



**DIRECTOR'S ORDER NUMBER FIFTY-NINE (2022)**

CERTAIN VIRGINIA LOTTERY PROMOTION; CHANGE TO ENTRY PERIODS

In accordance with the authority granted by §§ 2.2-4002B (15) and 58.1-4006A of the Code of Virginia, I hereby give notice that the following Virginia Lottery Promotion:

**X Marks The Money Promotion (43 2022)**

**Section H: ENTRY DEADLINES** is amended as follows:

**From:**

<b>ENTRY PERIODS</b>	
<b>Drawing #1</b>	April 26, 2022 (4:30 AM ET), through May 1, 2022 (11:59:59 PM ET)
<b>Drawing #2</b>	May 2, 2022 (4:30 AM ET), through May 8, 2022 (11:59:59 PM ET)
<b>Drawing #3</b>	May 9, 2022 (4:30 AM ET), through May 15, 2022 (11:59:59 PM ET)
<b>Drawing #4</b>	May 16, 2022 (4:30 AM ET), through May 22, 2022 (11:59:59 PM ET)
<b>Drawing #5 (Grand-Prize Drawing)</b>	April 26, 2022 (4:30 AM ET), through June 5, 2022 (11:59:59 PM ET)



To:

<b>ENTRY PERIODS</b>	
<b>Drawing #1</b>	April 26, 2022 (12:00 AM ET), through May 1, 2022 (11:59:59 PM ET)
<b>Drawing #2</b>	May 2, 2022 (12:00 AM ET), through May 8, 2022 (11:59:59 PM ET)
<b>Drawing #3</b>	May 9, 2022 (12:00 AM ET), through May 15, 2022 (11:59:59 PM ET)
<b>Drawing #4</b>	May 16, 2022 (12:00 AM ET), through May 22, 2022 (11:59:59 PM ET)
<b>Drawing #5 (Grand-Prize Drawing)</b>	April 26, 2022 (12:00 AM ET), through June 5, 2022 (11:59:59 PM ET)

With the exception of the foregoing changes, all terms, conditions, and requirements of the original order and the original promotion rules continue to apply and remain in full force and effect.

A copy of this order may be requested by sending an email to [publicrecords@valottery.com](mailto:publicrecords@valottery.com). The order is also 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 may also be requested by mail by writing to: FOIA Officer, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order is effective, *nunc pro tunc*, to March 29, 2022, and shall remain in full force and effect unless amended or rescinded by further Director's Order.

\_\_\_\_\_/s/Quan Kirk\_\_\_\_\_  
Quan Kirk, Deputy General Counsel

\_\_\_\_04/28/2022\_\_\_\_\_  
Date

\_\_\_\_/s/ Kelly T. Gee\_\_\_\_\_  
Kelly T. Gee, Executive Director

\_\_\_\_04/29/2022\_\_\_\_\_  
Date

X Marks The Money Promotion Amendment Order



**DIRECTOR'S ORDER NUMBER FORTY-THREE (2022)**

**VIRGINIA LOTTERY'S "X MARKS THE MONEY PROMOTION" FINAL RULES FOR OPERATION.**

The Virginia Lottery's "X Marks the Money Promotion Rules" are promulgated in accordance with §§ 2.2-4002B(15) and 58.1-4006A of the Code of Virginia to create excitement for all of the new **Print 'n Play X The Money** games. The Promotion is available at all Virginia Lottery retailer locations. This Promotion opens on April 26, 2022, with five (5) Entry Periods and five (5) Prize Drawings and closes with the promotion's final Grand-Prize Drawing on June 7, 2022. 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 Virginia Lottery headquarters, 600 E. Main St., Richmond, Virginia, and at each of the Virginia Lottery offices. A copy of the Rules also may be requested by mail by writing to: FOIA Officer, Virginia Lottery, 600 E. Main St., Richmond, VA 23219.

This Director's Order becomes effective on April 26, 2022, and shall remain in full force and effect through the end of the Promotion date, unless amended or rescinded by further Director's Order.

/s/Quan Kirk  
Quan Kirk, Deputy General Counsel

03/28/2022  
Date

/s/ Kelly Gee  
Kelly T. Gee, Acting Executive Director

03/29/2022  
Date



**VIRGINIA LOTTERY'S "X MARKS THE MONEY PROMOTION"  
OFFICIAL RULES**

- A. **PURPOSE:** A Promotion, available at Virginia Lottery retailer locations, will be conducted to create excitement for all of the new **Print 'n Play X The Money** games. With this Promotion, five (5) Prize Drawings will be conducted. Drawings will be conducted to award Cash Prizes.
- B. **PROMOTION PERIOD:** This Promotion, available at all Virginia Lottery retailer locations, will begin April 26, 2022, and will end June 7, 2022, with the final Grand-Prize Drawing ("Promotion Period"). Qualifying Entry Form Entry Codes and Serial Numbers will be produced beginning **start of System Day, April 26, 2022, through the end of System Day on May 31, 2022.**

C. **DEFINITIONS** (for purposes of this Promotion):

"Cash Prize" means either a monetary Prize or a gift card Prize.

"Claimant" means a verified Entrant, Participant, or Player who presents an Entry Form that he/she 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.

"Lottery" means the Virginia Lottery.

"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 games.

"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 stated in the Promotion Rules in the hope of winning a Prize.

"Entry" means a method, whether electronic or paper-based, by which a Player enters a Drawing or Promotion.

"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 stated in the Promotion Rules.

"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*.

"Present at the Terminal" means that a Player remains physically present at the Virginia Lottery Terminal from the time the Player's order for a Ticket is accepted by the Virginia Lottery retailer, through completion of the order processing, payment, and delivery of the Ticket to the Player. Players must be present at the Terminal for any purchase.

"Promotion" means the "added value" offer to consumers named in the title at the top of Page 1 of these Rules.

"Promotion Rules" or "Rules" means these rules.

"Self-service Vending Machine" or "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.

"Prize" or "Prizes" means the winnings as defined in **Section I** ("Prize Description").

"Prizewinner" means a verified Person who is entitled, via Entry verification, to receive a Prize under the rules of a Promotion.

"System Day" means the time at which a particular day begins in the Lottery's gaming system (4:30 AM Eastern Time) to the time the same day ends in the Lottery's gaming system (1:00 AM Eastern Time the following calendar day).

"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.

"Ticket" means a Ticket produced by the Lottery's gaming system and sold by the Virginia Lottery.

"Winning Entry" means an eligible Entry Form Entry Code and Serial Number, drawn during the established Drawing(s), which has passed all Lottery validation and security requirements and processes.

#### **D. ELIGIBILITY:**

1. This Promotion is open to Persons eighteen (18) years of age or older. A Player may be required to provide proof of his/her date of birth.
2. 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 any Ticket/Entry submitted by, for, or gifted to or transferred to anyone referenced in this **Section D**, or to the transferee of such Person.

#### **E. PROMOTION ENTRY:**

To participate, a Player must purchase any price point (\$2, \$5, \$10 or \$20) of the **Print 'n Play X The Money** games from a Virginia Lottery retailer location to automatically receive an Entry Form containing an Entry Code and Serial Number to enter the applicable Prize Drawing. Qualifying Entry Codes and Serial Numbers will be produced beginning **start of System Day, April 26, 2022, through the end of System Day on May 31, 2022**. Players shall submit their Entry Codes and Serial Numbers via the Internet. Entries submitted will only be eligible for the applicable Drawings.

X Marks The Money Promotion Rules – Drawing (Entry Form Entry Code and Serial Number Entry)

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All Entries submitted according to **Section G** ("Internet Entries") and received during the Promotion Entry Period as specified in **Section H** ("Entry Deadlines") will be included in the applicable Prize Drawings established for this Promotion.

Each Entry Form will contain a unique Entry Code and Serial Number that will be necessary to enter via the Internet. Each Entry Code and Serial Number is valid for one (1) Promotion Entry. The entry value of the Entry Code and Serial Number will be equal to the price point of the **Print 'N Play X The Money** purchase (\$10 game = Entry Code and Serial Number worth 10 entries).

#### F. ENTRY REQUIREMENTS:

1. Only an Entry Code and Serial Number issued in conjunction with a Virginia Lottery **Print 'n Play X The Money** game purchased at a Lottery retailer location, during the qualifying period, will be accepted as a valid Entry for this Promotion.
2. Each Entry Code and Serial Number used for this Promotion must have been issued by the Lottery in an authorized manner and submitted during one of the Entry Periods referenced in **Section H** ("Entry Deadlines").
3. A Player may enter the Promotion more than once as long as each Entry is based upon a different eligible Entry Code and Serial Number. However, a Player is eligible to win only one (1) Prize per Drawing during this Promotion.
4. A Player may submit, to this Promotion, a maximum of twenty-five (25) Entry Codes and Serial Numbers per day over the course of the Promotion.
5. The Lottery will not be responsible for Entries submitted incorrectly or received outside of the established Entry Deadline for the applicable Prize Drawing(s) as specified in **Section H** ("Entry Deadlines"). Such Entries shall be deemed invalid.
6. Only Entries that are submitted in the manner described in **Section G** ("Internet Entries") of these Promotion Rules during the designated Entry Period will be eligible for entry in this Promotion. Entries submitted via any other method (U.S. mail/courier, drop-off, etc.) will not be accepted for this Promotion and will be deemed invalid.

Each Entry must contain current and valid player information in order to be eligible. The Lottery will not change or update Entry information for an Entry that has already been submitted. 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.

7. A Prizewinner's *Winner Notification Letter* will be mailed to the address registered with the Winner's player account at the time of Entry submission. Any Prizewinner whose *Winner Notification Letter* is returned or is 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 his/her 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. INTERNET ENTRIES

1. To enter via the Internet, a Player must go to the Promotion's landing page on the Lottery's website at [www.valottery.com/xthemoney](http://www.valottery.com/xthemoney) and successfully complete registration\* or login.

\*Registration will require entry of a Player's correct full name (consisting of his/her first name and last name – no initials), date of birth, street address, city, state, ZIP code, last four (4) digits of his/her 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. Players must correctly enter the Entry Code and Serial Number found on their Entry Form(s). The Lottery will not be responsible for Entry Codes or Serial Numbers that are transposed or entered incorrectly.
4. Once entered, Players **are not required** to retain their Entry Form(s) in order to claim a Prize.

## H. ENTRY DEADLINES:

ENTRY PERIODS	
Drawing #1	April 26, 2022 (4:30 AM ET), through May 1, 2022 (11:59:59 PM ET)
Drawing #2	May 2, 2022 (4:30 AM ET), through May 8, 2022 (11:59:59 PM ET)
Drawing #3	May 9, 2022 (4:30 AM ET), through May 15, 2022 (11:59:59 PM ET)
Drawing #4	May 16, 2022 (4:30 AM ET), through May 22, 2022 (11:59:59 PM ET)
Drawing #5 (Grand-Prize Drawing)	April 26, 2022 (4:30 AM ET), through June 5, 2022 (11:59:59 PM ET)

Qualifying Entry Codes and Serial Numbers will be produced beginning **start of System Day, April 26, 2022, through the end of System Day on May 31, 2022.**

Any Entry submitted and not selected as a winner in Drawings 1-4 will be included in Drawing 5 (the Grand-Prize Drawing). Any Entry submitted after the fourth drawing's entry deadline will be entered into the Grand-Prize Drawing. Refer to **Section E** ("Promotion Entry").

Players are only eligible to win one (1) Prize per Prize Drawing.

I. **PRIZE DESCRIPTIONS:** The Prizes listed below will be awarded as part of this Promotion:

DRAWING	PRIZE	NUMBER OF WINNERS
Drawing #1	\$2,000	1
	\$500	20
Drawing #2	\$5,000	1
	\$500	20
Drawing #3	\$10,000	1
	\$500	20
Drawing #4	\$15,000	1
	\$500	20
Drawing #5 (Grand Prize)	\$20,000	1
	\$500	20

J. **PROMOTION DRAWINGS:** The following are the five (5) established Prize Drawing dates for this Lottery Promotion:

Drawing #	Date
1	May 3, 2022
2	May 10, 2022
3	May 17, 2022
4	May 24, 2022
5	June 7, 2022

Drawings will be conducted from all eligible Entries submitted via the established Entry method 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 each 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 Audit and Security, Marketing, and Information Technology Services departments will oversee the use of the randomizer program to select the Winning Entries for this Promotion.
3. Entries will be randomly selected for each Drawing. 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 for each Drawing, ten (10) alternate Entries will also 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 should any Prizewinner be determined ineligible.
5. After each Drawing is completed, representatives of the Lottery's Audit and Security, Marketing, and Information Technology Services departments will confirm that the Entries selected in that Drawing are valid.

X Marks The Money Promotion Rules – Drawing (Entry Form Entry Code and Serial Number Entry)

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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 Prize.

#### **K. PRIZEWINNER PROCEDURES:**

Each Prizewinner selected in association with this Promotion will be notified by the Lottery via U. S. mail. All Prizewinners will receive a *Winner Claim Form* and an *Affidavit of Eligibility Form*. The Prizewinners will be required to complete and return both forms by the deadline stated in the *Winner Notification Letter*. Any Prizewinner who fails to respond to his/her *Winner Notification Letter* by the deadline stated in his/her *Winner Notification Letter* will forfeit his/her Prize.

#### **L. 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 *Winner Claim Form*.
2. **In all cases involving a Promotion Cash Prize greater than \$100**, the Lottery must be provided with 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.

#### **M. PRIZE AWARD/PAYMENT:**

1. When paying a 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 Virginia'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.
3. Each Prizewinner is legally required to include the value of the Prize, as well as any taxes paid by the Lottery on his/her behalf, in his/her taxable income for tax-reporting purposes. As a result of accepting a Prize and considering 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 his/her 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 his/her 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 his/her 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.

## **N. CANCELLATION POLICY:**

Canceled Drawing or Prize award(s): The Director may, in the Director's sole discretion, cancel the production of Entry Forms, Prize 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 make-up 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.

## **O. DISPUTES:**

The Director may refrain from awarding/paying a Prize pending final determination under any of the following circumstances:

- if a dispute related to any Prize occurred or if it appears that a dispute may occur;
- if there is any question regarding the identity of the Claimant; or
- 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.

## **P. 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.

## **Q. WAIVER OF CLAIMS:**

By entering this Promotion, each Recipient agrees to indemnify, hold harmless, and waive any claims against the Commonwealth of Virginia, the Lottery and any of their 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, the Entry Forms issued and/or Prizes awarded in connection therewith.

## **R. 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 the Promotion or the Prizes awarded.