EXTERNAL POLICY AND PROCEDURES

GENERAL DRAWING RULES AND PROCEDURES FOR SECOND-CHANCE DRAWINGS AND PROMOTIONAL DRAWINGS

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SECOND-CHANCE DRAWINGS AND PROMOTIONAL
DRAWINGS

NEW MEXICO LOTTERY AUTHORITY

This General Drawing Rules and Procedures for Second-Chance Drawings and Promotional
Drawing approved and adopted by the New Mexico Lottery Authority Board of Directors on the
1st day of July, 2014.

Dan Salzwedel
s/Dan Salzwedel, Board Chair

(SEAL)
GENERAL DRAWING RULES AND PROCEDURES FOR SECOND-CHANCE DRAWINGS AND PROMOTIONAL DRAWINGS

PURPOSE

The purpose of The General Drawing Rules and Procedures for Second Chance Drawings and Promotional Drawings (The General Drawing Rules and Procedures) as contained herein and adopted by the Board of the New Mexico Lottery Authority (Board) is to promote the security and integrity of second-chance, bonus, and/or promotional drawings (drawings) conducted by the New Mexico Lottery Authority (NMLA). These General Drawing Rules and Procedures shall apply, except as otherwise specified for individual or specific drawings as provided in Section 2.0, below.

GENERAL USE AND APPLICABILITY

These guidelines are applicable to all New Mexico Lottery Players Employees, and Vendors.

DEFINITIONS

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

“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 of New Mexico, constituting a governmental instrumentality, established and operated pursuant to the New Mexico Lottery Act.

POLICY

1.0 RESPONSIBILITIES OF THE NEW MEXICO LOTTERY AUTHORITY:

The Chief Executive Officer (CEO) of the Lottery or designee is hereby authorized to create or have created, approve, and promulgate specific information, rules and procedures regarding each individual drawing (Game Specific Second-Chance Drawing Rules and Procedures or Promotional Drawing Rules and Procedures “Game Specific Drawing Rules”) as may be deemed necessary, required or appropriate. The Game Specific Drawing Rules shall include the name of the second-chance, bonus, or promotional drawing and shall be available to the public.
2.0 STATE LAW:
The Lottery shall abide by all statutory requirements contained in the New Mexico Lottery Act, 6-24-1 through 6-24-34 NMSA1978 annotated, as well as any other Board adopted rules, policies, and procedures regarding drawings.

3.0 GENERAL POLICIES, RULES, AND GUIDELINES:
3.1 Authorized ENTRY FORMS
3.1.1 Unless otherwise specified in the Game Specific Drawing Rules, only Lottery authorized Instant Tickets, Lottery Drawing Game Ticket Stock, or other Lottery ENTRY FORMS, internet entries, and/or other social media options, may be used to enter drawings. Only ENTRY FORMS specifically authorized by the Lottery may be used to enter drawings.
3.1.2 The tickets, ticket stock or ENTRY FORM submitted as ENTRIES in any drawing or promotion are solely for the purpose of entering the prize drawing and have no monetary value.
3.1.3 The Lottery will not check any ticket ENTRIES for tickets that may be winners or that may validate.

3.2 Right to Change Drawing Rules and Procedures
3.2.1 The Lottery reserves the right to change the location, date or time of any drawing conducted or to make any other change or amendment which the Lottery deems appropriate or advisable, including, but not limited to changes or amendments due to inclement weather or other circumstances.
3.2.2 The Lottery reserves and maintains the right to amend, rescind or otherwise make changes to these or any other New Mexico Lottery Authority policies, rules, or procedures at any time.

3.3 Time References
All references to time in these rules refer to Mountain Time.

3.4 Drawings are Open to the Public
The New Mexico Lottery Act requires that all drawings performed by the Lottery be open to the public. The statute does not mandate that the Lottery allow broadcasting, videotaping, recording or other means of reproduction of drawings by anyone other than the Lottery. Due to the security and integrity of the drawings and the potential for unqualified entries to be drawn, broadcasting, videotaping, recording or other means of reproduction of the drawings may be prohibited except when authorized by the Lottery. The Lottery may allow media stations to videotape and/or air the drawings if done in conjunction with the Lottery and as a part of the promotional event and when conducted in accordance with drawing rules and procedures.
3.5 Participants
3.5.1 To enter a drawing or promotion, participants may be required by the Game Specific Drawing Rules to be members of the Lottery’s VIP Club.
3.5.2 A person who is apparently or visibly intoxicated (under the influence, whether by drugs or alcohol) or otherwise acting inappropriately or in a manner that may be deemed a hazard or disruptive, may be disqualified and removed from the premises.
3.5.3 A proxy (other participants or staff) may be permitted to participate in the event in lieu of the finalist, if circumstances warrant, and if prior consent of the Lottery is given.
3.5.4 Participants, by submitting an ENTRY for the drawing or promotion, are deemed as having satisfied themselves and as having agreed with the rules of the drawing or promotion and all rules, policies and procedures contained herein or as applicable.
3.5.5 Participants must be 18 years of age or older to purchase a Lottery ticket, submit an ENTRY, and/or claim a prize. (Refer to the Uniform Transfer to Minors Act.)

3.6 Post Drawing Procedures
3.6.1 The Lottery Security Division will retain all relevant documentation for a minimum of ninety (90) days from the date of the drawing for any prize. Lottery Security may dispose of all ENTRIES after each drawing is held except as specified herein.
3.6.2 Following the conclusion of a drawing or promotion, the Lottery may retain and utilize the player’s ENTRY information for marketing purposes.

3.7 Taxes and Associated Costs
The Lottery is not responsible for any taxes, travel, or other costs or expenses associated with the winning or claiming of the prize unless clearly specified in writing as part of the promotion.

3.8 Prizes
3.8.1 At the sole discretion of the Lottery, the prize awarded may vary from promotional materials.
3.8.2 Prizes and the right to a prize are not transferable or assignable.
3.8.3 Players shall have no right or option to receive the cash value of any prize instead of the prize.
3.8.4 The prize will go unclaimed if the selected winner(s) and/or alternate(s) are disqualified, cannot be contacted, or fail to comply with deadlines, rules or requirements.
3.8.5 After a prize is awarded, the Lottery bears no further responsibility. The Lottery is not responsible in any way for any problem or dissatisfaction with the prize. No warranties, expressed or implied, are given with respect to any prize, and the Lottery expressly disclaims all warranties.
3.8.6 Prizes will not be awarded if the ENTRY was obtained contrary to any New Mexico State Statute and/or New Mexico Lottery Authority Policies, Procedures or Rules.

3.9 Lottery Employees and Board Members
Former Lottery employees, Lottery Board members, or family members residing in their residences may not enter or participate in any drawing if that former Lottery employee or Lottery Board member may have had any direct involvement with or decision-making authority relating to that drawing or promotion.

3.10 Force Majeure
The Lottery shall not be liable for any delay in, or failure of, performance of any term, provision or obligation contained in these rules and procedures, any Game Specific Drawing Rules, or any promotional information or materials, nor shall any such delay in, or failure of, performance constitute a breach, violation or default on the part of the Lottery, or give rise to any liability or damages if, and to the extent that such delay or failure is caused by “Force Majeure”. As herein used, Force Majeure means illegality, Acts of God (including fire, flood, earthquake, storm, hurricane or other natural event or disaster), war, invasion, hostilities, civil war, rebellion, revolution, insurrection, terrorist activities, hacking, labor dispute, strike, lockout, change in law, interruptions or failure of power, electricity, gas, telephone, internet, wireless or computer systems or services, or any other cause that is beyond the control of the Lottery and which, by the exercise of reasonable diligence, the Lottery is unable to prevent. The existence of such causes of delay or failure shall extend the period for performance to such extent as may be necessary to enable complete performance in the exercise of reasonable diligence after the causes of delay or failures have been removed.

3.11 Exceptions
Drawings may be exempt from these rules and procedures if permitted by state law or as specified herein. These rules do not necessarily apply to wheel spins or promotional drawings held at retailer locations by Lottery staff or when held in conjunction with a “Buy X receive Y” or similar type of promotion. The General Drawing Rules and Procedures may not be applicable to individual drawings adopted by the Lottery Board, as determined by the Board or the Lottery CEO.

3.12 Compliance
Any ENTRY submitted in violation of law or these rules shall not be eligible for any prizes or consideration if selected as a winner. Failure on the part of any Lottery staff to comply with the rules, procedures and requirements contained herein or any Game Specific Drawing Rules, procedures or requirements approved and promulgated by the CEO or designee may result in disciplinary action, up to and including termination of employment.
3.13 Modification of Forms
The Lottery, as it may deem necessary or appropriate, or as required by law, may change or modify the forms contained or referenced herein.

3.14 Exhibits (forms)

4.0 GENERAL CRITERIA FOR DRAWING RULES:
The following criteria and rules will be in effect, unless otherwise stated in the Game Specific Drawing Rules or rules adopted by the Board for individual drawings. Eligibility requirements may vary depending upon the type of drawing (i.e. instant or draw game second-chance drawing (internet or hand-drawn), VIP Club promotional drawing, or Facebook/social media promotional drawing.)

4.1 Name of Drawing: See Game Specific Drawing Rules
4.2 Type of Drawing: See Game Specific Drawing Rules
4.3 Purpose of Drawing: See Game Specific Drawing Rules
4.4 Method: See Game Specific Drawing Rules
4.5 Entry Deadline: See Game Specific Drawing Rules
4.6 Date and Time of the Drawing: See Game Specific Drawing Rules
4.7 Location of the Drawing: See Game Specific Drawing Rules

4.8 INSTANT GAME OR DRAW GAME SECOND-CHANCE DRAWINGS OR PROMOTIONS - VIA THE INTERNET ELIGIBILITY REQUIREMENTS:
The Game Specific Drawing Rules will designate the game(s) eligible for the drawing or promotion.

4.8.1 Non-winning ticket(s) from the designated game(s) submitted and entered by the player via the Lottery web site or other specified web site will constitute an ENTRY (ENTRY/ENTRIES): See Game Specific Drawing Rules.

4.8.2 Players must be members or join the free Lottery VIP Club.

4.8.3 Voided tickets do not constitute an ENTRY and are not eligible for the drawing or promotion, unless specifically permitted.

4.8.4 A player may only win one (1) prize in each drawing.

4.8.5 Multiple ENTRIES are allowed.

4.8.6 A ticket may only be submitted as an ENTRY one time.

4.8.7 To ensure that any ENTRY cannot be submitted more than one (1) time during the course of the promotion, the ENTRIES are retained electronically in the ENTRY database.

4.8.8 The Lottery website entry system or other entry sites will not permit duplicate entries. It is the responsibility of the player to contact the Lottery Security Division if they believe they received a “not a qualified ENTRY” notice in error. Upon notification from a player, a Lottery Security Division representative will contact the player and
attempt to resolve the situation. The determination of the Lottery Security Division shall be final and binding.

4.8.9 Players must access the Lottery web site at nmlottery.com, or go to another website specified in the Game Specific Drawing Rules, to enter the drawing. The following player information may be required, at a minimum:
   4.8.9.1 First and last name;
   4.8.9.2 Email address;
   4.8.9.3 City, state, zip code or phone number;
   4.8.9.4 The Game number, Pack number and Ticket number found on the back of the specific non-winning Lottery Game, the 10-digit validation number found under the play area of an instant ticket, the 35-digit serial number on a draw game ticket, or a serial number printed on a coupon. Player must certify that he/she is at least 18 years old;
   4.8.9.5 Player must certify that he/she has read and understands the General Drawing Rules and Procedures For Second-Chance Drawings and Promotional Drawings and the Game Specific Drawing Rules and procedures for this drawing or promotion.

4.8.10 If an ENTRY is selected, in order to claim a prize, the original non-winning signed ticket may be required for verification, if such information is required by the Game Specific Drawing Rules. The name on the ENTRY and the signature on the original non-winning ticket must be the same. The Lottery is not responsible for any ENTRY not received or received after the deadline due to transmission issues via the Internet, including but not limited to, equipment or communication issues, problems or failures.

4.8.11 The Lottery is not responsible for any ENTRY that is incomplete, that has mis-entered information, or fails to meet ENTRY requirements. It is the responsibility of the player to contact the Lottery Security Division if they believe their ENTRY was incomplete or that they mis-entered ticket information. The EVP of Security may review and determine if the player’s claim has merit. The determination of the EVP of Security shall be final and binding.

4.8.12 Any ENTRY received in the mail or hand delivered will be deemed ineligible and may be discarded at the discretion of the Lottery EVP of Security.

4.8.13 Players need not be present at the drawing to win, unless otherwise specified in the Game Specific Drawing Rules.

4.8.14 An ENTRY received pursuant to these rules is deemed a non-winning ticket and will not be checked for winners.

4.8.15 All ENTRIES received become the property of the Lottery
4.8.16 Any ENTRY received not meeting the criteria specified in these rules will be deemed ineligible and disqualified if selected.

4.9 **INSTANT GAME OR DRAW GAME SECOND-CHANCE DRAWINGS OR PROMOTIONS – MAILED OR HAND-DELIVERED ELIGIBILITY REQUIREMENTS:**

The Game Specific Drawing Rules will designate the game(s) eligible for the drawing or promotion.

4.9.1 Non-winning ticket(s) from the designated game(s) mailed or hand-delivered by the player and received by the Lottery by the entry deadline will constitute an ENTRY: Game Specific.

4.9.2 Voided tickets do not constitute an ENTRY and are not eligible for this drawing or promotion, unless specifically permitted.

4.9.3 A player may only win one (1) prize in each drawing.

4.9.4 Multiple ENTRIES are allowed.

4.9.5 A ticket may only be submitted as an ENTRY one (1) time.

4.9.6 Each ENTRY must include the entrant’s first and last name, complete address and/or telephone number legibly printed or written on the back of the ticket along with signature of entrant. Address stamps or labels are acceptable if ENTRY is also signed.

4.9.7 If an ENTRY(s) is mailed, each ENTRY MUST be received in an envelope not to exceed a #10 regular sized business envelope (approximately, 4.125” x 9.5”). Multiple ENTRIES may be mailed in a larger envelope; however each individual ENTRY MUST be in its own envelope as specified above. Each envelope must have the name of the drawing or promotion (or some variation of that wording) written on each envelope in order to be entered into the drawing or promotion.

4.9.8 ENTRIES must be physically received prior to the deadline date and time specified in the Game Specific Drawing Rules.

4.9.9 A postmark will not be considered as evidence of receipt. The Lottery is not responsible for ENTRIES that are not received, lost, late or misdirected deliveries.

4.9.10 ENTRIES received not meeting the above criteria will be deemed ineligible and disqualified if selected.

4.9.11 The selected ENTRY will be determined to be ineligible if two (2) Lottery staff members, with the approval of the EVP of Security, Lottery are unable to determine the name, address, and/or telephone number.

4.9.12 Players need not be present at the drawings to win, unless otherwise specified in the Game Specific Drawing Rules.

4.9.13 ENTRIES received pursuant to these rules are deemed non-winning tickets and will not be checked for winners.

4.9.14 ENTRIES received become the property of the Lottery.

4.9.15 Collection of ENTRIES for the Second-Chance Prize drawing:
4.9.15.1 ENTRIES may be mailed or hand delivered.
4.9.15.2 Mail ENTRIES to:
Game Specific Drawing or Promotion Name
New Mexico Lottery
PO Box: Game Specific Name
Albuquerque, NM  87199
4.9.15.3 ENTRIES maybe Hand-delivered to:
Game Specific Drawing or Promotion
New Mexico Lottery Claim Center
4511 Osuna Rd. NE
Albuquerque, NM  87109
4.9.15.4 ENTRIES mailed or hand-delivered to incorrect addresses or contrary to these rules will be disqualified and may be immediately disposed.
4.9.15.5 If there are multiple drawings, ENTRIES received after the deadline for the first drawing may be entered into the next drawing if received prior to the next entry deadline, if permitted by the Game Specific Rules.

4.10 PROMOTIONAL DRAWINGS- ELIGIBILITY REQUIREMENTS:
4.10.1 ENTRY FORM: Game Specific Name
4.10.2 Players are required to be a MEMBER of the Lottery’s player’s club. MEMBERS must log in to their current Lottery player’s club membership at nmlottery.com to access the ENTRY FORM. For NEW MEMBERS, the following information is required, at a minimum:
4.10.2.1 First and last name;
4.10.2.2 Email address;
4.10.2.3 Street address
4.10.2.4 City, State, and zip code
4.10.2.5 Phone number
4.10.2.6 Player must certify that he/she is at least 18 years old and that he/she has read and understands the Lottery’s player’s club Terms and Conditions;
4.10.3 A MEMBER consists of (or is defined as) an individual email address registered with the Lottery player’s club.

4.11 PRE-DRAW PROCEDURES:
4.11.1 HAND-DRAWN ENTRY SELECTION
If deemed necessary or appropriate due to the amount of ENTRIES received, the Lottery may conduct Pre-Draws as determined by the Game Specific Drawing Rules or promotion being conducted to reduce the number of ENTRIES for the drawing. The Pre-Draws may be conducted at the conclusion or receipt of ENTRIES for one
week or daily, as may be determined by the Lottery. Pre-Draw ENTRIES will not be opened, or determined or considered to be qualified because of selection in a Pre-Draw, unless otherwise specified.

4.11.2 RANDOM-NUMBER GENERATED ENTRY SELECTION
Eligible ENTRIES for the drawing will be compiled onto a Master CD and Working CD by a designee from the Lottery MIS or Security Division. Both CDs will be given to the Lottery EVP of Security.

4.11.2.1 The Master CD and Working CD will contain all ENTRIES for the drawing.

4.11.2.2 The Lottery Security Division representatives will verify the data on the CDs, which includes, but is not limited to, ensuring there are no duplicate ENTRIES.

4.12 DRAWING PROCEDURES:
4.12.1 HAND-DRAWN ENTRIES
4.12.1.1 The Lottery will designate an individual (Individual) to select a qualified winner(s) and a qualified alternate(s). For the drawing to be held, a representative from the Lottery Security Division (Agent) shall inspect the drawing container and necessary equipment to be used in the drawing.

4.12.1.2 The Agent shall record (video and audio) the drawing.

4.12.1.3 All ENTRIES received or those selected pursuant to the Pre-Draw procedure referenced above, shall be collected and placed in a secured drawing container by the Agent.

4.12.1.4 Subject to the Pre-Draw procedures referenced in Section 5.12.1., the Agent shall mix the ENTRIES in the container. When the ENTRIES have been mixed, the Individual will draw out the first ENTRY and hand it to the Agent who will qualify and document it as the qualifying ENTRY.

4.12.1.5 If the first ENTRY drawn is deemed ineligible or disqualified another ENTRY shall then be drawn until a qualifying ENTRY has been drawn.

4.12.1.6 The Agent will announce the qualified ENTRY.

4.12.1.7 The total number of winners for the prizes to be awarded will be selected and the required number of alternates will be drawn after all initial winners are drawn.

4.12.1.8 Alternates, if allowed, will be drawn according to the same procedure. The Agent will again qualify and document the ENTRY.

4.12.1.9 Names and information regarding alternates will not be disseminated without authorization of the EVP of Security or the CEO.
4.12.1.10 Information regarding disqualified ENTRIES will not be disclosed without authority from the EVP or Security or the CEO.

4.12.2 DIGITAL DRAWING SYSTEM ENTRY SELECTION:
4.12.2.1 The New Mexico Lottery Authority Promotional Drawing Procedures will be followed if the Lottery is conducting the second-chance or promotional drawing.
4.12.2.2 The Lottery EVP of Security and Enforcement shall provide to the Lottery Security Drawing representative (Representative) documentation with the following information:
   4.12.2.2.1 Drawing or Promotion name;
   4.12.2.2.2 Drawing date;
   4.12.2.2.3 Number of ENTRIES (starting and ending range) as described in the New Mexico Lottery Authority Promotional Drawing Procedures;
   4.12.2.2.4 Number of ENTRY(S) to be selected as winner(s) or alternate(s).
4.12.2.3 The Representative will conduct the drawing(s).
4.12.2.4 For each drawing, a digital drawing system will first select prize winner(s) from all ENTRIES received. The number of winner(s) is Game Specific.
4.12.2.5 For each drawing, a digital drawing system will next select alternate(s) from the remaining ENTRIES received. The number of alternate(s) is Game Specific.
4.12.2.6 The Representative will provide the list of the selected winning ENTRY(S) and alternate(s) to the Lottery EVP of Security.
4.12.2.7 A Lottery Security Agent will verify the selected ENTRY(S) and verify that there are no duplicate winners.
4.12.2.8 The Lottery EVP of Security will forward the information of the prize winning ENTRY(S) to the Lottery Second-Chance Drawing Notification Distribution Group the same business day. The time is Game Specific.

4.13 WINNER NOTIFICATION:
4.13.1 The New Mexico Lottery Authority Internal Policy “Notification of Selected Entries of Second Chance Winners” will be followed.

4.14 MISCELLANEOUS INFORMATION:
4.14.1 All decisions by the Lottery are final.
4.14.2 If information cannot be verified, confirmed, or deviations are necessary or appropriate, the Lottery EVP of Security or the Lottery CEO must be contacted prior to proceeding with the remainder of the drawing process.

4.14.3 Winners will receive a W-2G tax form for the “fair market value” of any prize valued over six hundred dollars ($600.00).

4.14.4 Prizes in excess of six hundred dollars ($600) are subject to collection by the New Mexico Human Services Department in accordance with the New Mexico Lottery Act.

4.14.5 Upon submitting an ENTRY, the Second-Chance Prize Drawing and Promotional Drawing players agree that the Lottery may use their name, voice, photograph and/or likeness in any form for the purpose of advertising and/or publicizing Scratcher and Draw Games, Lottery winners in general, or promoting the Lottery or any of its games.

4.14.6 The Lottery reserves the right to assign a designee(s) to perform the responsibilities of parties specifically assigned duties within these General Drawing Rules and Procedures For Second-Chance Drawings and Promotional Drawings.

4.14.7 The Lottery may request that a vendor provide drawing services for the Lottery. All such services shall be approved by the CEO.

4.14.8 The New Mexico Lottery Act, Specific Game Drawing Rules, the New Mexico Lottery Authority General Drawing Rules and Procedures for Second-Chance Drawings and Promotional Drawings, and The New Mexico Lottery Authority Promotional Drawing Procedures, as may be amended, shall govern each drawing or promotion, as applicable. In the event of a conflict among these documents, the New Mexico Lottery Act shall prevail.

4.14.9 Copies of these rules are available at nmlottery.com and/or the Lottery claim center.

4.14.10 Internal Audit’s involvement in the procedures listed herein will be in accordance with the New Mexico Lottery Act.

4.14.11 An ENTRY may not be submitted by the following:
   4.14.11.1 Any member of the Lottery Board;
   4.14.11.2 Any officer or employee of the Lottery;
   4.14.11.3 An owner, officer or employee of a lottery vendor or, in the case of a corporation, an owner of five percent or more of the corporate stock of a lottery vendor;
   4.14.11.4 Individuals residing in the primary place of residence of a Lottery employee or Lottery Board Member.
New Mexico Lottery Authority

Exhibit 1

GAME SPECIFIC SECOND-CHANCE DRAWING RULES AND PROCEDURES
or
PROMOTIONAL DRAWING RULES AND PROCEDURES

Name of Drawing or Promotion:
Type of Drawing or Promotion:
Purpose of the Drawing or Promotion:
Method:
Entry Period and Entry Deadline:
Date and Time of the Drawing:
Location of Drawing:
Eligibility Requirements:
   Game(s)
   Game # and Game Name
   Designate the ENTRY
Winner Notification:
Miscellaneous:

__________________________________________________________________________
Manager or Designee Date

__________________________________________________________________________
Executive VP of Security or Designee Date

__________________________________________________________________________
CEO or Designee Date