

# BOARD POLICY



## RULES FOR INSTANT GAMES

**Policy #:** O - 108

**Approved:** NMLA Board of Directors

**Issued:** February 17, 2005

**Revision #:** 5

**Revised:** May 26, 2006; Mar. 4, 2014; Apr. 9, 2015;  
Aug. 17, 2016; Apr. 2, 2019

**NOTHING CONTAINED IN THESE GUIDELINES IS INTENDED TO  
CREATE A CONTRACT OF EMPLOYMENT, EXPRESS OR IMPLIED,  
OR TO ALTER THE AT-WILL NATURE OF EMPLOYMENT**

# RULES FOR INSTANT GAMES

## **Purpose**

These rules are the guidelines and regulations for the New Mexico Lottery Authority Instant Games.

## **General Use and Applicability**

These rules are applicable to New Mexico Lottery staff, retailers, vendors, and players.

## **Definitions**

“Announced End of Game” is a date determined by the NMLA to end an instant game.

“Board” or “NMLA Board” means the New Mexico Lottery Authority Board of Directors, as appointed pursuant to the New Mexico Lottery Act.

“Central system” or “on-line system” means the central computer system used to control and monitor the online gaming environment to which the terminals are connected by a communication medium authorized by the NMLA.

“Claim form” means the official form that a player must submit to claim a prize exceeding six hundred dollars (\$600) that is available at a Lottery Retailer, at Lottery headquarters, or at [nmlottery.com](http://nmlottery.com).

“CEO” means the Chief Executive Officer of the Lottery appointed by the Board pursuant to the New Mexico Lottery Act.

“Instant ticket games”, “instant games”, or “Scratchers” means tickets that contain certain preprinted (or predetermined) winners that are revealed by rubbing or scraping an area or areas on the ticket as provided by the rules of the individual game.

“New Mexico Lottery Authority”, “New Mexico Lottery”, “NMLA”, “Lottery”, or “Authority” means the New Mexico Lottery Authority, a public body, politic and corporate, separate and apart from the state, constituting a governmental instrumentality, established and operated pursuant to the New Mexico Lottery Act.

“New Mexico Lottery Act”, “Lottery Act”, or “the Act” means the New Mexico Lottery Act, NMSA, 1978, Sections 6-24-1 through 6-24-34, as the same may be amended from time to time.

“Pack” is a group of fan-folded instant tickets which are attached to each other by perforations and are packed in plastic shrink-wrapping.

“Play Area” means an area of the ticket, usually covered by a scratch-off coating, where the game symbols appear.

“Prize payout” means the percentage of sales expected to be paid out as prizes by game design.

“Prize fund” means the amount of money available in each game which the NMLA uses to pay that game’s prizes.

“Retailer” or “Lottery Retailer” means a person or legal entity authorized by the NMLA to sell Lottery tickets pursuant to the New Mexico Lottery Act.

“Symbols” or “game symbols” means any characters in the play area of an instant ticket used to identify winning and non-winning tickets dependent upon game instructions, rules, and programming parameters. Various fonts, sizes, colors, characters, letters, numbers, and combinations may be used.

“Terminal” means a device authorized by the NMLA to function in an on-line, interactive mode with the central system for the purpose of issuing lottery tickets and entering, receiving, and processing lottery transactions, including the purchasing of tickets, the validation of tickets, and the transmission of reports.

“Ticket Validation” means the process retailers use to determine if a ticket is a winner.

“Winning ticket” means an instant ticket where the symbols reveal a winning combination as described in the play instructions of the specific game, that meets validation requirements, and is validated by the central system.

## **Policy**

### **1. Sale of Instant Game Tickets**

- a. Only Retailers who have entered into a Retailer contract with the NMLA and have been approved by the NMLA, at the NMLA’s sole discretion, are authorized to sell instant game tickets. The NMLA Claim Center and any NMLA staff or designees assigned to NMLA promotional and special events are also authorized to sell instant game tickets. Tickets may only be sold at the Retailer business location(s) listed in the Retailer contract for which the NMLA has authorized the sale instant tickets, unless authorized by the NMLA to sell at a remote site. Nothing contained herein shall prohibit the NMLA from selling tickets, conducting promotions, or conducting drawings at locations other than the Lottery headquarters.
- b. Each instant ticket shall sell for the retail sale price authorized by the CEO and stated in the game-specific executed working papers and game rules or as authorized by the CEO for promotional purposes.
- c. Retailers shall sell tickets for any instant game, as directed by the NMLA.

### **2. Game-Specific Documents**

- a. A customer profile or client standards document is maintained by the instant ticket vendor and contains the basic requirements for all instant ticket games printed by that vendor. Information contained in the customer profile or client standards includes, but is not limited to, general information, game pack sizes, shipping and delivery information, and ticket barcode lengths and contents.
- b. Executed working papers is the signed order confirmation between the NMLA and the instant ticket printing vendor for each specific instant game. Information contained in the working papers includes, but is not limited to, ticket artwork, prize structure, and game programming parameters.

- c. Instant game rules are provided by the instant ticket vendor for each instant game. Information contained in the instant game rules includes, but is not limited to, ticket price, determination of wins, and number and value of prizes.

### **3. Method of Playing an Instant Game**

- a. The CEO or designee, subject to final approval by the CEO, shall determine the method of play for each instant game as described in the game-specific executed working papers and game rules.
- b. Play styles or themes determine how each instant game is to be played. Due to the expanding and changing lottery industry, new play styles and themes are regularly being created. The play style/theme will be specifically defined in the executed working papers for each instant game.
- c. Each instant game is different and will have different instructions. Information on how to play is found on the ticket.
- d. Odds information available at Lottery Retailers provides the overall odds (including breakeven prizes) of winning a prize and the odds of winning a top prize in each instant game. Detailed prize odds are posted on the New Mexico Lottery website at [nmlottery.com](http://nmlottery.com).
- e. Additional information can be obtained from a Lottery Retailer, Lottery Customer Service at (505) 342-7600, or the NMLA website at [nmlottery.com](http://nmlottery.com).

### **4. Instant Ticket Validation**

- a. An original ticket shall be the only proof of a game play and the submission of a winning ticket to the NMLA, or its authorized Retailer, shall be the sole method of claiming a prize or prizes. No copies or reproductions will be accepted for validation.
- b. The ticket must not be blank, mis-registered, defective, or printed or produced in error.
- c. The ticket must not be counterfeit or forged, in whole or in part.
- d. The ticket must not be mutilated, altered, unreadable, misdispensed, reconstituted, or tampered with in any manner.
- e. The ticket must have been issued by the NMLA or authorized Retailer in an authorized manner.
- f. The ticket shall have been received or recorded by the NMLA by the applicable deadlines.
- g. To be a valid ticket and eligible to receive a prize, a ticket shall satisfy all the requirements established by the NMLA for the sale, purchase, and validation of winning tickets. All winners, tickets, and transactions are subject to NMLA rules, policies, procedures, and state law.
- h. Tickets reported and verified as stolen or obtained illegally will not be valid for claiming a prize.
- i. The ticket shall pass the confidential validation and security tests appropriate to the applicable play style.

- j. The validation number of an apparent winning instant ticket shall appear on the NMLA's official file of validation numbers of winning tickets. An instant ticket with that validation number shall not have been paid previously.
- k. The symbols within the play area of the ticket must reveal a winning combination or a winning match in accordance with the play instructions for that game. Use of a number from any other part of the ticket in combination with a game symbol in the play area to create a winning ticket is prohibited and will not be considered as a winning ticket. No portion of the display printing, overlay printing, or any extraneous matter whatever shall be useable or playable as part of the ticket.
- l. The ticket shall be validated according to validation procedures as determined by the NMLA prior to payment of a prize.
- m. A ticket which fails any of the NMLA's validation checks is invalid and ineligible for any prize and a prize shall not be paid.

## **5. Ticket Responsibility**

- a. A ticket is a bearer instrument until signed on the back by the ticket owner. Until a signature or mark is placed upon a ticket in the area designated for signature, the bearer of the ticket shall own the ticket. When a signature is placed on the ticket in the place designated, the person whose signature or mark appears in such area shall be the owner of the ticket and shall be entitled (subject to the requirements in the Instant Ticket Validation and Prize Payment sections) to any prize attributable thereto.
- b. Payment of prizes for valid winning tickets bearing multiple signatures shall be divided according to the percentages as agreed to in writing by the parties. The parties must agree on the percentages prior to the prize being paid.
- c. The NMLA is not responsible for lost, stolen, erroneously printed, misdispensed, mutilated, or damaged tickets.
- d. The NMLA is not obligated to resolve competing claims to winning tickets.
- e. The NMLA shall not be responsible for tickets claimed by a player in error for a lower prize at a Retailer.

## **6. Prize Payment**

- a. All prizes must be claimed within ninety (90) calendar days of the Announced End of Game. If the ninetieth (90th) calendar day falls on a day in which the NMLA is not open for business, then the ticket must be claimed on the first business day after the ninetieth (90th) calendar day. A ticket that is mailed must be received at the Lottery headquarters within ninety (90) calendar days of the Announced End of Game. If the NMLA is not open for business, then the ticket must be received on the first business day after the ninetieth (90th) calendar day.
- b. A claim form must be submitted by the winner(s) of prizes exceeding six hundred dollars (\$600). The claim form must be completely filled out and signed.
- c. If there are multiple claimants for the prizewinning ticket, a representative, having a power of attorney, may complete and sign a claim form on the other claimant's behalf.

- d. If there are multiple claimants for a prizewinning ticket and there is not a representative, having a power of attorney, then each claimant must submit a claim form.
- e. If the owner of a winning ticket is unable to complete a claim form due to a legal, physical, or other disability, then a guardian, conservator, custodian, fiduciary, or duly authorized representative, having a power of attorney, may complete and sign a claim form on the owner's behalf. The claim form shall indicate the name of the lawful payee.
- f. If the person signing the claim form is a personal representative of the estate of a deceased winner, that person shall submit his letter of administration or its legal equivalent showing the appointment from the court having jurisdiction over the estate.
- g. A person who signs a claim form shall be deemed to have represented that the information contained therein is accurate and complete.
- h. No incomplete claim form shall be processed for payment.
- i. Prizes of one hundred thousand dollars (\$100,000) or more must be claimed in person at Lottery headquarters.
- j. Prizes exceeding six hundred dollars (\$600) must be claimed at the Lottery, either at Lottery headquarters or by mail using a Lottery claim form.
- k. Prizes of six hundred dollars (\$600) or less may be claimed at any Lottery Retailer or mailed to: New Mexico Lottery; P.O. Box 93190; Albuquerque, NM 87199-3190. No claim form is required.
- l. The NMLA may not pay prizes to any claimant who purchased a ticket from an unauthorized Retailer.
- m. Prizes are not assignable, but prizes may be paid to a deceased winner's estate or to a person designated by judicial order.
- n. Under no circumstances will the NMLA pay a prize or share of a prize without the original ticket being presented to the NMLA.

## **7. Game Termination and Prize Claim Period**

The NMLA may announce the end of an instant game at any time. If this occurs, no tickets from that instant game shall be sold by Retailers past the Announced End of Game date. At the NMLA's discretion, instant games may be picked up or terminated earlier than scheduled.

## **8. Applicable Law**

In purchasing an instant ticket, the purchaser agrees to comply with and abide by all applicable laws, rules, regulations, policies, procedures, and decisions of the NMLA.

## **9. Purchase and Prize Restrictions**

No ticket may be purchased by and no prize shall be paid to anyone prohibited from purchasing or claiming a prize pursuant to the Lottery Act.

## **10. Taxes and Debt Setoffs**

In accordance with the Lottery Act:

- a. Any lottery prize is subject to applicable state and federal taxes. The NMLA shall report to the state and federal taxing authorities any lottery prizes exceeding six hundred dollars (\$600). Prizes will be subject to tax withholding in accordance with applicable law.
- b. Prizes exceeding six hundred dollars (\$600) are subject to collection by the New Mexico Human Services Department.

## **11. Dissemination of Winning Ticket Information**

The NMLA is not responsible for incorrect information provided by a Retailer or NMLA staff, telephonic or in person, or by any forms of media. Only tickets validated by the central system will be honored.

## **12. Order of Precedence**

These Rules shall be interpreted and applied in the following order of precedence:

- a. New Mexico Lottery Act;
- b. These Rules;
- c. Customer Profile/Client Standards and the Executed Working Papers;
- d. Game-Specific Instant Game Rules (Prepared by the Instant Ticket Printing Vendor).