



**DIRECTOR'S ORDER NUMBER FIFTEEN (2023)**

**VIRGINIA LOTTERY'S "SPRING POWERBALL \$500 GIVEAWAY RETAIL PLAYER PROMOTION" FINAL RULES FOR OPERATION.**

The Virginia Lottery's "Spring Powerball \$500 Giveaway Retail Player Promotion Rules" are promulgated in accordance with §§ 2.2- 4002B(15) and 58.1-4006A of the *Code of Virginia* to reignite excitement for the Powerball product and its play options. The Promotion is available at participating Virginia Lottery retailer locations and opens on March 1, 2023, and closes on April 9, 2023, with the Promotion Prize Drawings on April 11, 2023. 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 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 Promotion 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effective on March 1, 2023, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.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

\_\_\_\_\_/02/01/2023\_\_\_\_\_  
Date

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

\_\_\_\_\_/02/02/2023\_\_\_\_\_  
Date

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance



## VIRGINIA LOTTERY'S "SPRING POWERBALL \$500 GIVEAWAY RETAIL PLAYER PROMOTION" OFFICIAL RULES

- A. PURPOSE:** A Promotion at participating Virginia Lottery retailer locations will be conducted to reignite excitement for the Powerball product and its play options. With this Promotion, five-hundred-dollar (\$500) specified store gift cards will be awarded.
- B. PROMOTION PERIOD:** This Promotion, available at participating Virginia Lottery retailer locations, will begin March 1, 2023, through April 9, 2023 ("Promotion Period"), with the Prize Drawings on April 11, 2023. Qualifying Entry Forms will be produced beginning at the **start of System Day, March 1, 2023, through 11:59:59 PM on March 31, 2023.**
- C. DEFINITIONS** (for purposes of this Promotion):

"Account" means the Virginia Lottery account through which a Player's age and identity verification takes place.

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

"Claimant" means a verified Entrant, Participant or Player who presents an Entry that he/she presumes to be a Winning Entry.

"Computer-generated Game" means a Virginia Lottery Game in direct communication with a Mainframe computer operated by or at the direction of the Virginia Lottery.

"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 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(s) 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.

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

"Entry Period(s)" means the time frame(s) during which 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  
Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance

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 products.

"Mobile Application" or "Mobile App" means a software application developed specifically for use on small, wireless computing devices, such as smartphones and tablets, rather than desktop or laptop computers, via which certain Promotion Entries may be submitted.

"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.

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

"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.

"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.

"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 Virginia Lottery's gaming system and sold by the Virginia Lottery.

"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.

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance

2. Persons who are in the voluntary exclusion program, pursuant to §58.1-4015.1 of the Code of Virginia, are ineligible to participate in any Lottery promotions.
3. 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 an Entry submitted by, for, or gifted to or transferred to anyone referenced under this **Section D**, or to the transferee of such Person.
4. No officer or employee of Sheetz, Food Lion, Royal Farms, Wegmans, Food City, Safeway, Publix, Kroger, Weis Markets, BJ's, and/or their parent companies shall be eligible to participate and/or win a Prize in this Promotion.

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

To participate, a Player must purchase ten dollars (\$10) or more of Powerball on a single Ticket from a self-service vending machine in a participating retailer location to receive an Entry Form to enter the applicable Prize Drawing. Qualifying Entry Forms will be produced beginning **start of System Day, March 1, 2023, through 11:59:59 PM on March 31, 2023**. Players can submit their Entry Form(s) via the Lottery's website or Mobile Application ("Mobile App") through April 9, 2023. Entries submitted for this Promotion will only be eligible to win a gift card from the chain where the Qualifying Entry Form was issued. For example, an Entry submitted from a Qualifying Entry Form issued at a Kroger Grocery Store will only be eligible for the Drawing for a Kroger Gift Card.

All Entries submitted according to **Section G** ("Website Entries") and **Section H** ("Mobile App Entries") and received during the Promotion Entry Period as specified in **Section I** ("Entry Deadline") will be included in the applicable Prize Drawing established for this Promotion.

A Player may enter the Promotion more than once as long as each Entry is based upon a different eligible Entry Form and the total number of Entry Forms does not exceed the twenty-five (25) daily maximum. Each Entry Form will contain a unique Powerball \$500 Giveaway Promotion Number and Serial Number that will be necessary to enter this Promotion. Each Powerball \$500 Giveaway Promotion Number and Serial Number combination is valid for one (1) Promotion Entry.

#### **F. ENTRY REQUIREMENTS:**

1. Only an Entry Form issued in conjunction with a ten dollar (\$10) or more Virginia Lottery Powerball purchase on a single Ticket from a self-service vending machine at a participating retailer location will be accepted as a valid Entry for this Promotion.
2. Each Entry Form used for this Promotion must have been issued by the Lottery in an authorized manner and submitted during the Entry Period referenced in **Section I** ("Entry Period").
3. A Player may enter the Promotion more than once as long as each Entry is based upon a different eligible Entry Form. However, a Player is eligible to win only one (1) gift card per chain during this Promotion.
4. A Player may submit, to *this* Promotion, a maximum of twenty-five (25) Entry Forms per day over the course of the Promotion.

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance

5. Entry Forms will be issued at the following ten (10) participating Virginia Lottery retail chain locations:
  - Chain #1219 – Sheetz
  - Chain #1361 – Food Lion
  - Chain #1524 – Royal Farms
  - Chain #1630 – Wegmans
  - Chain #1941 – Food City
  - Chain #1947 - Safeway
  - Chain #2500 - Publix
  - Chain #2543 – Kroger
  - Chain #5769 – Weis Markets
  - Chain #8060 – BJ's
6. The Lottery will not be responsible for Entries submitted incorrectly or received outside of the established Entry Period for the applicable Prize Drawing(s) as specified in **Section I** ("Entry Period"). Such Entries shall be deemed invalid.
7. Only Entries that are submitted in the manner described in **Section G** ("Website Entries") and **Section H** ("Mobile App Entries") of these Promotion Rules during the designated Entry Period will be eligible for Entry in this Promotion. Entries submitted via any other method (US mail/courier, drop-off, etc.) will not be accepted for this Promotion and will be deemed invalid.
8. Each Entry must contain current and valid 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 nor for connectivity issues involving the player's access to the Virginia Lottery's website or Mobile App.
9. A Prizewinner's *Winner Notification Letter* will be mailed to the address registered with the Winner's Player Account at the time of his/her 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 **prior to 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 **prior to 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 using the email address registered with the Winner's player account at the time of their Entry submission.

#### **G. WEBSITE ENTRIES:**

1. To enter, a Player must go to the Promotion's landing page at [www.valottery.com/powerball500](http://www.valottery.com/powerball500) 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.

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance

3. Players entering via the Internet can use a computer, mobile device, and/or a mobile telephone to access the Lottery's website and manually enter the Powerball \$500 Giveaway Promotion Number and Serial Number on the player's Entry Form.
4. Players must manually enter **both** the correct Powerball \$500 Giveaway Promotion Number **and** the eighteen (18)-digit Serial Number found on the Entry Form. The Lottery will not be responsible for Powerball \$500 Giveaway Promotion or Serial numbers that are transposed or entered incorrectly.
5. A Player also can use his/her mobile telephone to scan an Entry Form with the ticket-scanning feature to submit their Entry.
6. Once successfully entered via the Internet, Players **do not need** to retain their Entry Form(s) in order to claim a Prize in this Promotion.

**H. MOBILE APP ENTRIES:**

1. To enter using the Lottery's Mobile App, a Player must have the app downloaded on his/her mobile device and then go to the Promotions tab and select the **Powerball \$500 Giveaway Promotion**. The Player then must tap on the Scan To Enter button 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 use the camera on their mobile device to scan the barcode on their Entry Form to enter the Promotion. Entry Form with information that cannot be verified will be deemed invalid and not eligible for entry into this Promotion.
4. Once successfully entered via the Mobile App, Players **do not need** to retain their Entry Form(s) in order to claim a Prize in this Promotion.

**I. ENTRY PERIOD (WEBSITE/MOBILE APP ENTRIES):**

ENTRY PERIOD
March 1, 2023 (1:30 AM ET), through April 9, 2023 (11:59:59 PM ET)†

†Qualifying Entry Forms will be produced beginning **start of System Day, March 1, 2023, through 11:59:59 PM on March 31, 2023.**

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
 Player Promotion Rules – Retail  
 Promotion type – Buy X, Get Y Second Chance

**J. PRIZE DESCRIPTION:** The Prizes listed below will be awarded via separate drawings as part of this Promotion:

GRAND PRIZES	# OF PRIZEWINNERS
\$500 Sheetz Gift Card	Nine (9)
\$500 Food Lion Gift Card	Twenty (20)
\$500 Royal Farms Gift Card	Three (3)
\$500 Wegmans Gift Card	Two (2)
\$500 Food City Gift Card	Three (3)
\$500 Safeway Gift Card	Four (4)
\$500 Publix Gift Card	Two (2)
\$500 Kroger Gift Card	Seven (7)
\$500 Weis Markets Gift Card	Two (2)
\$500 BJ's Gift Card	Two (2)

If one or more of the originally proposed gift card Prizes becomes unavailable, the Lottery has the discretion to replace such Prize(s) with a Virginia Lottery-branded cash card of *equal value*.

**K. PROMOTION DRAWINGS:** Ten (10) separate Prize Drawings will be conducted on **April 11, 2023** (one drawing per retailer chain) to award the corresponding retailer gift cards:

- Chain #1219 – Sheetz
- Chain #1361 – Food Lion
- Chain #1524 – Royal Farms
- Chain #1630 – Wegmans
- Chain #1941 – Food City
- Chain #1947 - Safeway
- Chain #2500 - Publix
- Chain #2543 – Kroger
- Chain #5769 – Weis Markets
- Chain #8060 – BJ's

Drawings will be conducted from all eligible Entries submitted via the established Entry methods 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  
 Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
 Player Promotion Rules – Retail  
 Promotion type – Buy X, Get Y Second Chance

that Drawing will be accounted for and the information loaded into a randomizer program.

2. Representatives from the Lottery's Security, Marketing, and Information Technology Services departments will oversee the use of the randomizer program to select the Winning Entries for this Promotion.
3. Entry Forms 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 per participating retailer chain will 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.
5. After each Drawing is completed, representatives of the Lottery's Security, Marketing, and Information Technology Services departments will confirm that the Entries selected in that 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 Prize.

#### **L. PRIZEWINNER PROCEDURES:**

Each Prizewinner selected in association with this Promotion will be notified by the Lottery via the United States Postal Service (USPS). All Prizewinners will receive a *Prizewinner Claim Form* and a *Promotion Prize Waiver and Release Form*. The Prizewinner will be required to complete and return both by the deadline stated in his/her *Winner Notification Letter*. Any Prizewinner who fails to fully complete and return both required forms by the date noted in his/her *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 Prizewinner Claim Form*.
2. **In all cases involving a Prize greater than \$100**, the Lottery must be provided with a copy of 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.

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance



## N. PRIZE AWARD/PAYMENT

1. When paying any 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 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. The gift card Prizes awarded during this Promotion **are not** redeemable for cash.
3. Each Prizewinner who wins a Prize **greater than \$600** is legally required to include the value of his/her 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.

## O. 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 makeup 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.

**P. 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.

Spring Powerball \$500 Giveaway Retail Player Promotion – March 1, 2023  
Player Promotion Rules – Retail  
Promotion type – Buy X, Get Y Second Chance

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.

**Q. 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.

**R. WAIVER OF CLAIMS:** By entering this Promotion, each Prizewinner agrees to indemnify, hold harmless, and waive any claims against the Commonwealth of Virginia, the Lottery, and any of the 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.

**S. 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.