only the date range of draws specified in the confirmation email. The effective date of a new subscriptiononline play will be valid for the present draw in the game, if it is purchased by 8:30 p.m. central time for LUCKY FOR LIFE® or by 8:58 p.m. central time for POWERBALL®, LOTTO AMERICA<sup>SM</sup>, MEGA MILLIONS®, and 2by2®.
10. If the value of a prize on a winning POWERBALL®, LOTTO AMERICA<sup>SM</sup>, MEGA MILLIONS®, 2BY2®, or LUCKY FOR LIFE® subscriptiononline play for a draw is:
- a. Less than six hundred dollars, the lottery shall automatically deposit the funds into the player's winning account.
  - b. Equal to or more than six hundred dollars, the lottery shall contact the player by email and phone to arrange payment of the prize, less withholding of income tax required by federal or state law and any debt setoff according to North Dakota Century Code section 53-12.1-12.
11. If the owner of ~~aan~~ subscriptiononline play changes the owner's name, the owner shall provide the lottery with a notarized letter of the change. If the owner of ~~aan~~ subscriptiononline play dies, the lawful representative of the owner's estate shall provide the lottery with a notarized statement of the death and the lottery shall change the ownership of the subscriptiononline play to "The Estate of" the owner.

**History:** Effective November 8, 2005; amended effective January 3, 2008; November 1, 2008; July 1, 2010; October 19, 2013; July 6, 2014; January 31, 2016; February 25,

2016; October 29, 2017; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-01, 53-12.1-02, 53-12.1-03, 53-12.1-08, 53-12.1-13

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**CHAPTER 10-16-07**  
**2BY2® GAME**

**10-16-07-04. Tuesday draw double prize feature.** If a player purchases ~~a~~an ~~subscription~~online play for 7 draws, in increments of 7, or a multi-draw ticket of one or more plays for 7, 14, 21, 28, 35, or 42 consecutive draws, the value of the player's prize, including the grand prize, that is won on a Tuesday draw automatically doubles in value.

**History:** Effective February 22, 2008; amended effective July 6, 2014; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1.13



NORTH DAKOTA LOTTERY

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**CHAPTER 10-16-09**  
**NORTH DAKOTA LOTTERY PLAYERS ~~CLUB<sup>SM</sup>~~CLUB<sup>SM</sup> POINTS FOR PRIZES<sup>®</sup>**

10-16-09-01	General
10-16-09-02	Eligibility for Points
10-16-09-03	Registration
10-16-09-04	Points for Prizes <sup>®</sup> Points
10-16-09-05	Submitting Tickets
10-16-09-06	Points for Prizes <sup>®</sup> Store
10-16-09-07	Item Selection
10-16-09-08	Additional Conditions

**10-16-09-01. General.**

1. The North Dakota Lottery and its designated agents Scientific Games International, Inc., and MDI Entertainment, LLC, a subsidiary of Scientific Games International, Inc., will operate the Points for Prizes<sup>®</sup> program.
2. Points for Prizes<sup>®</sup> program is a rewards program that is part of the North Dakota Lottery's North Dakota Lottery Players ~~Club<sup>SM</sup>~~Club<sup>SM</sup>. Players can earn points by becoming registered members of the program and submitting valid tickets at club.lottery.nd.gov. Players can redeem their points for items at the Points for Prizes<sup>®</sup> store at store.lottery.nd.gov.
3. The Points for Prizes<sup>®</sup> program is void where prohibited by law.
4. The North Dakota Lottery reserves the right to change Points for Prizes<sup>®</sup> in any way and at any time or to terminate Points for Prizes<sup>®</sup> entirely upon reasonable and appropriate public notice.
5. By submitting a ticket to earn Points for Prizes<sup>®</sup> points, an entrant agrees to and is bound by the Points for Prizes<sup>®</sup> rules, the North Dakota Lottery Players ~~Club<sup>SM</sup>~~Club<sup>SM</sup> terms of service, all other applicable North Dakota Lottery rules and laws, and the laws of the state of North Dakota.
6. The North Dakota Lottery may use, without limitation, an entrant's name, hometown, likeness, and/or voice in any promotions, research, marketing, publications, or other advertising media including, but not limited to, North Dakota Lottery websites, without compensation or additional release.
7. The North Dakota Lottery reserves the right to use the names, addresses, and telephone numbers of all entrants for research and marketing purposes.

**History:** Effective July 6, 2014; amended effective October 4, 2015; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

#### **10-16-09-02. Eligibility for points.**

1. A terminal ticket or player-activated terminal ticket eligible for points is any ticket that includes a twenty-five digit alphanumeric draw game code printed on the ticket.
2. Any ~~subscription~~online play purchase will automatically receive points after confirmation of purchase. No entry code is generated nor is entry of any code required. Players will receive notification of points earned for ~~an~~ subscriptiononline play purchase.
3. Exchange tickets will not print an entry code. Entry codes are only printed once on the original ticket.
4. North Dakota Lottery Players Club<sup>SM</sup>Club® members must be at least eighteen years old and have a valid United States address in order to register as a member of the North Dakota Lottery Players Club<sup>SM</sup>Club® and participate in Points for Prizes®.
5. Players will be limited to earn up to seven hundred fifty points per week as part of the North Dakota Lottery's North Dakota Lottery Players Club<sup>SM</sup>Club®. A week is defined as Sunday at midnight until the following Saturday at 11:59:59 p.m. central time. North Dakota Lottery reserves the right to change, without notice, the limit on the amount of points that can be earned weekly.
6. The North Dakota Lottery reserves the right to discontinue eligibility for any game.
7. Entries for Points for Prizes® may also automatically receive entry into other promotions.
8. Once the seven hundred fifty point-per-week maximum is reached, players will still be eligible to enter tickets for second chance drawings or any additional ticket entry eligible promotion. These tickets will not earn points.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

#### **10-16-09-03. Registration.**

1. To access Points for Prizes®, a player must first register to become a North Dakota Lottery Players Club<sup>SM</sup>Club® member and establish a North Dakota Lottery Players Club<sup>SM</sup>Club® account at club.lottery.nd.gov.
2. Once registered, a player will be able to log in to submit entries or participate in other North Dakota Lottery Players Club<sup>SM</sup>Club® programs that may be provided from time to time.
3. Registration to be a member of the North Dakota Lottery Players Club<sup>SM</sup>Club® requires

the player to provide their birth date, email address, password, last four digits of social security number, and contact information.

4. Failure to fully provide required information will cause a player's request to register to be rejected.
5. The North Dakota Lottery, Scientific Games International, Inc., and MDI Entertainment, LLC, assume no responsibility for incorrect information provided by a player on the registration form. After completing registration, a player is responsible for updating account information as needed by logging in and going to their account page.
6. A player may have no more than one account. A player is not permitted to create additional accounts in the event that their email or other relevant information changes. The player may log in with their existing account credentials and make any desired changes at any time.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

**10-16-09-04. Points for Prizes® points.**

1. Players earn Points for Prizes® for eligible ~~subscription~~online play purchases (after purchase confirmation) or for terminal tickets or player-activated terminal tickets entered through the North Dakota Lottery Players Club<sup>SM</sup>Club® at club.lottery.nd.gov.
2. Points are non-monetary numerical values assigned to eligible tickets.
3. Points for Prizes® provide points for each eligible ticket or ~~subscription~~online play purchase. Cash shall not be awarded in lieu of points awarded or rewards items.
4. Each eligible ticket or ~~subscription~~online play purchase has a point value based on a range of values assigned by the North Dakota Lottery. The North Dakota Lottery reserves the right to change the point value assigned.
5. The point value, associated with each valid ticket or ~~subscription~~online play purchase, will be revealed to the player and applied to their account at club.lottery.nd.gov upon successful submission of each eligible ticket or after purchase confirmation of ~~subscriptions~~an online play.
6. Points are not transferable. Point balances from more than one account may not be combined.
7. Points shall be valid for use only within the North Dakota Lottery's Points for Prizes® program or Points for Drawings™ program.
8. The North Dakota Lottery may credit a player's account at its sole discretion.

9. Points may expire. The North Dakota Lottery reserves the right to establish, modify or delete a rule regarding the expiration of points at its own discretion at any time.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

#### **10-16-09-05 Submitting tickets.**

1. To submit a ticket, a player must first log in to club.lottery.nd.gov using their unique North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup> account information.
  - a. Once logged in, a player submits an entry according to the instructions on the "Ticket Entry" (Rewards) page of the website. Required entry information for a terminal ticket or player-activated terminal ticket is the twenty-five digit alphanumeric draw game code printed on the ticket. ~~Subscribers~~ Players that purchase an online play will receive notification of points received for their purchase.
  - b. To prevent fraudulent submissions, after ten consecutive attempts to submit tickets that are not recognized as eligible tickets, a player will be unable to submit tickets for twenty-four hours.
  - c. Unless a player has a need to retain their ticket (example: remaining draws or prize claim for winning ticket), players are encouraged to properly dispose of the ticket after submission.
2. A list of previously submitted tickets is available within a player's account and can be found within the "My History" page.
3. An eligible ticket may be submitted one time only. The system will reject a ticket that has been previously submitted.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

#### **10-16-09-07 Item selection.**

1. A player may use some or all points for items offered in the Points for Prizes<sup>®</sup> store.
2. A player must first log in to their North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup> account at club.lottery.nd.gov.
3. To redeem points, a player must select the item or items, designate the quantity of each item requested, and select the appropriate button to submit the order.
4. It is the responsibility of the player to ensure that the appropriate item and quantity are selected.



5. Once the order has been submitted, points will be deducted from the player's North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup> account.
6. Orders cannot be changed, canceled, or returned once placed.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

**10-16-09-08 Additional conditions.**

1. The North Dakota Lottery does not warrant or guarantee product quality or availability of products.
2. The North Dakota Lottery is not responsible for any prizes lost, damaged, or stolen during shipment, pick-up, or use.
3. The North Dakota Lottery is not responsible for any damages, injury or loss of life resulting from any item awarded.
4. Players are responsible for any applicable taxes.
5. Players are solely responsible for maintaining and keeping account information current or accurate. The North Dakota Lottery assumes no responsibility or liability whatsoever for technical or computer malfunctions or for the player's failure to keep account information current.
6. By participating in the North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup>, each player and their heirs, legal representatives, and assignees agree to indemnify, defend, release, and discharge the North Dakota Lottery, Scientific Games International, Inc., MDI Entertainment, LLC, the state of North Dakota, their employees, officers, and directors, from and against any loss, claim, damage, suit, or injury arising out of or relating to the North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup> products or any action taken pursuant to these rules.
7. No one under eighteen years of age and no one otherwise prohibited by North Dakota Century Code 53-12.1-08 from playing North Dakota Lottery games are eligible to participate in the Points for Prizes<sup>®</sup> program.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13



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**CHAPTER 10-16-10**  
**NORTH DAKOTA LOTTERY PLAYERS CLUB<sup>SM</sup>CLUB<sup>®</sup> POINTS FOR DRAWINGS<sup>™</sup>**

Section

10-16-10-01	General
10-16-10-02	Eligibility
10-16-10-03	Submitting Entries into Points for Drawings <sup>™</sup>
10-16-10-04	Additional Conditions

**10-16-10-01. General.**

1. The North Dakota Lottery and its designated agents Scientific Games International, Inc., and MDI Entertainment, LLC, a subsidiary of Scientific Games International, Inc., will operate the Points for Drawings<sup>™</sup> program.
2. Points for Drawings<sup>™</sup> is part of the Points for Prizes<sup>®</sup> program that is part of the North Dakota Lottery's North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup>. Players can enter drawings by using some or all points received from submission of eligible tickets or ~~subscription~~online play purchases at club.lottery.nd.gov.
3. Drawing entries may be submitted at store.lottery.nd.gov.
4. The Points for Drawings<sup>™</sup> program is void where prohibited by law.
5. The North Dakota Lottery reserves the right to change Points for Drawings<sup>™</sup> in any way and at any time or to terminate Points for Drawings<sup>™</sup> entirely upon reasonable and appropriate public notice.
6. By submitting an entry into Points for Drawings<sup>™</sup>, an entrant agrees to and is bound by the Points for Drawings<sup>™</sup> rules, the Points for Prizes<sup>®</sup> rules, the North Dakota Lottery Players Club<sup>SM</sup>Club<sup>®</sup> terms of use, all other applicable North Dakota Lottery rules and laws, and the laws of the state of North Dakota.
7. The North Dakota Lottery may use, without limitation, an entrant's name, hometown, likeness, and/or voice in any promotions, research, marketing, publications, or other advertising media including, but not limited to, North Dakota Lottery websites, without compensation or additional release.
8. The North Dakota Lottery reserves the right to use the names, addresses, and telephone numbers of all entrants for research and marketing purposes.

**History:** Effective July 6, 2014; amended effective October 4, 2015; May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

### **10-16-10-02. Eligibility.**

1. Only points accumulated within the Points for Prizes® program in the player's North Dakota Lottery Players Club<sup>SM</sup>Club® account may be used to enter any Points for Drawings™ drawing.
2. Entrants must have a valid U.S. address in order to register and participate.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

### **10-16-10-03. Submitting entries into Points for Drawings™.**

1. A detailed description of each Points for Drawings™ drawing will be located on the North Dakota Lottery's North Dakota Lottery Players Club<sup>SM</sup>Club® website and will include a description of the prize, entry dates, drawing date, rules and regulations, and the number of points necessary for entry into the drawing.
2. The number of points needed for entry into each Points for Drawings™ drawing may vary by drawing.
3. To submit an entry, a player must first log in to club.lottery.nd.gov using their North Dakota Lottery Players Club<sup>SM</sup>Club® account information.
4. Following login, players may submit entries by visiting the Points for Prizes® store and select the desired Point for Drawings™ drawing. Players enter the number of entries desired, select "Update Quantity" followed by "Submit Entries".
5. It is the responsibility of the player to ensure that the appropriate Points for Drawings™ drawing and number of entries are selected.
6. Once the selected number of entries has been submitted, points from the player's North Dakota Lottery Players Club<sup>SM</sup>Club® Points for Prizes® account will be deducted.
7. Unless otherwise specified in the rules and regulations for a specific Points for Drawings™, entries are created only for the drawing for which points were used by the player. Drawing entries are eligible for one Points for Drawings™ drawing only.
8. A player may submit as many entries as allowed by their North Dakota Lottery Players Club<sup>SM</sup>Club® account balance, but the player may only win once per Points for Drawings™ drawing.
9. Once an entry into the Points for Drawings™ drawing is submitted, it cannot be

changed, canceled, or returned. Once an entry is submitted, points will not be refunded.

10. Entries submitted after the Points for Drawings™ drawing deadline for a given drawing will not be accepted.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13

**10-16-10-04 Additional conditions.**

1. The North Dakota Lottery does not warrant or guarantee product quality or availability of products.
2. The North Dakota Lottery is not responsible for any prizes lost, damaged, or stolen during shipment, pick-up, or use.
3. The North Dakota Lottery is not responsible for any damages, injury or loss of life resulting from any item awarded.
4. The North Dakota Lottery is not responsible for the electronic misdelivery, late delivery, or failure to receive entry information entered electronically, risk of loss remains with the entrant regardless of the cause of the transmission failure.
5. If required, a player will receive a W-2G form for prizes, either cash or merchandise.
6. The prize winner is responsible for all applicable state and federal taxes.
7. Winners' cash prizes are subject to debt setoff of certain governmental debts. Unless otherwise noted on the North Dakota Lottery Players Club<sup>SM</sup>Club® website, if a winner fails to satisfy an outstanding debt within thirty days of notification of the debt, the North Dakota Lottery may, at its sole discretion, disqualify the winner, and the next alternate will become the winner.
8. Players are solely responsible for maintaining and keeping account information current and accurate. The North Dakota Lottery assumes no responsibility or liability whatsoever for technical or computer malfunctions or for the player's failure to keep account information current.
9. By accepting the prize, each winner, their heirs, legal representatives, and assignees agree to indemnify and hold harmless, defend, release, and discharge the North Dakota Lottery, Scientific Games International, Inc., MDI Entertainment LLC, the state of North Dakota, their employees, officers, and directors, from and against any loss, claim, damage, suit, or injury arising out of or relating to the acceptance of the prize.

10. The North Dakota Lottery is not responsible for any rules, regulations or restrictions imposed by its promotional partners. The North Dakota Lottery is not responsible for and has no obligation regarding the condition, quality, defects, or other attributes of the prizes awarded during a promotion and expressly disclaims all warranties, expressed or implied, including, but not limited to, all implied warranties of merchantability and fitness for particular purpose.
11. The North Dakota Lottery reserves the right, in its sole discretion, to modify, suspend, postpone, or cancel, with or without notice, any portion of this promotion at any time and for any reason, including the award of any prize with the approval of the North Dakota Lottery's director or the director's designee.
12. In the event that interpretation of these rules is necessary, the decision of the North Dakota Lottery's director or designee, after legal consultation with the assistant attorney general, if necessary, will be final.
13. No one under eighteen years of age and no one otherwise prohibited by North Dakota Century Code 53-12.1-08 from playing North Dakota Lottery games are eligible to participate in this promotion or win any prize.

**History:** Effective July 6, 2014; amended effective May 14, 2018.

**General Authority:** NDCC 53-12.1-13

**Law Implemented:** NDCC 53-12.1-13