

Title 315 WAC

LOTTERY COMMISSION

Chapters

- 315-02** **General provisions and definitions.**
- 315-04** **Licensing procedure.**
- 315-06** **General lottery rules.**
- 315-10** **Instant games—General rules.**
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**DISPOSITION OF CHAPTERS FORMERLY
CODIFIED IN THIS TITLE**

**Chapter 315-14
SPECIAL PROVISIONS**

315-14-010 Fifth anniversary celebration drawing. [Statutory Authority: RCW 67.70.040, 87-17-047 (Order 104), § 315-14-010, filed 8/18/87.] Repealed by 10-16-025, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3).

Chapter 315-02 WAC

GENERAL PROVISIONS AND DEFINITIONS

WAC

315-02-130 Employee of the commission defined.

WAC 315-02-130 Employee of the commission defined. "Employee of the commission" means the employees or agents of the lottery and the director.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3), 10-16-025, § 315-02-130, filed 7/23/10, effective 8/23/10. Statutory Authority: 1982 2nd ex.s. c 7, 82-21-038 (Order 3), § 315-02-130, filed 10/15/82.]

Chapter 315-04 WAC

LICENSING PROCEDURE

WAC

315-04-095 Retailer credit criteria.

WAC 315-04-095 Retailer credit criteria. (1) The director shall deny a lottery retailer license to any applicant whose credit is found to be poor.

(2) The director may grant a lottery retailer license to an applicant whose credit is rated as marginal or minimum as defined in this section. Provided, the director shall require:

(a) Applicants whose credit is rated as marginal as defined in this section to obtain a surety bond or savings certificate under terms and conditions established by the director prior to issuance of the license. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or certificate shall be in the amount of three thousand five hundred dollars unless the director determines a higher amount is required.

(b) Applicants whose credit is rated as minimum as defined in this section may be required to obtain a surety bond or post cash in lieu of a bond under terms and conditions established by the director or submit three letters of credit to the lottery prior to issuance of a lottery retailer license. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be

in the amount of three thousand five hundred dollars unless the director determines a higher amount is required, based on sales volume and financial solvency of the retailer.

(3) In the event the retailer's credit is rated as poor or marginal subsequent to the issuance of the license the director may:

(a) Revoke or suspend a retailer's license; and/or

(b) Require such a retailer to secure a surety bond from a company licensed to do business in the state of Washington or post a savings certificate under terms and conditions established by the director. The surety bond or saving certificate shall be in the amount of three thousand five hundred dollars unless the director determines, based on sales volume and financial solvency of the retailer, a higher amount is required.

(4) Credit rating is defined as the ability to meet financial obligations when they become due. It includes current reporting accounts payable and public financial record information including, but not limited to, court records, other public records and reports from credit bureaus or other credit reporting agencies up to three years prior to the lottery's credit check request. A significant incident may include a lien, judgment, bankruptcy, involuntary collection action or any similar incident which reflects on the individual's willingness and ability to pay creditors. A numerical rating of "one" represents excellent credit. A numerical rating of "nine" represents involuntary collection.

(a) A "poor" credit rating indicates public record showing three or more significant incidents within the past three years.

(b) A "marginal" credit rating indicates public record information showing one or more significant incidents within the past three years.

(c) A "minimum" credit rating indicates the information is insufficient for evaluation.

(d) An "acceptable" credit rating indicates that there have been no significant incidents in the public record within the past three years. Provided, at least three accounts must be evaluated in order to receive an "acceptable" rating.

(5) Credit rating checks shall be conducted as follows:

(a) Corporation business credit ratings shall be checked. Personal credit ratings of the corporate officers and owners of ten percent or more equity in the corporation may also be checked.

(b) Sole proprietors and partnership business credit ratings shall be checked. Personal credit ratings of:

(i) The sole proprietor and his or her spouse; or

(ii) All partners and their spouses shall also be checked.

(c) Findings shall be applied in accordance with subsections (1), (2) and (3) of this section.

[Statutory Authority: RCW 67.70.040 (1), (3), 10-14-010, § 315-04-095, filed 6/24/10, effective 7/25/10. Statutory Authority: RCW 67.70.040 (1), (3) and 67.70.040, 07-11-154, § 315-04-095, filed 5/22/07, effective 6/22/07. Statutory Authority: RCW 67.70.040, 98-20-013, § 315-04-095, filed 9/25/98, effective 10/26/98.]

Chapter 315-06 WAC

GENERAL LOTTERY RULES

WAC

315-06-120 Payment of prizes—General provisions.

WAC 315-06-120 Payment of prizes—General provisions. (1) The director may designate claim centers for the filing of prize claims, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of one claimant, which shall be either a natural person, association, corporation, general or limited partnership, club, trust, estate, society, company, joint stock company, receiver, trustee, or another acting in a fiduciary or representative capacity whether appointed by a court or otherwise. A claim which includes one or more tickets with an address label or stamp on the back of the ticket shall be deemed to have been entered in the name of one claimant: Provided, That if the address label or stamp contains the name of more than one claimant, the prize payment will be made to the one who has signed the ticket and/or claim form or, if there is no signature, to the first claimant listed on the address label or stamp. If there are two or more claimant names written or signed on the ticket, lottery personnel shall return the ticket(s) to claimants and shall request that the claimants sign a notarized statement relinquishing ownership to one claimant. The claimant must submit his or her Social Security number (SSN) or the federal employer's identification number (FEIN) when claiming any prize exceeding six hundred dollars.

(3) A claim may be entered in the name of a claimant other than a natural person only if the claimant is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the Internal Revenue Service, such number is shown on the claim form and the entity's terms comply with subsection (4) of this section. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one natural person or one legal entity in whose name the claim is to be entered.

(4) The terms governing a claimant other than a natural person, i.e., articles of incorporation, trust terms, etc., shall be submitted to the director for approval. Terms not in compliance with lottery statutes or rules shall not be approved. Payment shall not be made to a claimant other than a natural person until the director has approved the terms.

All claimants other than natural persons shall have governing terms which:

(a) Prohibit deletion, amendment, or addition of terms without the director's approval;

(b) State the names of all natural persons who have a direct or indirect right or interest in the claimant, each of their percentage interests and their Social Security numbers;

(c) Acknowledge that the debt collection process mandated by RCW 67.70.255 and WAC 315-06-125 shall be applied to the natural persons who hold interests in the claimant through their Social Security numbers; and

(d) Provide that in the event the claimant ceases to exist prior to the full payout of the prize, the lottery will not make further payment without court order.

(5) The lottery shall not make payment to a claimant other than a natural person unless the terms governing the claimant include those enumerated in subsection (4) of this section.

(6) Unless otherwise provided in the rules for a specific type of game, a claimant shall sign the back of the ticket and/or complete and sign a claim form approved by the direc-

tor. The claimant shall submit the claim form and/or claimant's ticket to the lottery in accordance with the director's instructions as stated in the game brochure and/or on the back of the ticket or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

(a) The discharge of the state, its officials, officers, employees, and the commission of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name and, upon written permission, photograph for publicity purposes by the lottery.

(7) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than one hundred eighty days, except a shared game lottery, after the official end of that instant game or draw game drawing for which that draw game ticket was purchased.

(8) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or retailers, or from a lottery retailer; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(9) No natural person or legal entity entitled to a prize may assign the right to payment, except under the following limited circumstances:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; and

(b) When payment of all or part of the remainder of an annuity and the right to receive future annual prize payments has been voluntarily assigned to another person, pursuant to an appropriate judicial order that meets the requirements of RCW 67.70.100(2).

(10) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(11) A ticket that has been legally issued by a lottery retailer is a bearer instrument until signed. The person who signs the ticket or has possession of an unsigned ticket is considered the bearer of the ticket. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission, director and employees of the commission terminates upon payment.

(12) All prizes shall be paid within a reasonable time after the claims are validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game.

(13) The date of the first installment payment of each prize to be paid in installment payments shall be the date the

claim is validated, or the date the winner makes a choice of payment by annual payments or by single cash payment pursuant to WAC 315-34-057. Subsequent installment payments shall be made as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded.

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated in accordance with the type of prize awarded.

(14) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each originally scheduled payment date thereafter.

(15) If any prize is payable for the life of the winner, only a natural person may claim such a prize. Such "win for life" type prizes shall cease upon the death of the winner or the end of a guaranteed payment period (if any), whichever is later. Win for life prizes may be assigned; and the following conditions apply to such assignments:

(a) The original winner's actual life shall determine when prize payments cease; and

(b) The assignee shall be responsible for notifying the lottery of the original winner's death.

(16) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(17) Each lottery retailer shall pay all prizes authorized to be paid by the lottery retailer by these rules during its normal business hours at the location designated on its license.

(18) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

(19) At the director's discretion, the lottery may designate an alternative payment date for prize payment.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3). 10-16-025, § 315-06-120, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70-040. 08-11-043, § 315-06-120, filed 5/14/08, effective 6/14/08; 00-24-103, § 315-06-120, filed 12/6/00, effective 1/6/01; 00-12-032, § 315-06-120, filed 5/30/00, effective 6/30/00; 99-19-103, § 315-06-120, filed 9/20/99, effective 10/21/99; 97-20-052, § 315-06-120, filed 9/24/97, effective 10/25/97; 96-19-071, § 315-06-120, filed 9/17/96, effective 10/18/96; 96-15-124, § 315-06-120, filed 7/24/96, effective 8/24/96; 94-19-062, § 315-06-120, filed 9/20/94, effective 10/21/94; 93-04-004, § 315-06-120, filed 1/21/93, effective 2/21/93; 91-03-036, § 315-06-120, filed 1/9/91, effective 2/9/91; 89-12-042 (Order 116), § 315-06-120, filed 6/1/89; 87-17-012 (Order 103), § 315-06-120, filed 8/10/87; 87-01-057 (Order 96), § 315-06-120, filed 12/16/86; 86-01-060 (Order 83), § 315-06-120, filed 12/16/85; 85-16-031 (Order 77), § 315-06-120, filed 7/30/85; 84-19-045 (Order 64), § 315-06-120, filed 9/17/84; 84-09-008 (Order 54), § 315-06-120, filed 4/9/84; 84-01-002 (Order 41), § 315-06-120, filed 12/8/83. Statutory Authority: RCW 67.70-040 and 67.70.050. 83-05-029 (Order 14), § 315-06-120, filed 2/10/83.]

Chapter 315-10 WAC

INSTANT GAMES—GENERAL RULES

WAC

315-10-025 Cost to purchase an instant game ticket.

WAC 315-10-025 Cost to purchase an instant game ticket. The price of an instant game ticket shall not be less than \$1.00 and not more than \$20.00, except for those tickets used in media promotions authorized by the director and retailer incentive programs authorized by the commission.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3). 10-16-025, § 315-10-025, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70-040. 08-11-043, § 315-10-025, filed 5/14/08, effective 6/14/08; 98-08-067, § 315-10-025, filed 3/30/98, effective 4/30/98; 97-04-047, § 315-10-025, filed 1/31/97, effective 3/3/97.]

Chapter 315-12 WAC

PUBLIC RECORDS DISCLOSURE

WAC

315-12-030 Description of central and field organization of the commission and the director.

315-12-150 Communications.

WAC 315-12-030 Description of central and field organization of the commission and the director. The administrative office of the commission and director is located at 814 - 4th Avenue, Olympia, WA 98506. Regional offices of the director located in other cities are as follows:

| CITY | SERVICES |
|---|---|
| EVERETT REGION 11419 19th Avenue S.E. Suite A106 Everett, WA 98208 | (a) Sales Representative (b) Payout Center |
| OLYMPIA REGION 814 - 4th Avenue Olympia, WA 98506 | (a) Sales Representative (b) Payout Center (c) Ticket Warehousing |
| FEDERAL WAY REGION 33701 9th Avenue S Federal Way, WA 98003-6762 | (a) Sales Representative (b) Payout Center |
| SPOKANE REGION East 10517 Sprague Avenue Spokane, WA 99206-3631 | (a) Sales Representative (b) Payout Center |
| VANCOUVER REGION El Camino Fountain Shopping Mall Suite 4 1503 N.E. 78th Street Vancouver, WA 98665 | (a) Sales Representative (b) Payout Center |
| YAKIMA REGION 9 South 5th Yakima, WA 98901 | (a) Sales Representative (b) Payout Center |

All records of the commission and director are maintained in the administrative office in Olympia.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3). 10-16-025, § 315-12-030, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70-040. 08-11-043, § 315-12-030, filed 5/14/08, effective 6/14/08; 97-15-122, § 315-12-030, filed 7/23/97, effective 8/23/97; 89-12-042 (Order 116), § 315-12-030, filed 6/1/89; 87-01-057 (Order 96), § 315-12-030, filed 12/16/86; 84-05-008 (Order 51), § 315-12-030, filed 2/7/84. Statutory Authority: RCW 42.17.250. 83-13-080 (Order 23), § 315-12-030, filed 6/17/83.]

WAC 315-12-150 Communications. All written communications with the commission or director pertaining to the administration or enforcement of chapter 42.56 RCW and these rules shall be addressed as follows: Washington State Lottery, P.O. Box 43026, Olympia, WA 98504-3026, Attn:

Public Records Officer. You may contact us through our web site at www.walottery.com.

[Statutory Authority: RCW 67.70-040 [67.70.040] (1)(3), 10-16-025, § 315-12-150, filed 7/23/10, effective 8/23/10. Statutory Authority: RCW 67.70-040, 08-11-043, § 315-12-150, filed 5/14/08, effective 6/14/08. Statutory Authority: RCW 42.17.250, 83-13-080 (Order 23), § 315-12-150, filed 6/17/83.]