



DIRECTOR'S ORDER NUMBER ONE HUNDRED EIGHT (2024)

VIRGINIA LOTTERY'S "\$5K GIVEAWAY" RETAIL PLAYER PROMOTION FINAL RULES FOR OPERATION.

The Virginia Lottery's "**\$5K Giveaway Retail Player Promotion Rules**" are promulgated in accordance with §§2.2-4002B(15) and 58.1-4006A of the *Code of Virginia* to promote and encourage play of all three (3) Virginia Lottery Daily Games (Pick 3, Pick 4, and Pick 5). The Promotion opens on September 23, 2024, contains one (1) Entry Period, one (1) Prize Drawing, and closes on October 13, 2024, with the Promotion's Prize Drawing on or about October 15, 2024. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of Lottery games.

A copy of the Rules for the **\$5K Giveaway Retail Player Promotion** may be requested by sending an email to publicrecords@valottery.com. The Promotion Rules are also available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 600 East Main Street, Richmond, Virginia, and at each of the Virginia Lottery offices. A copy of the Promotion Rules may also be requested by mail by writing to: FOIA Officer, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on September 23, 2024, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

_____/s/Quan Kirk_____
Quan Kirk, Deputy General Counsel

____08/22/2024_____
Date



Kahlid R. Jones, Executive Director

____08/22/2024_____
Date

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VIRGINIA LOTTERY'S \$5K GIVEAWAY RETAIL PLAYER PROMOTION OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to promote and encourage play of all three (3) Virginia Lottery Daily Games (Pick 3, Pick 4, and Pick 5). With this Promotion, one (1) Prize Drawing will be conducted to award a cash prize to each winner.
- B. PROMOTION PERIOD:** This Promotion will run from September 23, 2024, through October 13, 2024 ("Promotion Period"), with the Prize Drawing on or about October 15, 2024.
- C. DEFINITIONS** (for purposes of this Promotion):

"Account" means the Virginia Lottery account through which a Player's age and identity verification takes place.

"Account Features" or "Features" refers to the options and activities available to a Player via the Player's registered Account. Examples include, but are not limited to, Game purchase and play, earning and redeeming Rewards points for free Lottery play, and entering promotions through the Rewards program.

"Cash Prize" means cash, check, or generic debit card.

"Computer-generated Game" means a Virginia Lottery Game in direct communication with a Mainframe computer operated by or at the direction of the Virginia Lottery.

"Director" means the Executive Director of the Virginia Lottery as established in Chapter 40 of Title 58.1 (§58.1-4000 *et seq.*) of the *Code of Virginia* or any other employee(s) to whom the Executive Director's authority is lawfully delegated.

"Drawing" means a formal process of randomly selecting Entries in accordance with the Promotion Rules.

"Entrant," "Participant," or "Player" means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase or otherwise validly enters a Promotion in according to the approved Entry method(s) stated in the Promotion Rules in the hope of winning a Prize.

"Entry" or "Entry Form" means a method, whether electronic or paper-based, by which a Player enters a Drawing or Promotion.

"Entry Period" means the time frame(s) during which Entries for this Promotion will be accepted.

"Lottery" means the Virginia Lottery.

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"Lottery Board" means the group of seven (7) people, appointed by the Governor of Virginia, with the power to adopt regulations governing the establishment and operation of the Virginia Lottery and to perform other functions that are set out in the *Code of Virginia*.

"Lottery Retailer," "Lottery Sales Retailer," or "Retailer" means a Person licensed by the Virginia Lottery to sell and dispense Virginia Lottery Tickets, materials, and products.

"Mobile Application" or "Mobile App" means a software application developed specifically for use on small, wireless computing devices, such as smartphones and tablets, rather than desktop or laptop computers, via which certain Promotion Entries may be submitted.

"Non-cash Prize" means merchandise, a trip, a store-specific gift card, etc. that is not immediately convertible to cash. Commonwealth of Virginia Set-Off Debt Collection Act requirements do not apply to Non-cash Prizes.

"Person" means a natural person and may not extend to or be applied to a corporation, company, partnership, association or other entity, or when referring to a Lottery retailer, the term as defined in § 58.1-4009 of the Code of Virginia.

"Prize" or "Prizes" means the winnings as defined in the **Section K** ("Prize Description") of this document.

"Prizewinner" means a verified Person who is entitled, via Entry verification, to receive a Prize under the rules of a Promotion.

"Promotion" means the "added value" offer to consumers named in the title at the top of Page 1 of these Rules.

"Promotion Rules" or "Rules" means these rules.

"Self-service Vending Machine" or "Vending Machine" means an interactive device by which a Player may select a game, purchase a Ticket, and/or receive a Promotion Entry Form, without the help of a clerk at a Virginia Lottery Retailer or an employee at a Virginia Lottery office or other approved location.

"System Day" means the time at which a particular day begins in the Lottery's gaming system (4:30 a.m. Eastern Time) to the time the same day ends in the Lottery's gaming system (1:00 a.m. Eastern Time the following calendar day).

"Terminal" means a device that is authorized by the Virginia Lottery to interact with the Virginia Lottery's central computer system to issue Virginia Lottery Tickets and/or Entry Forms and to enter, receive and process Virginia Lottery transactions that may include issuing Tickets, validating Tickets, and transmitting reports.

"Ticket" means a Ticket produced by the Virginia Lottery's gaming system and sold by the Virginia Lottery.

"Ticket Serial Number" means the 18-digit number printed at the bottom of a Computer-generated Game Ticket that, when submitted according to any of the applicable participation methods described herein, and when used in conjunction with all other required Entry data, enters a Player into a Promotion.

"Website" refers to the mobile version of the Virginia Lottery's website, www.valottery.com, and all associated sub-sites/pages.

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“Winning Entry” means an eligible Promotion Entry, drawn during the established Prize Drawing, which has passed all Lottery validation and security requirements and processes.

D. ELIGIBILITY:

1. This Promotion is open to Players eighteen (18) years of age or older. A Player will be required to provide proof of the Player's date of birth.
2. Persons who are in the Voluntary Exclusion Program, pursuant to §58.1-4015.1 of the Code of Virginia, are ineligible to participate in any Lottery promotions.
3. No officer, employee or Board member of the Lottery, or any officer or employee or board member of any vendor to the Lottery of Computer-generated or Scratch Game goods or services working directly on a contract with the Lottery for such goods or services, or any person residing in the same household of any such Board member, officer or employee, or any person under the age of eighteen (18) years, shall be eligible to participate in this Promotion. The Lottery will not award a Prize on an Entry submitted by, for, or gifted to or transferred to anyone referenced under this **Section D**, or to the transferee of such Person.

E. PROMOTION ENTRY: To participate, a Player must purchase Virginia Lottery Pick 3, Pick 4, **and** Pick 5 Daily Game Tickets during the Promotion Period and enter the eligible tickets/plays via the established entry methods for this Promotion's Prize Drawing. Tickets/Plays eligible for entry into this Promotion can be either winning or nonwinning Tickets/Plays. Entries for the Prize Drawing will be accepted via a Player's Account accessed from either the Lottery's Mobile App or the mobile version of the Lottery's website.

All Entries submitted according to **Section G (“Mobile Website Entries”)**, **Section H (“Mobile App Entries”)** and **Section I (“Online Purchase Entries”)** and received during the Promotion Entry Period as specified in **Section J (“Entry Deadline”)** will be included in the Prize Drawing.

A Player may enter the Promotion more than once as long as each Entry is based upon the purchase of eligible games. An eligible Entry is defined as an Entry containing a Pick 3, Pick 4, **and** Pick 5 Game Ticket/Play purchased online and/or in a retail location during the Promotion Period.

A Player is eligible to win only **one (1) Prize in the Prize Drawing**.

The Lottery, at its sole discretion, reserves the right to award Players with Entries into *this* Promotion as Prizes in other authorized Promotions being offered concurrently.

F. ENTRY REQUIREMENTS:

1. Only Pick 3, Pick 4, and Pick 5 Daily Game Tickets/Plays issued in conjunction with/purchased at a Lottery retailer location or online directly from the Virginia Lottery will be accepted to be eligible as valid Entries for this Promotion. The Tickets/Plays must be purchased during the Promotion Period, and consist of Pick 3, Pick 4, and Pick 5 games, to be eligible for entry.
2. Daily Game Tickets/Plays used as Entries for this Promotion are not required to have the FIREBALL add-on option.

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3. To use an Online Daily Game purchase to qualify for an entry into this Promotion, a player must have a Player Account and an Online Player Wallet ("Wallet") set up to allow the Player to purchase and/or play Virginia Lottery Games via the Internet using a mobile device.
4. Eligible Daily Game Tickets do not have to be purchased or entered into a Player Account at the same time. Each individual Daily Game Ticket/Play entered into the Promotion will be banked in a Player Account until all required Game Tickets have been received. Once a Ticket/Play from each of the three (3) Daily Games has been received, the Player will be automatically entered into the Prize Drawing for this Promotion.
5. A complete Entry for the Promotion must contain a ticket/play from all three (3) Daily games purchased during the Promotion Period.
6. Each Pick 3, Pick 4, and Pick 5 Game Ticket/Play entered to qualify for an Entry into this Promotion must have been issued by the Lottery in an authorized manner during the Promotion Period and submitted during the Entry Period referenced in **Section J** ("Entry Deadline").
7. Participation in this Promotion does not limit a Player from entering eligible Tickets into other Lottery Promotions being offered simultaneously.
8. The Lottery will not be responsible for Tickets/Plays submitted incorrectly or received outside of the established Entry Period to qualify for an Entry for the Prize Drawing as specified in **Section J** ("Entry Deadline"). Such Tickets/Plays shall be deemed invalid.
9. Only Tickets/Plays that are submitted in the manner described in **Section G** ("Mobile Website Entries"), **Section H** ("Mobile App Entries") and **Section I** ("Online Purchase Entries") of these Promotion Rules during the designated Entry Period will be eligible to qualify for an Entry in this Promotion and to win a Prize. Mailed Tickets, hand-delivered Tickets, and Tickets submitted via any other methods not specified in these Promotion Rules will not be accepted for this Promotion and will be deemed invalid.
10. Each Entry submitted for this Promotion will use the contact information contained in a Player's Account at the time of the Entry submission. This information must be current and valid in order for the Player to be eligible to win a Prize. The Lottery will not change or update information (including name, address and/or telephone numbers) for an Entry that has already been submitted. The Lottery will not be responsible for data-entry errors by Entrants or for connectivity issues involving the Player's access to the Virginia Lottery's Website or Mobile App.
11. A Prizewinner's *Winner Notification Letter* will be mailed to the address registered with the Winner's Player Account at the time of the entrant's Entry submission. Any Prizewinner whose *Winner Notification Letter* is returned undeliverable due to blocked e-mails, incorrect/incomplete address information, or expired forwarding address notifications, and/or delivery delays due to mail forwarding notifications, who fails to notify the Lottery before the claim deadline date regarding the incorrect address, will forfeit the opportunity to win a Prize in this Promotion. Neither the Lottery nor its designee will be required to attempt delivery of a *Winner Notification Letter* more than once unless the Prizewinner notifies the Lottery **before the claim deadline date** regarding the incorrect address. If the Lottery is notified prior to the claim deadline date, the Lottery will email the required form(s) to the Prizewinner using the email address provide at the time of Entry submission.

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G. MOBILE WEBSITE ENTRIES:

1. To enter eligible Tickets via the Lottery's Mobile Website, a Player must use a mobile device to go to the Lottery's Website at valottery.com and successfully complete registration or login.

**Registration will require entry of a Player's correct full name [consisting of the Player's first name and last name (no initials), date of birth, street address, city, state, ZIP code, last four (4) digits of the Player's Social Security number, and telephone number.*

2. As part of the Lottery's registration process for this Promotion, third-party identity authentication will confirm that the Player is eighteen (18) years of age or older. If a Player's identity cannot be confirmed, additional steps for manual confirmation of identity will be necessary.
3. Players entering this Promotion via the Internet can only use a mobile device to access the Lottery's mobile version of its Website and the Player's Account to enter the required Daily Games Ticket purchase information. The player must tap the scanner icon button and correctly scan the barcode of the purchased Daily Game Ticket into the Player's Account to enter this Promotion.
4. The Lottery will not be responsible for Ticket information entered incorrectly.
5. Once a Daily Game Ticket is successfully entered via the mobile Website, Players **do not need** to retain their Ticket(s). Tickets submitted to qualify as Promotion Entries via the Mobile Website **will not be** required to be presented in order to claim a Prize in this Promotion.

H. MOBILE APP ENTRIES:

1. To enter via the Lottery's Mobile App, a Player must have the app downloaded on a mobile device and then press the More icon in the bottom navigation menu. Then the Player must select Promotions. Next, the Player must tap on the "Scan To Enter" button and successfully complete registration* or log in if already registered.

**Registration will require entry of a Player's correct full name (consisting of the Player's first name and last name – no initials), date of birth, street address, city, state, ZIP code, last four (4) digits of the Player's Social Security Number, and telephone number.*

2. As part of the Lottery's registration process for this Promotion, third-party identity authentication will confirm that the Player is eighteen (18) years of age or older. If a Player's identity cannot be confirmed, additional steps for manual confirmation of identity will be necessary.
3. To submit a Daily Game Ticket, a player must tap the scanner icon button and correctly scan the barcode on the Ticket into the Player's Account. A Player must correctly scan and enter the Ticket Number Barcode on the Player's Daily Game Ticket to enter this Promotion. Ticket information that cannot be verified will be deemed invalid and not eligible to qualify for an entry into this Promotion.
4. Once a Player has successfully entered the Ticket via the Lottery's Mobile App, the Player **does not** need to retain the Ticket(s) in order to claim a Prize in this Promotion.

I. ONLINE PURCHASE ENTRIES:

1. To enter using an eligible Daily Game purchased Online, a Player must already have a Player Account which is necessary to enter Virginia Lottery promotions and an Online Player Wallet ("Wallet") which is required for a Player to purchase Virginia Lottery Daily Games via the Internet using a mobile device.

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2. After a Player has successfully accessed their Wallet and completed check out of their Online Daily Game purchase, their purchase will be recorded. An email will be sent the day after a purchase to the Player's email address associated with their Player Account. Once received, a player must click on the Entry link included in their email prior to the promotional deadline, to have their Daily Game purchase(s) made eligible for this Promotion.
3. Online purchases are not automatically transferred to a Players Account to qualify for an Entry into this Promotion. The Player must respond to their purchase email to make their purchase eligible for Entry into this Promotion.

J. ENTRY DEADLINE:

Drawing	Entry Period:
1	September 23, 2024 (midnight, ET) through October 13, 2024 (11:59:59 PM ET)

K. PRIZE DESCRIPTION: The following Prizes will be awarded as part of this Promotion:

Drawing	Prize	# of Prizewinners
1	\$5,000.00	3
	\$4,000.00	4
	\$3,000.00	5

L. PROMOTION DRAWING: The following is the one (1) established Prize Drawing date for this Promotion:

October 15, 2024

The Drawing will be conducted from all eligible Entries submitted via the established Entry methods and by the established Entry deadline date. The following is an overview of how the winning Entries will be randomly selected for this Promotion.

1. After the established Entry deadline date, but prior to the Drawing, all eligible Entries submitted for this Promotion's Prize Drawing will be accounted for and the information loaded into a randomizer program.
2. Representatives from the Lottery's Security, Information Technology Services, and Marketing departments will oversee the use of the randomizer program that selects the Winning Entries for this Promotion.
3. Prizewinners will be randomly selected. The order in which the Winning Entries are drawn shall be recorded by Lottery officials. The Lottery's decision shall be final and controlling.
4. Immediately after the Prizewinners are selected, ten (10) alternate Entries also will be selected using the same randomizer program. All alternate Prizewinners will be recorded in the order in which they are selected and will be used should any Prizewinner be deemed ineligible.

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5. After the Drawing is completed, representatives of the Lottery's Security, Information Technology Services, and Marketing departments will confirm that the Entries selected in the Drawing are valid.
6. If a selected Entry is deemed invalid (see **Section F** "Entry Requirements"), the first alternate with a valid Entry will be selected as a Prizewinner. This process shall continue until all valid Winning Entries have been selected for the Prize Drawing.

M. PRIZEWINNER PROCEDURES:

Each Promotion Prizewinner selected in association with this Promotion will be notified by the Lottery via United Parcel Service (UPS). All Prizewinners will receive a *Prizewinner Claim Form* and a *Promotion Prize Waiver and Release Form*. The Prizewinner will be required to complete and return both forms (by the deadline stated in the *Winner Notification Letter*). Any Prizewinner who fails to fully complete and return both required forms with the *Winner Notification Letter* along with documentation containing the Prizewinner's full Social Security number by the date noted in the *Winner Notification Letter* will forfeit the Prize.

N. PRIZEWINNER VERIFICATION:

1. Methods used by the Lottery to establish and confirm a Prizewinner's identity include, but are not limited to:
 - viewing and/or copying the Prizewinner's valid government-issued photo identification;
 - viewing and/or copying proof of taxpayer identification number (e.g., Social Security number);
 - asking identity-verifying questions in the absence of the aforementioned document proof; and/or
 - viewing and/or retaining the information provided on a *Lottery Prizewinner Claim Form*.
2. **In all cases involving a Cash Prize greater than \$100 or a Non-cash Prize greater than \$600**, the Lottery must be provided with a copy of the Prizewinner's valid government-issued photo identification and taxpayer identification number (e.g. Social Security number). Payment will be delayed until such documentation is provided, and the Prizewinner shall not be entitled to interest on the Prize funds attributable to such delay.

O. PRIZE AWARD/PAYMENT

1. When paying any Prize **in excess of \$600**, the Lottery shall report the winnings or withhold taxes pursuant to rules established by the Internal Revenue Service and Virginia Department of Taxation and shall file the appropriate income reporting form(s) with the Internal Revenue Service and the Virginia Department of Taxation. Additionally, if the Prize is a Cash Prize **greater than \$100 or a Non-cash Prize greater than \$600**, and subject to any set-off for delinquent debts, the Lottery shall withhold any monies due under the Commonwealth of Virginia's Set-Off Debt Collection Act if the agency has registered such debt with the Virginia Department of Taxation and timely notice of the debt has been furnished by the Virginia Department of Taxation to the Lottery.
2. Lottery Prizes awarded during this Promotion are not transferable or assignable. A Person shall not enter the Promotion on behalf of another Person. Any such Entries shall be deemed invalid.
3. Each Prizewinner who wins a Prize **greater than \$600** is legally required to include the value of the Prize, as well as any taxes paid by the Lottery on the Prizewinner's behalf, in the Prizewinner's taxable income for tax reporting purposes. As a result of accepting a Prize and taking into account a Prizewinner's total taxable income for the year in which the Prize is accepted, a Prizewinner may fall into a higher tax bracket for federal and state tax liabilities for the year in which the Prize is accepted.

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4. A Prizewinner agrees to participate in a press conference and agrees to the use of the Prizewinner's name and/or photo for publicity at the Lottery's discretion. Examples of publicity include, but are not limited to, news releases, Internet, news media and signs at Lottery Retailer locations. In addition, a Prizewinner agrees to participate in Lottery promotional efforts which may include the Prizewinner's name, hometown, the amount of the Prize won, and the Promotion won, through "social media," which may include, but will not be limited to, YouTube®, X (formerly Twitter®), Facebook®, Instagram® or similar efforts, without additional consent from or compensation to the Prizewinner.

P. CANCELLATION POLICY:

Canceled Prize Drawing or Prize award(s): The Director may, in the Director's sole discretion, cancel the Prize Drawing and/or the awarding of Prizes, on holidays, days of special importance or on days when conditions make conducting the Prize Drawing or awarding Prizes impractical or inappropriate, and may elect to conduct the Prize Drawing and/or make-up a Prize Drawing and/or the awarding of Prizes at such time and date, and pursuant to such methods, as the Director may determine, all with the Director's sole discretion. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such re-schedule/cancellation.

Termination of Promotion: The Director may, at any time, announce a suspension or termination of this Promotion, without advance notice and in the Director's sole discretion, at which point no further Tickets/Play to qualify for Entries will be accepted and no Prizes shall be awarded. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such suspension/termination.

Q. DISPUTES: The Director may refrain from awarding/paying a Prize pending final determination under any of the following circumstances:

- a. if a dispute related to any Prize occurred or if it appears that a dispute may occur;
- b. if there is any question regarding the identity of the Claimant; or
- c. if there is any question regarding the validity of any Entry submitted.

No liability for interest arising because of any such delay, or any delay beyond the Lottery's control, shall accrue to the benefit of the Prizewinner pending award/payment of the Prize. The Lottery is neither liable for, nor has it any responsibility to resolve, disputes between or among competing Claimants.

In the event of a dispute or other instance of doubt, the decision of the Director shall be final and binding.

R. GOVERNING LAW: By participating and entering this Promotion, each person agrees to comply with and abide by the Lottery laws, Lottery regulations, all final decisions of the Director of the Lottery, and these, and any other applicable, Rules established by the Lottery Board and/or Director of the Lottery for the conduct of this Promotion. Any dispute arising that relates to any aspect of this Promotion shall be governed by the laws of the Commonwealth of Virginia and the venue for the determination of any such dispute shall be in the city of Richmond, Virginia.

- S. WAIVER OF CLAIMS:** By entering this Promotion, each Prizewinner agrees to indemnify, hold harmless, and waive any claims against the Commonwealth of Virginia, the Lottery, and any of the Board Members, affiliates, employees, directors, officers, agents, representatives and assigns of any of said entities, arising, directly or indirectly, out of, or in any way connected with, this Promotion or the Prizes awarded in connection therewith.
- T. AMERICANS WITH DISABILITIES ACT (“ADA”):** The Lottery is not responsible for any third party's compliance with ADA Rules and Regulations where applicable in connection with this Promotion and any Prize awarded.

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