

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 490
Final Reading

Introduced by Karpisek, 32.

Read first time January 18, 2011

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the Nebraska County and City Lottery Act; to
2 amend sections 9-601, 9-603, and 9-607, Reissue Revised
3 Statutes of Nebraska; to define and redefine terms; to
4 change restrictions on keno; to harmonize provisions; and
5 to repeal the original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-601, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 9-601 Sections 9-601 to 9-653 and section 3 of this act
4 shall be known and may be cited as the Nebraska County and City
5 Lottery Act.

6 Sec. 2. Section 9-603, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 9-603 For purposes of the Nebraska County and City
9 Lottery Act, the definitions found in sections 9-603.02 to 9-618 and
10 section 3 of this act shall be used.

11 Sec. 3. Activation, with regard to lottery equipment,
12 means initiating the selection of winning numbers.

13 Sec. 4. Section 9-607, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 9-607 (1) Lottery shall mean a gambling scheme in which:

16 (a) The players pay or agree to pay something of value
17 for an opportunity to win;

18 (b) Winning opportunities are represented by tickets;

19 (c) Winners are solely determined by one of the following
20 two methods:

21 (i) By a random drawing of tickets differentiated by
22 sequential enumeration from a receptacle by hand whereby each ticket
23 has an equal chance of being chosen in the drawing; or

24 (ii) By use of a game known as keno in which a player
25 selects up to twenty numbers from a total of eighty numbers on a

1 paper ticket and a computer, other electronic selection device, or
2 electrically operated blower machine which is not player-activated
3 randomly selects up to twenty numbers from the same pool of eighty
4 numbers and the winning players are determined by the correct
5 matching of the numbers on the paper ticket selected by the players
6 with the numbers randomly selected by the computer, other electronic
7 selection device, or electrically operated blower machine, except
8 that (A) no keno game shall permit or require player ~~access or~~
9 activation of lottery equipment and (B) the random selection of
10 numbers by the computer, other electronic selection device, or
11 electrically operated blower machine shall not occur within five
12 minutes of the completion of the previous selection of random
13 numbers; and

14 (d) The holders of the winning paper tickets are to
15 receive cash or prizes redeemable for cash. Selection of a winner or
16 winners shall be predicated solely on chance.

17 (2) Lottery shall not include:

18 (a) Any gambling scheme which uses any mechanical gaming
19 device, computer gaming device, electronic gaming device, or video
20 gaming device which has the capability of awarding something of
21 value, free games redeemable for something of value, or tickets or
22 stubs redeemable for something of value;

23 (b) Any activity authorized or regulated under the
24 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska
25 Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act,

1 the State Lottery Act, section 9-701, or Chapter 2, article 12; or

2 (c) Any activity prohibited under Chapter 28, article 11.

3 (3) Notwithstanding the requirement in subdivision (1)(c)
4 (ii) of this section that a player select up to twenty numbers, a
5 player may select more than twenty numbers on a paper ticket when a
6 top or bottom, left or right, edge, or way ticket is played. For a
7 top or bottom ticket, the player shall select all numbers from one
8 through forty or all numbers from forty-one through eighty. For a
9 left or right ticket, the player shall select all numbers ending in
10 one through five or all numbers ending in six through zero. For an
11 edge ticket, the player shall select all of the numbers comprising
12 the outside edge of the ticket. For a way ticket, the player shall
13 select a combination of groups of numbers in multiple ways on a
14 single ticket.

15 (4) A county, city, or village conducting a keno lottery
16 shall designate the method of winning number selection to be used in
17 the lottery and submit such designation in writing to the department
18 prior to conducting a keno lottery. Only those methods of winning
19 number selection described in subdivision (1)(c)(ii) of this section
20 shall be permitted, and the method of winning number selection
21 initially utilized may only be changed once during that business day
22 as set forth in the designation. A county, city, or village shall not
23 change the method or methods of winning number selection filed with
24 the department or allow it to be changed once such initial
25 designation has been made unless (a) otherwise authorized in writing

1 by the department based upon a written request from the county, city,
2 or village or (b) an emergency arises in which case a ball draw
3 method of number selection would be switched to a number selection by
4 a random number generator. An emergency situation shall be reported
5 by the county, city, or village to the department within twenty-four
6 hours of its occurrence.

7 Sec. 5. Original sections 9-601, 9-603, and 9-607,
8 Reissue Revised Statutes of Nebraska, are repealed.