



## Ohio Administrative Code

### Rule 3770:1-9-763 Game rule number seven hundred sixty-three.

Effective: November 19, 2022

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(A) Title and term. Ohio lottery commission game rule number seven hundred sixty-three, "\$365,000 Make My Day" shall be conducted at such times and for such periods as the commission may determine. For the purposes of this rule, "sales cycle" shall mean any such period, including reprints, beginning on the date when ticket sales are commenced and continuing through the date established by the director as the date on which sales agents are to make their final settlement with respect to tickets allocated to them during the period in game rule number seven hundred sixty-three.

(B) General design.

(1) Game rule number seven hundred sixty-three is a key number match game and is generally known as an "instant lottery."

(2) Holders of valid tickets will remove the covering over the entire play area to reveal one "Winning Number," five "Your Numbers" and five corresponding prize amounts. If the player matches the "Winning Number" to one or more of "Your Numbers," the player wins the corresponding prize amount(s). If the player reveals a "Stack of Coins" symbol, the player wins the prize shown. If the player reveals a "5X" symbol, the player wins five times the prize shown. If the player reveals a "Day" symbol, the player wins a prize award of one hundred dollars a day for ten years, to be paid in ten annual payments of thirty six thousand five hundred dollars, totaling three hundred sixty-five thousand dollars, less applicable taxes. There are five chances to win on each ticket, and a player may win up to five times on one ticket.

(3) The only "prize values" which shall appear on a ticket in game rule number seven hundred sixty-three are: one dollar, two dollars, three dollars, five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, and a prize award of one hundred dollars a day for ten years, to be paid in ten annual payments of thirty six thousand five hundred dollars, totaling three hundred sixty-five thousand dollars, less applicable taxes. Numbers, prize values and play symbols appearing on any



ticket in game rule number seven hundred sixty-three shall be concealed by an opaque covering which may be scratched off by the holder of the ticket to reveal the underlying numbers, prize values and play symbols.

(C) Price of tickets. The price of a ticket issued by the commission in game rule number seven hundred sixty-three shall be one dollar.

(D) Structure, nature, and value of prize awards.

(1) There shall be one type of prize in game rule seven hundred sixty-three, called a "prize award."

(2) As used in this rule, "prize award" means one of the following monetary figures which is the total of all winning prize values appearing on the ticket: one dollar, two dollars, three dollars, five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars and a prize award of one hundred dollars a day for ten years, will be paid in ten annual payments of thirty six thousand five hundred dollars, totaling three hundred sixty-five thousand dollars, less applicable taxes. Each ticket in game rule number seven hundred sixty-three shall be imprinted in such a way that prize awards from the set listed above may be won.

(E) Number of prize awards. The number of prize awards in any sales cycle of game rule number seven hundred sixty-three will depend upon the number of tickets sold during that cycle. However, distribution and availability for public purchase may be affected by, but not limited to, circumstances such as stolen, defective, missing, damaged, promotional, returned or partial reordered tickets. Tickets shall be printed in accordance with this rule using random techniques in order that the following occur:

(1) Combinations winning each prize award are randomly distributed throughout all tickets printed in any given ticket issuance; and

(2) For each line in column one of the appendix to this rule, the player having the prize value and multiplier, if any, on that same line in column three shall win the prize award on that same line in column four. In a pool of sixteen million tickets sold, mathematical reasoning suggests that the number of tickets having the prize value and multiplier, if any, in column three should be as set forth



on that same line in column five.

(F) Tickets sold. Chances of winning and the number of winning tickets are established at the time of printing and will change as prizes are won.

(G) Frequency of prize drawings.

(1) Random imprinting of prize awards on all tickets issued in game rule number seven hundred sixty-three shall be accomplished in a manner, which complies with the commission's rules and procedures.

(2) When a ticket issued in game rule number seven hundred sixty-three is sold or deemed sold in accordance with this rule and the opaque covering over any of the numbers, prize values and play symbols has been removed, the holder shall be deemed to have drawn the numbers, prize values and play symbols on that ticket which determine whether the holder is entitled to a prize award. All prize awards shall be deemed announced no later than the last day of the sales cycle of game rule number seven hundred sixty-three in which the ticket was sold.

(H) Special claim, entry, receipt and validation procedures. The director shall establish special claim, entry, receipt and validation procedures, including procedures for validation by sales agents of tickets winning prize awards which are to be paid by sales agents in accordance with commission rules. Prize awards shall be claimed within the time limits set forth by commission rules.

(I) Validity of tickets.

(1) A mechanical error in printing prize awards, symbols, words or other numbers on a ticket shall not automatically invalidate that ticket. To the extent feasible, the director shall establish procedures by which the holder of any ticket on which information is incorrectly printed due to mechanical malfunction may be advised of correct information for the ticket. If it is not technically feasible to recover the information from a mechanically misprinted ticket, the director may declare the ticket void and the holder shall be entitled to a return of the ticket price or a replacement ticket of comparable price.



(2) In addition to, but not in limitation of, all other power and authority conferred on the director by the commission's rules, the director may declare a ticket in game rule number seven hundred sixty-three void if it is stolen, unissued, deactivated, not sold or deemed not sold in accordance with commission rules; if it is illegible, mutilated, altered, counterfeit, misregistered, reconstituted, miscut, defective, printed or produced in error or incomplete; or if the ticket fails any of the validation tests or procedures established by the director or if the ticket is obtained in violation of commission rules, including, but not limited to, by way of prize discounting, prohibited under rule 3770-3-01 of the Administrative Code. The commission's liability and responsibility for a ticket declared void, if any, is limited to refund of the retail sales price of the ticket or issuance of a replacement ticket of comparable price.

(J) Director's conduct of game rule number seven hundred sixty-three

(1) The director shall conduct game rule number seven hundred sixty-three and any promotions or drawings associated therewith in a manner consistent with the Lottery Act and the rules of the commission including, without limitation, this rule. The director shall inform the public of the provisions of this rule and the procedures established pursuant hereto which affect the play of game rule number seven hundred sixty-three. The director reserves the right to declare any instant game as unavailable for sale at any time to maintain game integrity and accountability.

(2) Names and definitions of elements of game rule seven hundred sixty-three used in this rule are used solely for purposes of this rule. In actual operation, game rule number seven hundred sixty-three and these elements may be given names or titles chosen by the commission.