



**DIRECTOR'S ORDER NUMBER ONE HUNDRED FIFTEEN (2023)**

**VIRGINIA LOTTERY'S "JANUARY 2024 eXTRA CHANCES" RETAIL PLAYER PROMOTION FINAL RULES FOR OPERATION.**

The Virginia Lottery's "**January 2024 eXTRA Chances Retail Player Promotion Rules**" are promulgated in accordance with §§2.2-4002B(15) and 58.1-4006A of the *Code of Virginia* to promote the Virginia Lottery Scratchers product line by adding extra value to its Nonwinning Scratchers that have the eXTRA Chances logo. The Promotion opens on January 1, 2024, contains three (3) Entry Periods and three (3) Prize Drawings and closes on January 21, 2024, with the Promotion's final Prize Drawing on or about January 23, 2024. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of Lottery games.

A copy of the Promotion Rules may be requested by sending an email to [publicrecords@valottery.com](mailto:publicrecords@valottery.com). The Promotion Rules also are 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on January 1, 2024, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.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

\_\_\_\_10/13/2023\_\_\_\_\_  
Date

\_\_\_\_\_/s/Tony R. Russell\_\_\_\_\_  
Tony R. Russell, Interim Executive Director

\_\_\_\_10/13/2023\_\_\_\_\_  
Date

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Player Promotion Rules – Retail  
Promotion type – Scratchers Second Chance



## VIRGINIA LOTTERY'S "JANUARY 2024 eXTRA CHANCES RETAIL PLAYER PROMOTION" OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to promote the Virginia Lottery Scratcher product line by adding extra value to its nonwinning Scratchers that have the eXTRA Chances logo. With this Promotion, three (3) Prize Drawings will be conducted.
- B. PROMOTION PERIOD:** This Promotion will run from January 1, 2024, through January 21, 2024 ("Promotion Period"), with the final Prize Drawing on or about January 23, 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.

"Cash Prize" means a monetary Prize.

"Claimant" means a verified Entrant, Participant, or Player who presents an Entry that the Entrant presumes to be a Winning Entry.

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

"eXTRA Chances Web Code" means a series of numbers and letters that, when submitted according to any of the applicable Entry methods described herein, and when used in conjunction with all other required entry data, enters a Player into the eXTRA Chances Promotion.

"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.

“Noncash Prize” means a merchandise, gift card, or experiential Prize, such as a vehicle, trip, concert tickets, etc.

“Nonwinning” or “Nonwinning Scratcher/Ticket” means a Scratcher or Ticket, purchased at a licensed Virginia Lottery retailer location or directly from the Virginia Lottery, which does not contain a winning Prize combination.

“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 **Section J** (“Prize Description”).

“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 Entry Number” means the 14-digit number printed on the back of a Nonwinning Scratcher 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.

“Promotion Rules” or “Rules” means these rules.

“Scratcher” means a ticket with a coating over the Play Areas that, when scratched off, reveals instant game play results.

“Scratch Game” means a game, played via Scratcher, which contains the appropriate Play Areas, Legend(s), Barcodes and other codes that, when played, reveals, or informs a Player immediately whether the player has won a Prize as specified in the Game Rules.

“Self-service Vending Machine” or “Lottery 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.

“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.

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

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#### 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 promotion.
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 submit an eligible\* Virginia Lottery Nonwinning Scratcher that has the eXTRA Chances logo and do so via an established Entry method to enter a Prize Drawing. Entries for this Promotion will be accepted via the Virginia Lottery's Website and the Virginia Lottery's Mobile App.

\*Eligible Scratchers are those that contain the eXTRA Chances logo **and** that are still in the claim eligibility period (180 days after official game close date).

All Entries submitted according to **Section G** ("Website Entries") and **Section H** ("Mobile App Entries") **and** received during the designated Promotion Entry Periods as specified in **Section I** ("Entry Deadlines") **will be included** in the applicable weekly Prize Drawing.

A Player may enter the Promotion more than once as long as each Entry is based upon a different eligible Nonwinning Scratcher and the total number of Entries does not exceed the twenty-five (25) daily maximum.

The Lottery, at its sole discretion, reserves the right to add or remove eligible Scratchers to/from this Promotion. The Lottery also reserves the right to award Players Entries into this Promotion as Prizes in other authorized Promotions being offered concurrently.

#### F. ENTRY REQUIREMENTS:

1. Each eligible Scratcher used as an Entry into this Promotion must have been issued by the Lottery in an authorized manner during the Entry Period referenced in **Section I** ("Entry Deadlines") of these rules.
2. A Player may submit, to *this* Promotion, a maximum of twenty-five (25) Nonwinning Scratchers per day over the course of the Promotion. This requirement does not limit a Player from entering eligible Non-winning Scratchers into other Lottery Promotions being offered simultaneously.
3. Website and Mobile App Entries will receive a number of Entries equal to the price point of the entered Scratcher. **Example: A \$10 Scratcher would generate ten (10) separate Entries.**

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4. A Player will be eligible to win **one (1) Prize per weekly eXTRA Chances Drawing**. Once a Player has won a Prize in a Drawing, the Player **will not be eligible** to win again until the next Drawing. Refer to **Section E** ("Promotion Entry"). Entries that are not selected as a Winner in a Prize Drawing **do not** carry over to subsequent Prize Drawings.
5. The Lottery will not be responsible for Nonwinning Scratchers submitted incorrectly or received outside of the established Entry Deadlines for the Prize Drawings as specified in **Section I** ("Entry Deadlines"). Such Entries shall be deemed invalid.
6. Only Nonwinning Scratchers that are submitted in the manner described in **Section G** ("Website Entries") or **Section H** ("Mobile App Entries") of these Promotion Rules during the designated Entry Periods will be eligible for Entry and to win a prize in this Promotion. Hand-delivered Scratchers and Scratchers submitted via any other methods not specified in these Promotion Rules will not be accepted as an Entry for this Promotion and will be deemed invalid.
7. Each Entry submitted for this Promotion must contain the Entrant's current and valid information in order to be eligible to win a Prize in this Promotion. The Lottery will not change or update information for an Entry that has already been submitted. This includes address and telephone number updates. 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.
8. A Prizewinner's Winner Notification Letter will be mailed to the address registered with the Prizewinner's player account at the time of the Prizewinner's Entry submission. Any Prizewinner whose Winner Notification Letter is returned undeliverable due to incorrect and/or incomplete address information, expired forwarding address notifications, and/or delivery delays due to mail-forwarding notifications, and the Prizewinner 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 forms to the Prizewinner using the email address provided at the time of Entry submission.

#### **G. WEBSITE ENTRIES:**

1. To enter via the Website, a Player must go to the Lottery's eXTRA Chances page at <http://www.valottery.com/extrachances> 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 provided.
3. A Player entering via the Internet can use a computer or a mobile device to access the Lottery's Website. When using a mobile device, a Player can choose to enter their Ticket Number and Web Code manually or by using their mobile device's camera to scan the Ticket Number barcode located on the front of the eligible Scratcher.

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4. A Player who chooses to manually enter the Ticket Number must correctly enter **BOTH** the Ticket Number found on the back of each eligible Scratcher and the eXTRA Chances Web Code found on the front of each eligible Scratcher. The Lottery will not be responsible for Promotion Entry Numbers and/or eXTRA Chances Web Codes that are transposed, entered incorrectly, or have already been used to enter into this Promotion. If the submitted numbers cannot be verified, the Entry will be deemed invalid and not eligible for entry into this Promotion.
5. Once successfully entered via the Website, Players **do not** need to retain their Scratcher(s) 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 their mobile device and then go to the Promotions tab and select the eXTRA Chances Promotion. There, 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. A Player must correctly scan and enter their Scratcher's Ticket Number Barcode to enter this Promotion. Entries with Scratcher information that cannot be verified will be deemed invalid and not eligible for entry into this Promotion.
4. Once a Player has successfully entered their Scratcher via the Lottery's Mobile App, the Player **does not** need to retain their Scratcher(s) in order to claim a Prize in this Promotion.

**I. ENTRY DEADLINES (INTERNET/MOBILE APP ENTRIES):**

Drawing	Entry Periods
1	January 1, 2024 (midnight, ET), through January 7, 2024 (11:59:59 PM ET)
2	January 8, 2024 (midnight, ET), through January 14, 2024 (11:59:59 PM ET)
3	January 15, 2024 (midnight, ET), through January 21, 2024 (11:59:59 PM ET)

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

Drawing	Prize*	# of Prizewinners
1	\$1,000 Flat-screen TV & Soundbar Package	10
2	\$1,000 Flat-screen TV & Soundbar Package	10
3	\$1,000 Flat-screen TV & Soundbar Package	10

Should, for reasons out of the Lottery's control, the originally proposed Prize becomes unavailable, a Prizewinner will be given an alternate Prize of equal value.

**K. PROMOTION DRAWING(S):** The following are the three (3) established Drawing dates for this Promotion:

Drawing #	Date
1	Tuesday, January 9, 2024
2	Tuesday, January 16, 2024
3	Tuesday, January 23, 2024

Each 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 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 that Drawing will be accounted for and the information loaded into a randomizer program.
2. Representatives from the Lottery's Security, Audit, Information Technology Services, and Marketing departments will oversee the use of the randomizer program to select 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 were selected and will be used at the Lottery's discretion should any Prizewinner be determined ineligible.
5. After the Drawing is complete, representatives of the Lottery's Security, Audit, Information Technology Services, and Marketing departments will confirm that the Entries selected in the Drawing are valid.

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6. In the event that 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 particular Drawing.

#### **L. PRIZEWINNER PROCEDURES:**

Each Promotion Prizewinner selected in association with this Promotion will be notified by the Lottery via the United States Postal Service (USPS). All Prizewinners will receive a *Prizewinner Claim Form*. For certain Prizes, the Prizewinner also will receive a *Promotion Prize Waiver and Release Form*. The Prizewinner will be required to complete and return one or both forms (as applicable to the Prize) by the deadline stated in the Prizewinner's *Winner Notification Letter*. Any Prizewinner who fails to fully complete and return one or both required forms (as applicable to the Prize) with the Prizewinner's *Winner Notification Letter* along with documentation containing the Prizewinner's full Social Security number (if required by the specific claim form) by the date noted in the Prizewinner's *Winner Notification Letter* will forfeit the Prize.

#### **M. 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**, 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 a number is provided, and the Prizewinner shall not be entitled to interest on the Prize funds attributable to such delay.

#### **N. 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** and subject to any set-off for delinquent debts, the Lottery shall withhold any monies due under the Commonwealth'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. Such Entries shall be deemed invalid. The merchandise/gift-card Prizes awarded during this Promotion **are not** redeemable for cash, unless required by law.



3. Each Prizewinner who wins a Prize **greater than \$600** is legally required to include the value of the Prizewinner's 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 the Prizewinner's federal and state tax liabilities for the year in which the Prize is accepted.
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®, Twitter®, Facebook®, Instagram® or similar efforts, without additional consent from or compensation to the Prizewinner.

**O. CANCELLATION POLICY:**

Canceled Drawing(s) or Prize award(s): The Director may, in the Director's sole discretion, cancel Drawings and/or the awarding of Prizes, on holidays, days of special importance or on days when conditions make conducting the Drawings or awarding Prizes impractical or inappropriate, and may elect to conduct Drawings and/or makeup Drawings and/or the awarding of Prizes at such times and dates, 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 reschedule/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 Entries will be accepted and no additional 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.

**P. 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.

**Q. GOVERNING LAW:** By participating in 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.

**R. WAIVER OF CLAIMS:** By entering this Promotion, each Participant and/or Prizewinner agrees to

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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.

- S. 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 a Prize.