



Virginia Lottery

DIRECTOR’S ORDER NUMBER TWENTY-EIGHT (2021)

VIRGINIA LOTTERY’S FRENZY 2ND CHANCE PROMOTION FINAL RULES FOR OPERATION.

The Virginia Lottery's "Frenzy 2nd Chance Promotion" ("Promotion") Rules are promulgated in accordance with §§ 2.2-4002B(15) and 58.1-4006A of the *Code of Virginia*, to introduce the *Frenzy* family of Scratchers games and drive sales of these four (4) new Scratchers games by creating an exciting second chance promotion that adds extra value to its Non-winning Tickets. The Promotion opens on May 4, 2021 with sixteen (16) Entry Periods and sixteen (16) Prize Drawings and closes on August 24th, 2021. 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. They are 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 of the rules may also be requested by mail by writing to: FOIA Officer, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on May 4, 2021, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

_____/s/Quan Kirk_____
Quan Kirk, Deputy General Counsel

_____/04/28/2021_____
Date

_____/s/ Kevin Hall_____
Kevin Hall, Executive Director

_____/04/28/2021_____
Date



VIRGINIA LOTTERY'S FRENZY 2ND CHANCE PROMOTION OFFICIAL RULES

- A. PURPOSE:** A Promotion will be conducted to introduce the *Frenzy* family of Scratchers games and drive sales of these four (4) new Scratchers games by creating an exciting second chance promotion that adds extra value to its Non-winning Tickets. With this Promotion, sixteen (16) Prize Drawings will be conducted. Drawings will be conducted to award six hundred dollar (\$600) Cash Prizes.
- B. PROMOTION PERIOD:** This Promotion will begin May 4, 2021 and will end August 22, 2021 ("Promotion Period") with the Final Prize Drawing on or about August 22, 2021.
- C. DEFINITIONS** (for purposes of this Promotion):

"Cash Prize" means a monetary 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.

"Drawing" means a formal process of randomly selecting winning 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 this Promotion in accordance with these Promotion Rules in the hope of winning a Prize.

"Entry" means a method by which a Player enters a Prize Drawing for this Promotion.

"Entry Periods" means the time frames during which Non-winning Ticket Entries for this Promotion will be accepted.

"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 business or person licensed by the Virginia Lottery to sell and dispense Virginia Lottery Tickets, materials and games.

"Non-winning" or "Non-winning Scratchers" means a Scratchers, purchased at a licensed Virginia Lottery retailer location or directly from the Virginia Lottery, that does not contain a winning Prize combination.

Frenzy 2nd Chance Promotion Rules – Drawing (Scratchers Entry) 02032021
May 4, 2021

"Person" means a natural person and may not extend to or be applied to a corporation, company, partnership, association or other entity.

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

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

"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.

"Scratcher" or "Ticket" means a ticket with a coating over the Play Areas that, when scratched off, reveals instant game play results.

"Scratch Game" means a game, played via Scratcher, that contains the appropriate Play Areas, Legend(s), Barcodes and other codes that, when played, reveals or informs a Player immediately whether he/she has won a Prize as specified in the Game 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.

"Winning Entry" means an eligible Promotion Entry, drawn during the established Drawing(s), that has passed all Lottery validation and security requirements and processes.

D. ELIGIBILITY:

1. This Promotion is open to Players eighteen (18) years of age or older. A Player will 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 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 submit a Non-winning Scratcher Ticket from any of the four (4) Virginia Lottery *Frenzy* Scratcher games (*\$30 Frenzy*, *\$50 Frenzy*, *\$200 Frenzy* and *\$600 Frenzy*) via an established Entry method to enter a Prize Drawing. Non-winning *Frenzy* Tickets for this Promotion will be accepted via the Internet and the Virginia Lottery's Mobile App.

All Non-winning Tickets submitted according to **Section G** ("Internet Entries") and **Section H** ("Mobile Application Entries") **and** received during the designated Promotion Entry Periods as specified in **Section I** ("Entry Deadlines") will be included in the applicable Prize Drawing(s) for this Promotion.

Non-winning *Frenzy* Scratcher Tickets received for this Promotion will be eligible for **only one (1)** of the first fifteen (15) Prize Drawings based upon the established Entry Periods as specified in **Section I** ("Entry Deadlines"). Non-winning *Frenzy* Scratcher Ticket Entries not selected as a winner in one (1) of the first fifteen (15) Prize Drawings will automatically be eligible for entry into the sixteenth (16th) and final Prize Drawing.

Frenzy 2nd Chance Promotion Rules – Drawing (Scratcher Entry) 02032021
May 4, 2021

A Player may enter the Promotion more than once as long as each Entry is based upon a different eligible Non-winning *Frenzy* Scratcher Ticket. The total number of Non-winning *Frenzy* Scratcher Tickets for this Promotion cannot exceed the twenty-five (25) daily Scratcher maximum.

All valid Non-winning *Frenzy* Scratcher Tickets will receive a number of Promotion Entries equal to the corresponding price point of the Non-winning *Frenzy* Scratcher Ticket Entry. Example: a \$10 - \$600 *Frenzy* Scratcher would each generate ten (10) Promotion Entries. When a Player enters the entire *Frenzy* Family consisting of one (1) of each of the four (4) *Frenzy* Scratchers (*\$30 Frenzy*, *\$50 Frenzy*, *\$200 Frenzy* and *\$600 Frenzy*) in one (1) session, they will get an additional fifty (50) Bonus Entries.

The Lottery, at its sole discretion, reserves the right to add or remove eligible Scratchers to/from this Promotion. The Lottery also reserves the right to award Players with Entries into this Promotion as Prizes in other authorized Promotions being offered concurrently.

F. ENTRY REQUIREMENTS:

1. Non-winning Tickets from the following four (4) *Frenzy* Scratcher games will be accepted as valid Entries for this Promotion:
 - \$1 - \$30 *Frenzy* (Game #2110)
 - \$2 - \$50 *Frenzy* (Game #2081)
 - \$5 - \$200 *Frenzy* (Game #2082)
 - \$10 - \$600 *Frenzy* (Game #2083)
2. Each eligible *Frenzy* Scratcher used for Entry into this Promotion must have been issued by the Lottery in an authorized manner during the Entry Periods referenced in **Section I** ("Entry Deadlines").
3. A Player may submit, to this Promotion, a maximum of twenty-five (25) Non-winning Scratchers per day over the course of the Promotion. This requirement does not limit a Player from entering eligible Non-winning Scratchers into other Lottery Promotions being offered simultaneously.
4. A Player will be eligible to win **one (1) Prize per Prize Drawing**. Once a Non-winning *Frenzy* Scratcher Ticket Entry has been selected as a Winner, it **will not be eligible** to win another Prize in this Promotion. Only Non-winning *Frenzy* Ticket Entries not selected as a winner in any of the first fifteen (15) Prize Drawings will be eligible to be included in the Final Prize Drawing. Refer to **Section E** ("Promotion Entry").
5. The Lottery will not be responsible for Non-winning Tickets submitted incorrectly or received outside of the established Entry Deadlines for the Prize Drawings as specified in **Section I** ("Entry Deadlines"). Such Ticket Entries shall be deemed invalid.
6. Only Non-winning Tickets that are submitted in the manner described in **Section G** ("Internet Entries") and **Section H** ("Mobile Application Entries") of these Promotion Rules during the designated Entry Periods will be eligible for Entry in this Promotion. Mailed Tickets and Hand-Delivered Tickets and Tickets submitted via any other methods not specified in these Promotion Rules will not be accepted as an Entry for this Promotion and will be deemed invalid.
7. Each Entry submitted for this Promotion must contain the Entrant's current and valid information in order to be eligible to win a Prize with this Promotion. The Lottery will not change or update information for an Entry that has already been submitted. This includes address and telephone number updates. The Lottery will not be responsible for Ticket numbers that are transposed or for additional Entry information that is entered incorrectly or is missing.

Frenzy 2nd Chance Promotion Rules – Drawing (Scratcher Entry) 02032021
May 4, 2021

8. A Prizewinner's *Winner Notification Letter* will be mailed to the address registered with the Winner's player account at the time of their Entry submission, along with an email notification to the Prizewinner regarding the mailed *Winner Notification Letter*. Any Prizewinner whose *Winner Notification Letter* is returned 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 failed to notify the Lottery before the claim deadline date regarding the incorrect address, will forfeit his/her opportunity to win a Prize. 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 form(s) to the Prizewinner.

G. INTERNET ENTRIES:

1. To enter via the Internet, a Player must go to the Lottery's website at www.valottery.com/frenzy 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 their 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 **BOTH** the Promotion Entry Number found on the back of each eligible Scratcher, and the six-digit Web Code, found on the front of each eligible Scratcher.
4. Once entered via the Internet, Players **do not** need to retain their Scratcher(s). Scratchers submitted as Promotion Entries via the Internet **will not** be required in order to claim a Prize in this Promotion.

H. MOBILE APPLICATION ENTRIES:

1. To participate using the Virginia Lottery's mobile application, a Player will need to visit their mobile service provider's application store to download the official Virginia Lottery's free mobile application. The application can be found by searching "Virginia Lottery".
2. Upon opening the application, a Player must 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 their Social Security number and telephone number.*

3. 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.
4. Players must correctly enter **BOTH** the Promotion Entry Number found on the back of each eligible Scratcher, and the six-digit Web Code found on the front of each eligible Scratcher.
5. Once entered via the Lottery's Mobile App, Players **do not** need to retain their Scratcher(s). Scratchers submitted as Promotion Entries via the Mobile App **will not** be required in order to claim a Prize in this Promotion.

I. ENTRY DEADLINES:

Drawing	Entry Periods
1	May 4, 2021 (midnight, ET), through May 9, 2021 (11:59:59 PM ET)
2	May 10, 2021 (midnight, ET), through May 16, 2021 (11:59:59 PM ET)
3	May 17, 2021 (midnight, ET), through May 23, 2021 (11:59:59 PM ET)
4	May 24, 2021 (midnight, ET), through May 30, 2021 (11:59:59 PM ET)
5	May 31, 2021 (midnight, ET), through June 6, 2021 (11:59:59 PM ET)
6	June 7, 2021 (midnight, ET), through June 13, 2021 (11:59:59 PM ET)
7	June 14, 2021 (midnight, ET), through June 20, 2021 (11:59:59 PM ET)
8	June 21, 2021 (midnight, ET), through June 27, 2021 (11:59:59 PM ET)
9	June 28, 2021 (midnight, ET), through July 4, 2021 (11:59:59 PM ET)
10	July 5, 2021 (midnight, ET), through July 11, 2021 (11:59:59 PM ET)
11	July 12, 2021 (midnight, ET), through July 18, 2021 (11:59:59 PM ET)
12	July 19, 2021 (midnight, ET), through July 25, 2021 (11:59:59 PM ET)
13	July 26, 2021 (midnight, ET), through August 1, 2021 (11:59:59 PM ET)
14	August 2, 2021 (midnight, ET), through August 8, 2021 (11:59:59 PM ET)
15	August 9, 2021 (midnight, ET), through August 15, 2021 (11:59:59 PM ET)
16	May 4, 2021 (midnight, ET), through August 22, 2021 (11:59:59 PM ET)

Frenzy 2nd Chance Promotion Rules – Drawing (Scratcher Entry) 02032021
May 4, 2021

J. PRIZE DESCRIPTION: The following Prizes will be awarded as part of this Promotion:

Drawing	Prize	# of Prizewinners
1	\$600	5
2	\$600	5
3	\$600	5
4	\$600	5
5	\$600	10
6	\$600	10
7	\$600	10
8	\$600	10
9	\$600	20
10	\$600	20
11	\$600	20
12	\$600	20
13	\$600	50
14	\$600	50
15	\$600	50
16 Final Prize Drawing	\$600	99

K. PROMOTION DRAWINGS: The following are the sixteen (16) established Drawing dates for this Lottery Promotion:

Drawing #	Date
1	May 11, 2021
2	May 18, 2021
3	May 25, 2021
4	June 1, 2021
5	June 8, 2021

Frenzy 2nd Chance Promotion Rules – Drawing (Scratcher Entry) 02032021
May 4, 2021

6	June 15, 2021
7	June 22, 2021
8	June 29, 2021
9	July 6, 2021
10	July 13, 2021
11	July 20, 2021
12	July 27, 2021
13	August 3, 2021
14	August 10, 2021
15	August 17, 2021
16 Final Prize Drawing	August 24, 2021

Drawings will be conducted from all eligible Entries submitted via the established Entry methods and by the established Entry deadline dates. 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 the 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, Information Technology Services, and Marketing Departments will oversee the use of the randomizer program to select the Winning Entries for this Promotion.
3. Prizewinners will be randomly selected. 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, 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 at the Lottery's discretion should any Prizewinner be determined ineligible and/or who forfeited their prize.
5. After the Drawing is completed, representatives of the Lottery's Audit & Security, Information Technology Services, and Marketing departments will confirm that the Entries selected in the Drawing are valid.
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 Drawing.

L. PRIZEWINNER PROCEDURES:

Each Prizewinner selected in association with this Promotion will be notified in writing by the Lottery via the United States Postal Service (USPS). The Lottery will also email the Prizewinner notifying him/her regarding the mailed claim package. All Prizewinners will receive a *Winner Claim Form* and an *Affidavit of Eligibility Form* that must be Notarized. The Prizewinners will be required to complete and return both forms by the claim deadline stated in their *Winner Notification Letter*. Any Prizewinner who fails to fully complete and return both required forms included with his/her *Winner Notification Letter* by the claim deadline date noted in their *Winner Notification Letter*, will forfeit his/her Prize.

M. 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.

O. PRIZE AWARD/PAYMENT

1. Any Cash Prize **greater than \$100** is subject to any set-off for delinquent debts, the Lottery shall withhold any monies due under the Commonwealth'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. A Person shall not enter the Promotion on behalf of another Person. Such Entries shall be deemed invalid.
3. Each Prizewinner **greater than \$600** is legally required to include the value of their 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 taking into account 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.

P. CANCELLATION POLICY:

Canceled Drawing(s) or Prize Award(s): The Director may, in the Director's sole discretion, cancel Prize Drawings and/or the awarding of Prizes, on holidays, days of special importance or on days when conditions make conducting the Prize Drawings or awarding Prizes impractical or inappropriate, and may elect to conduct Prize 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 re-schedule/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 Non-winning Tickets 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.

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

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

R. GOVERNING LAW: By participating in this Promotion, each person agrees to comply with and abide by the Lottery statutes, 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.

S. 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 or the Prizes awarded in connection therewith.

T. AMERICANS WITH DISABILITIES ("ADA"): The Lottery is not responsible for any third party's compliance with ADA Rules and Regulations where applicable in connection with a Prize.