

AMENDMENTS TO LB775

Introduced by General Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

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

5 9-601 Sections 9-601 to 9-653 and sections 3 and 8 of this act shall
6 be known and may be cited as the Nebraska County and City Lottery Act.

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

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

12 Sec. 3. Digital-on-premises ticket means a digital ticket purchased
13 in person on a mobile or other electronic device verified to be present
14 at the location of the lottery operator or an authorized sales outlet
15 location in accordance with subdivision (3)(b) of section 8 of this act.

16 Sec. 5. Section 9-607, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 9-607 (1) Lottery shall mean a gambling scheme in which:

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

21 (b) Winning opportunities are represented by tickets;

22 (c) Winners are solely determined by one of the following two
23 methods:

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

27 (ii) By use of a game known as keno in which a player selects up to

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

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

17 (e) Tickets are issued either (i) on paper or (ii) with the consent
18 of the governing body of the county, city, or village conducting the
19 lottery, digitally to a mobile or other device which, at the time of
20 purchase, is verified to be present at the location of the lottery
21 operator or an authorized sales outlet location as provided in
22 subdivision (3)(b) of section 8 of this act.

23 (2) Lottery shall not include:

24 (a) Any gambling scheme which uses any mechanical gaming device,
25 computer gaming device, electronic gaming device, or video gaming device
26 which has the capability of awarding something of value, free games
27 redeemable for something of value, or tickets or stubs redeemable for
28 something of value;

29 (b) Any activity authorized or regulated under the Nebraska Bingo
30 Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card
31 Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery

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

14 (4) A county, city, or village conducting a keno lottery shall
15 designate the method of winning number selection to be used in the
16 lottery and submit such designation in writing to the department prior to
17 conducting a keno lottery. Only those methods of winning number selection
18 described in subdivision (1)(c)(ii) of this section shall be permitted,
19 and the method of winning number selection initially utilized may only be
20 changed once during that business day as set forth in the designation. A
21 county, city, or village shall not change the method or methods of
22 winning number selection filed with the department or allow it to be
23 changed once such initial designation has been made unless (a) otherwise
24 authorized in writing by the department based upon a written request from
25 the county, city, or village or (b) an emergency arises in which case a
26 ball draw method of number selection would be switched to a number
27 selection by a random number generator. An emergency situation shall be
28 reported by the county, city, or village to the department within twenty-
29 four hours of its occurrence.

30 Sec. 6. Section 9-646.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 9-646.01 (1)(a) No person or licensee, or any employee or agent
2 thereof, accepting wagers on a lottery conducted pursuant to the Nebraska

3 County and City Lottery Act shall extend credit from the gross proceeds

4 of a lottery to participants in the lottery for the purchase of lottery

5 tickets. No person shall purchase or be allowed to purchase any lottery

6 ticket or make or be allowed to make any wager pursuant to the act unless

7 he or she pays for such ticket or wager with cash, a debit card, the cash

8 balance of a payment application, a transfer from a deposit account at a

9 financial institution, or an account established in the name of the

10 player with the lottery operator and funded as provided in subsection (2)

11 of this section. For purposes of this section, cash shall mean United

12 States currency having the same face value as the price of the ticket or

13 wager. A credit card shall not be accepted for payment for any wager on

14 keno.

15 (b) A participant shall not use a debit card to purchase more than

16 two hundred dollars of keno wagers from a lottery operator in a single

17 calendar day.

18 (2) A lottery operator may allow participants to create an account

19 to be used for lottery play. Such accounts may only be funded with cash,

20 a debit card, the cash balance of a payment application, or a transfer

21 from a deposit account at a financial institution. The lottery operator

22 may also allow a participant to deposit prize money won from the lottery

23 and refunds from the lottery into a lottery play account. A participant

24 shall not deposit funds into any such account from a debit card

25 transaction if the total amount of funds from all such debit card

26 transactions in that calendar day would exceed two hundred dollars.

27 Sec. 7. Section 9-651, Reissue Revised Statutes of Nebraska, is

28 amended to read:

29 9-651 Each county, city, or village conducting a lottery shall have

30 its name clearly associated with ~~printed on~~ each ticket used in the

31 lottery. No such ticket shall be sold unless such ~~the~~ name is clearly

1 identified printed thereon.

2 Sec. 8. (1) Any purchase of a ticket for a keno game shall be made
3 in person at the location of the lottery operator or an authorized sales
4 outlet location.

5 (2) The lottery operator shall file with the department the address
6 of each location where digital-on-premises tickets are sold. The lottery
7 operator shall use reasonable safeguards approved by the department to
8 ensure that digital-on-premises tickets are only accessible to
9 individuals nineteen years of age or older.

10 (3) The lottery operator shall submit controls, for approval by the
11 department, that include the following at the location of the lottery
12 operator or the locations of its associated authorized sales outlets at
13 which digital-on-premises tickets are sold:

14 (a) Any specific procedure and any technology partner used to
15 fulfill the requirements set forth by the department;

16 (b) Any location detection procedure to reasonably detect and
17 dynamically monitor the location of a player attempting to purchase a
18 digital-on-premises ticket for a keno game. The location procedures shall
19 be designed so that a player outside the permitted boundary is rejected
20 and the player is notified. The permitted boundary shall be established
21 in such a manner that access is not regularly available away from the
22 property on which the licensed premises is situated and such boundary is
23 as closely matching to the actual or legal boundaries of the licensed
24 premises as reasonably possible;

25 (c) Any other specific controls as designated by the department;

26 (d) A process to prominently display and easily impose any
27 limitation parameters relating to the purchase of a digital-on-premises
28 ticket for a keno game; and

29 (e) An easy and obvious method for a player to make a complaint and
30 to enable the player to notify the department if such complaint has not
31 been or cannot be addressed by the lottery operator.

1 (4) The department shall approve or deny the controls within thirty
2 days after submission. If denied, the department shall provide the
3 reasons for denial and allow the lottery operator to resubmit revised
4 controls.

5 (5) The department may adopt and promulgate rules and regulations
6 relating to digital-on-premises tickets. Such rules and regulations shall
7 be adopted and promulgated no later than January 1, 2024.

8 Sec. 13. Original sections 9-601, 9-603, 9-606, 9-607, 9-646.01,
9 9-651, 9-1103, 9-1106, 81-3717, and 81-3720, Reissue Revised Statutes of
10 Nebraska, are repealed.