

1. The Notice of Proposed Rule did not state what information was relied upon in determining that the proposed rule is not expected to require legislative ratification. The information expressly relied upon is: the preliminary analysis conducted to determine whether a SERC was required and the nature of the rule. The rule repeals provisions that are redundant to statute and therefore has no fiscal impact.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.:                   RULE TITLE:  
53ER12-19                   FLORIDA LOTTO™

SUMMARY: This emergency rule sets forth the provisions for the conduct of FLORIDA LOTTO™. This emergency rule replaces Emergency Rule 53ER9-69, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

#### 53ER12-19 FLORIDA LOTTO™

##### (1) How to Play FLORIDA LOTTO™

(a) FLORIDA LOTTO is a lottery on-line game in which players select six (6) numbers from a field of one (1) to fifty-three (53).

(b) Players may make their FLORIDA LOTTO ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers from each panel played, or may mark the "QP" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the six (6) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

(c) Players may receive one (1) ticket with either five (5), ten (10) or twenty (20) sets of six (6) numbers randomly selected by the terminal for the next FLORIDA LOTTO drawing by marking the desired purchase amount under the number 5, 10 or 20, respectively, in the "Quick Picks" box. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player.

(d) Players may play up to fifty-two (52) consecutive FLORIDA LOTTO drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel (A-J) played. Advance play is not available with Grouper® or with the Quick Picks box on the play slip. In the event that a planned change in the FLORIDA LOTTO game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website, flalottery.com.

(e) Players may elect to play "Grouper®" to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO by telling the retailer Tickets in Grouper play cannot be player-selected and cannot be cancelled. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; FLORIDA LOTTO – 6%.

#### (2) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The equipment shall be configured so that six (6) balls are drawn from one (1) set of balls numbered one (1) through fifty-three (53).

(c) Six (6) balls will be selected in the drawing. The numbers shown on the six (6) balls, after certification by the Draw Manager and the Accountant, are the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

#### (3) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FLORIDA LOTTO tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of prizes as provided below. The value of the FLORIDA LOTTO portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from FLORIDA LOTTO gross sales in all reports, and the value of the XTRA portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from XTRA gross sales in all reports.

(b) The Jackpot prize pool shall consist of 63.5 percent (63.5%) of the Lotto pool for the drawing and any rounding differences that derive from the distribution of the winning

pool to the second, third, and fourth prize pools, plus any Jackpot money carried forward from the previous draws. The Jackpot prize shall be divided equally among the players matching all six official winning numbers. If there is no Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) The second prize pool shall consist of 12.3 percent (12.3%) of the Lotto pool for the drawing. The second prize pool shall be divided equally among the players matching five (5) of the six (6) official winning numbers. If there is no winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(d) The third prize pool shall consist of 10 percent (10%) of the Lotto pool for the drawing. The third prize pool shall be divided equally among the players matching four (4) of the six (6) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(e) The fourth prize pool shall consist of 14.2 percent (14.2%) of the Lotto pool for the drawing. The fourth prize pool shall be divided equally among the players matching three (3) of the six (6) official winning numbers. If there is no winner in the fourth prize category for a drawing, the fourth prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(f) The Jackpot prize will pay the guaranteed dollar amount. The second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$5.00. All rounding differences in the second, third and fourth prizes shall be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of fourth prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners. In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning FLORIDA LOTTO numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

- (a) Jackpot Prize(s): Six of six official winning numbers.
- (b) Second Prize: Five of six official winning numbers.
- (c) Third Prize: Four of six official winning numbers.
- (d) Fourth Prize: Three of six official winning numbers.
- (5) FLORIDA LOTTO Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a Saturday or holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the "prize determination day."

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is less than the cash option value of the Jackpot determined on the prize determination day, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature sufficient to pay the cash option value of the Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is more than the cash option value of the Jackpot determined on the prize determination day, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(6) FLORIDA LOTTO with XTRA® Option.

(a) The FLORIDA LOTTO with XTRA® option shall be available in association with the FLORIDA LOTTO game. FLORIDA LOTTO tickets that contain the XTRA option and one or more plays eligible for FLORIDA LOTTO prizes shall be entitled to a total prize calculated by multiplying each FLORIDA LOTTO prize other than the Jackpot prize and the 2-of-6 prize described in paragraph (6)(d) below by the XTRA number for the applicable draw. The FLORIDA LOTTO Jackpot and the 2-of-6 prize will not be eligible for multiplication under the XTRA option.

(b) At the time of purchasing a FLORIDA LOTTO ticket, a player may choose the XTRA option for an additional \$1 per play for each play on the FLORIDA LOTTO ticket. The XTRA option will apply to all panels and selections marked on the play slip. The prize pool for XTRA prizes shall be funded by LOTTO with XTRA ticket sales. If the funds available from XTRA ticket sales are insufficient to pay all XTRA prizes, the

percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(c) Prior to each FLORIDA LOTTO drawing, the Lottery shall conduct an XTRA drawing to select the XTRA number from among the following series of numbers: 2, 3, 4, and 5. The odds of a particular XTRA number being selected in an XTRA drawing are 1:4. During special promotions, the Lottery will announce XTRA numbers that are higher than the foregoing series of numbers.

FLORIDA LOTTO		XTRA Estimated Prizes			
Match	Prize	X2 (Odds 1:4)	X3 (Odds 1:4)	X4 (Odds 1:4)	X5 (Odds 1:4)
6 of 6	Jackpot(Guaranteed)				
5 of 6	\$5,000 (Estimated)	\$10,000	\$15,000	\$20,000	\$25,000
4 of 6	\$70 (Estimated)	\$140	\$210	\$280	\$350
3 of 6	\$5 (Guaranteed minimum)	\$10	\$15	\$20	\$25
2 of 6	N/A	Free Ticket	Free Ticket	Free Ticket	Free Ticket

(f) On occasion, the Florida Lottery will conduct promotions in which specified prize levels of FLORIDA LOTTO with XTRA tickets will be designated to have a higher multiplier number than the number drawn pursuant to paragraph (6)(c), above.

(7) FLORIDA LOTTO Odds of Winning. The odds of winning the prizes described in subsection (4) and paragraph (6)(d) are as follows:

- (a) Jackpot Prize – 1:22,957,480.
- (b) Second Prize – 1:81,409.50.
- (c) Third Prize – 1:1,415.82.
- (d) Fourth Prize – 1:70.79.
- (e) Fifth Prize for LOTTO EXTRA plays only – 1:8.58

(f) The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO ticket without the XTRA feature are 1:67.36. The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO with XTRA ticket are 1:7.61.

(8) FLORIDA LOTTO Payment Options.

(a) Players have a choice of two payment options for receiving their portion of a FLORIDA LOTTO Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once a Jackpot winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(f) below.

(d) FLORIDA LOTTO with XTRA tickets that match 2 of 6 winning numbers shall entitle the holder to a prize of a free FLORIDA LOTTO with XTRA quick pick ticket for the next available FLORIDA LOTTO draw. FLORIDA LOTTO with XTRA tickets generated as a prize cannot be cancelled.

(e) All XTRA prizes shall be paid in single, lump-sum payments determined by multiplying the FLORIDA LOTTO prize by the number selected in the XTRA drawing as follows:

(c) A Jackpot winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the Jackpot prize paid over thirty (30) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be the amount required on the prize determination day to purchase securities to fund their pro rata share of the Jackpot prize paid over thirty (30) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the Jackpot prize will be paid in thirty (30) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a FLORIDA LOTTO drawing cannot be paid in increments of \$1,000 in thirty (30) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over thirty (30) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the announced guaranteed Jackpot, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over thirty (30) years will be paid to the winner in the first payment.

(f) If the number of winners of a Jackpot prize would result in each person's prize being less than \$1,000,000 if paid over thirty (30) years, the Lottery shall pay the Jackpot winner or winners in a single cash payment of the amount required on the prize determination day to purchase securities to fund the winner's pro rata share of the Jackpot paid over thirty (30) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made.

(h) Any interest or earnings accrued on a FLORIDA LOTTO Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment option, shall accrue to the State of Florida and not to the winner.

(9) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) FLORIDA LOTTO prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, FLORIDA LOTTO tickets are available for purchase daily between the hours of 6:00 a.m. and midnight Eastern Time (ET).

(d) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:15 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FLORIDA LOTTO draw date.

(e) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FLORIDA LOTTO ticket shall be cancelled after game close for the related drawing. FLORIDA LOTTO and FLORIDA LOTTO with XTRA tickets that produce cash prize coupons, entry vouchers or free FLORIDA LOTTO or FLORIDA LOTTO with XTRA tickets in a promotion cannot be cancelled. The two (2) hour cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FLORIDA LOTTO close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers, wager amounts and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(10) The effective date of this emergency rule is February 26, 2012.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105 (9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 2-26-12, Replaces 53ER09-69.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 26, 2012

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER12-20  
RULE TITLE: MEGA MONEY™

SUMMARY: This emergency rule sets forth the provisions for the conduct of MEGA MONEY™. This emergency rule replaces Emergency Rule 53ER08-87, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-20 MEGA MONEY™.

(1) How to Play MEGA MONEY™.

(a) MEGA MONEY is a lottery on-line game in which players select four (4) numbers from a field of one (1) through forty-four (44) and one (1) MEGABALL® number from a separate field of one (1) through twenty-two (22).

(b) Players may make their MEGA MONEY ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers (four (4) in the upper play area and one (1) in the lower play area) from each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select any or all of the five numbers from either or both play areas. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first four of the five numbers appearing in a single horizontal row on a MEGA MONEY ticket shall be the numbers selected from the upper play area of the play slip and the last number shall be the MEGABALL number selected from the lower play area of the play slip.

(c) Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing, or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper®. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(d) Players may play up to thirty consecutive MEGA MONEY drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. Advance play is not available with Grouper or with the Quick Picks box on the play slip. In the event that a planned change in the MEGA MONEY game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery’s website, flalottery.com.

(e) Players may mark the “Grouper®” box to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO. Players may mark Grouper in addition to panel plays and/or Quick Picks. Tickets in Grouper play are not player-selected and cannot be cancelled. Grouper play may also be selected by telling the retailer. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; and FLORIDA LOTTO – 6%.

(2) MEGA MONEY Drawings.

(a) MEGA MONEY drawings shall be conducted two (2) times per week, on Tuesday and Friday.

(b) A MEGA MONEY ball set contains sixty-six (66) balls comprised of one (1) subset of forty-four (44) balls (“subset 1”) and one (1) subset of twenty-two (22) balls (“subset 2”). The balls in subset 1 are numbered one (1) through forty-four (44). The balls in subset 2 are numbered one (1) through twenty-two (22). A MEGA MONEY drawing machine contains two (2) separate mixing chambers and two (2) ball display devices.

(c) Four (4) balls from subset 1 and one (1) MEGABALL from subset 2 will be selected in the drawing. The numbers shown on the four (4) balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) MEGA MONEY Prize Divisions.

(a) MEGA MONEY is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of MEGA MONEY tickets in the corresponding MEGA MONEY sales period shall be allocated

as the winning pool for the payment of the Jackpot prize, second prize, third prize, fourth prize, fifth prize, sixth prize and seventh prize.

(b) Jackpot Prize. The Jackpot prize pool shall consist of 54.32 percent (54.32%) of the winning pool plus any money carried forward from the prior draw until the Jackpot prize pool reaches the estimated cash equivalent of the deferred payment value of \$2 million paid over twenty (20) years, at which point the Jackpot prize pool will be capped. When this threshold is met, the Jackpot prize pool will comprise zero percent of the winning pool in excess of the cap, and any money in excess of the cap shall roll down and be distributed among the second through the seventh prize levels according to the percentage each prize level comprises of the adjusted prize pool. The total winning prize pool, less the amount required to achieve the cap [not to exceed 54.32 percent (54.32%) of the total winning prize pool], shall comprise the adjusted prize pool.

1. If there is a Jackpot prize winner(s) in a drawing, the guaranteed Jackpot prize shall be divided equally among the Jackpot prize winners for that drawing.

2. If there is not a Jackpot prize winner in a drawing and the Jackpot prize pool is not capped, the Jackpot prize pool shall be carried over and added to the Jackpot prize pool of the next MEGA MONEY drawing.

3. If there is not a Jackpot prize winner in a drawing in which the Jackpot prize pool is capped, the capped amount shall be carried over to the next MEGA MONEY drawing and the money in excess of the cap shall be returned to an adjusted prize pool and then be distributed among the second through the seventh prize levels according to the adjusted percentage each prize level comprises of that winning prize pool.

(c) Second Prize. When the Jackpot prize pool is not capped, the second prize pool shall consist of 1.72 percent (1.72%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the second prize pool shall consist of 3.75 percent (3.75%) of the adjusted prize pool for the drawing. The second prize pool shall be divided equally among the second prize winners for that drawing.

(d) Third Prize. When the Jackpot prize pool is not capped, the third prize pool shall consist of 3.77 percent (3.77%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the third prize shall consist of 8.20 percent (8.20%) of the adjusted prize pool for the drawing. The third prize pool shall be divided equally among the third prize winners for that drawing.

(e) Fourth Prize. When the Jackpot prize pool is not capped, the fourth prize pool shall consist of 11.25 percent (11.25%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fourth prize pool shall consist of 24.50 percent (24.50%) of the adjusted prize pool for the drawing. The fourth prize pool shall be divided equally among the fourth prize winners for that drawing.

(f) Fifth Prize. When the Jackpot prize pool is not capped, the fifth prize pool shall consist of 7.84 percent (7.84%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fifth prize pool shall consist of 17.25 percent (17.25%) of the adjusted prize pool for the drawing. The fifth prize pool shall be divided equally among the fifth prize winners for that drawing.

(g) Sixth Prize. When the Jackpot prize pool is not capped, the sixth prize pool shall consist of 7.94 percent (7.94%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the sixth prize pool shall consist of 18 percent (18%) of the adjusted prize pool for the drawing. The sixth prize pool shall be divided equally among the sixth prize winners for that drawing.

(h) Seventh Prize. When the Jackpot prize pool is not capped, the seventh prize pool shall consist of 13.16 percent (13.16%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the seventh prize pool shall consist of 28.30 percent (28.30%) of the adjusted prize pool for the drawing. The seventh prize pool shall be divided equally among the seventh prize winners for that drawing.

(i) Eighth Prize.

1. An eighth prize shall consist of one free MEGA MONEY quick pick ticket (\$1.00 value), except as provided in subparagraph (5)(i) 2. below. An eighth prize shall consist of one (1) free MEGA MONEY quick pick ticket regardless of whether the MEGA MONEY Jackpot prize pool is capped. Eighth prizes shall not utilize any portion of the winning prize pool or adjusted prize pool for the drawing.

2. A player who submits by mail a MEGA MONEY lottery ticket which entitles the claimant to a free MEGA MONEY quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(j) If there is not a winner within one of the second through seventh prize categories for a drawing, the prize pool for that category shall be distributed for that drawing in accordance with the following table:

<u>PRIZE POOL CATEGORY FOR WHICH THERE IS NO WINNER</u>	<u>PRIZE POOL CATEGORY TO WHICH THE NONWINNING PRIZE POOL CATEGORY IS ADDED</u>
<u>Second Prize – 4 of 4</u>	<u>3 of 4 + MEGABALL</u>
<u>Third Prize – 3 of 4 + MEGABALL</u>	<u>3 of 4</u>
<u>Fourth Prize – 3 of 4</u>	<u>2 of 4 + MEGABALL</u>
<u>Fifth Prize – 2 of 4 + MEGABALL</u>	<u>1 of 4 + MEGABALL</u>
<u>Sixth Prize – 1 of 4 + MEGABALL</u>	<u>2 of 4 –</u>
<u>Seventh Prize – 2 of 4</u>	<u>To fund future prizes in Lottery games or for special Lottery prize promotions –</u>

(k) Any rounding differences that derive from the distribution of the winning pool to the Jackpot and second through seventh prize pools will be deposited into a reserve account to be used for prizes or special prize promotions. Rounding differences will not be rolled into the Jackpot prize pool as in the FLORIDA LOTTO™ game because the percentage of the winning pool allocated to the Jackpot prize pool varies depending upon whether the Jackpot prize pool is capped. When the Jackpot pool is capped, the prize distribution percentage to the Jackpot prize pool becomes 0%.

(l) Except for the Jackpot prize, all prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the sixth and seventh prizes shall be no less than \$2.00. All rounding differences will be deposited into a reserve account to be used for prizes or special prize promotions. If the funds available for the payment of sixth and seventh prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

(a) Wherever used, the terms “Jackpot prize” and “top prize” both refer to the highest prize level in the MEGA MONEY game.

(b) In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning MEGA MONEY numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

1. Jackpot Prize: Four (4) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

2. Second Prize: Four numbers (4) selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

3. Third Prize: Three (3) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

4. Fourth Prize: Three (3) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

5. Fifth Prize: Two (2) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

6. Sixth Prize: One (1) number selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

7. Seventh Prize: Two (2) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

8. Eighth Prize: No numbers selected from the first subset of balls and the MEGABALL number selected from the second subset of balls.

(5) MEGA MONEY Odds of Winning.

(a) The odds of winning the prizes described in subsection (3) are as follows:

1. Jackpot Prize – 1:2,986,522.00

2. Second Prize – 1:142,215.33

3. Third Prize – 1:18,665.76

4. Fourth Prize – 1:888.85

5. Fifth Prize – 1:638.15

6. Sixth Prize – 1:75.57

7. Seventh Prize- 1:30.39

8. Eighth Prize- 1:32.68

(b) The overall odds of winning a prize in a MEGA MONEY drawing are 1:12.58.

(6) MEGA MONEY Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the MEGA MONEY Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers. For each MEGA MONEY drawing, the deferred payment value of the MEGA MONEY Jackpot prize that can be won by a single player shall be guaranteed at a minimum of \$500,000 paid over twenty (20) years except as set forth in paragraph (7)(e) below.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot prize pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot prize pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the “prize determination day.”

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is insufficient on the prize determination day to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery

shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is sufficient on the prize determination day to yield more than the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(7) MEGA MONEY Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the MEGA MONEY Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Jackpot prize winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot prize winner does not file a claim electing the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(f) below.

(c) A Jackpot prize winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the guaranteed Jackpot prize will be paid in twenty (20) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a MEGA MONEY drawing cannot be paid in increments of \$1,000 in twenty (20) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over twenty (20) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the guaranteed Jackpot amount, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize

amount over twenty (20) years will be paid to the winner in the first payment. The following example illustrates such payment. All payment amounts are less tax withholding.

<u>Example: Guaranteed Jackpot prize</u>	<u>\$ 500,000</u>
<u>Number of winners:</u>	<u>2</u>
<u>Guaranteed prize per winner</u> <u>(\$500,000 ÷ 2)</u>	<u>\$250,000</u>
<u>Annual Payment (\$250,000 ÷ 20)</u>	<u>\$ 12,500</u>
<u>Maximum Security Available for</u> <u>annual payments</u>	<u>\$ 12,000</u>
<u>Total Annual Payments</u>	<u>\$ 240,000</u>
<u>Difference between guaranteed prize and</u> <u>investments available</u>	<u>\$ 10,000</u>
<u>Present Value of Difference to be added to</u> <u>the 1st payment *</u>	<u>\$ X,XXX</u>

\* Will be calculated based on current interest rates at the time the investments are purchased.

The provisions of this paragraph (7)(e) shall not be construed to prohibit the Lottery from investing collectively, in a single U.S. Treasury security, the prize pool shares of multiple winners of the same drawing who all elect the Annual Payment option, and distributing the prize winnings on a pro rata basis in increments other than \$1,000.

(f) If the number of winners of a guaranteed Jackpot prize results in each person's prize being less than \$100,000 paid over twenty (20) years, the Lottery shall pay the Jackpot winners in a single cash payment of their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(h) Any interest or earnings accrued on a MEGA MONEY Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(8) MEGA MONEY Rules and Prohibitions.

(a) By purchasing a MEGA MONEY ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) MEGA MONEY prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET).

(d) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:15 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(e) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no MEGA MONEY ticket can be cancelled after game close for the related drawing and no eighth prize (free MEGA MONEY quick pick ticket) can be cancelled at any time. MEGA MONEY tickets that produce cash prize coupons, entry vouchers or free MEGA MONEY tickets in a promotion cannot be cancelled. The two (2) hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related MEGA MONEY close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(9) The effective date of this emergency rule is February 26, 2012.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History--New 2-26-12, Replaces 53ER08-87.

**THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.**

**EFFECTIVE DATE: February 26, 2012**

**DEPARTMENT OF THE LOTTERY**

**RULE NO.: 53ER12-21**                      **RULE TITLE: FANTASY 5®**

**SUMMARY:** This emergency rule sets forth the provisions for the conduct of FANTASY 5®. This emergency rule replaces Emergency Rule 53ER08-57, F.A.C.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

**THE FULL TEXT OF THE EMERGENCY RULE IS:**



53ER12-21 FANTASY 5®.(1) How to Play FANTASY 5®.

(a) FANTASY 5 is a lottery on-line game in which players select five (5) numbers from a field of one (1) to thirty-six (36).

(b) Players may make their FANTASY 5 ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers from each panel played, or may mark the “Quick Pick” box located at the bottom of each panel for the terminal to randomly select one (1) or more of the five (5) numbers. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may mark the \$5 “Quick Picks” box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 “Quick Picks” box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper®.

(d) Players may play up to thirty (30) consecutive FANTASY 5 drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-J) played. Advance play is not available with Grouper® or the Quick Picks box on the play slip. In the event that a planned change in the FANTASY 5 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery’s website, flalottery.com.

(e) Players may mark the “Grouper®” box to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO. Players may mark Grouper in addition to panel plays and/or Quick Picks. Tickets in Grouper play cannot be player-selected and cannot be cancelled. Grouper play may also be selected by telling the retailer. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; FLORIDA LOTTO – 6%.

(e) Players may mark the \$5 “Quick Picks” box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 “Quick Picks” box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper.

(f) Players may mark the appropriate EZmatch box to receive a FANTASY 5 ticket with Ezmatch for a chance to instantly win cash prizes.

(2) FANTASY 5 Drawings.

(a) FANTASY 5 drawings shall be conducted daily.

(b) The equipment shall be configured so that five (5) balls are drawn from one (1) set of balls numbered one (1) through thirty-six (36).

(c) Five (5) balls will be selected in the drawing. The numbers shown on the five (5) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FANTASY 5 Prize Divisions.

(a) FANTASY 5 is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FANTASY 5 tickets in the corresponding FANTASY 5 sales period shall be allocated as the winning pool for payment of the top prize, second prize and third prize.

(b) The top prize pool shall consist of 62 percent (62%) of the winning pool for the drawing plus any money carried forward from the previous draw. Prize money allocated to the top prize pool shall be divided equally among the players who match all five (5) official winning numbers. If there is no top prize winner in a drawing, the top prize pool shall roll down and be added to the second prize pool for that FANTASY 5 drawing.

(c) The second prize pool shall consist of 10 percent (10%) of the winning pool for the drawing plus any money rolled down from the top prize. The second prize pool shall be divided equally among the players matching four (4) of five (5) official winning numbers except that the maximum prize amount per winner shall be \$555. Any funds in the second prize pool in excess of the second prize liability shall roll down and be added to the third prize pool. If there is no winner in the second prize category for a drawing, the second prize pool shall roll down and be added to the third prize pool.

(d) The third prize pool shall consist of 28 percent (28%) of the winning pool for the drawing plus any money rolled down from the second prize pool. The third prize pool shall be divided equally among the players matching three (3) of five (5) official winning numbers. If there is no winner in the third

prize category for a drawing, the third prize pool is carried over and added to the top prize pool of the next FANTASY 5 drawing.

(e) A fourth prize shall consist of one (1) free FANTASY 5 quick pick ticket (\$1.00 value), except as follows. A player who submits by mail a FANTASY 5 lottery ticket which entitles the claimant to a free FANTASY 5 quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. Fourth prizes shall not utilize any portion of the winning pool for the drawing. A free FANTASY 5 quick pick ticket shall be for the next FANTASY 5 drawing after the ticket is validated.

(f) Except for the top prize, which will pay the exact amount, cash prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall not be less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of third prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners. In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I or J) must match the official winning FANTASY 5 numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Top Prize: Five (5) of five (5) official winning numbers.

(b) Second Prize: Four (4) of five (5) official winning numbers.

(c) Third Prize: Three (3) of five (5) official winning numbers.

(d) Fourth Prize: Two (2) of five (5) official winning numbers.

(5) FANTASY 5 Odds of Winning. The odds of winning the prizes described above are as follows:

(a) Top Prize – 1:376,992

(b) Second Prize – 1:2,432.21

(c) Third Prize – 1:81.07

(d) Fourth Prize – 1:8.39

(e) The overall odds of winning a prize in a FANTASY 5 drawing are 1:7.58.

(6) FANTASY 5 Rules and Prohibitions.

(a) By purchasing a FANTASY 5 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) FANTASY 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date.

(e) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FANTASY 5 ticket can be cancelled after game close for the related drawing and no fourth prize (free FANTASY 5 quick pick ticket) can be cancelled at any time. FANTASY 5 tickets with EZmatch cannot be cancelled. FANTASY 5 tickets that produce cash prize coupons, entry vouchers or free FANTASY 5 tickets in a promotion cannot be cancelled. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FANTASY 5 close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on a ticket. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(7) How to Play EZmatch™.

(a) EZmatch is an instant-win feature associated with FANTASY 5 that costs \$1.00 per play in addition to the cost of the FANTASY 5 ticket. A player selecting EZmatch will receive five (5) EZmatch numbers printed below the FANTASY 5 numbers on the ticket. If any of the EZmatch numbers matches any of the FANTASY 5 numbers, the player shall instantly win the corresponding amount shown.

(b) Players may play EZmatch by marking the applicable EZmatch box on the FANTASY 5 playslip or by telling the retailer. Marking the EZmatch box within a panel will add EZmatch to only the panel marked. Marking the "EZmatch on all panels played" box will (1) add EZmatch to every panel containing FANTASY 5 number selections, (2) override the

EZmatch box within any panel, and (3) when the “Quick Picks” box is also marked, result in each quick pick ticket having the EZmatch feature.

(c) Each panel played with EZmatch will be printed on a separate ticket.

(d) The base prize structure and estimated odds of winning EZmatch are as follows:

<u>Prize</u>	<u>Winners in 420,000 (Per Pool)</u>	<u>Estimated Odds</u>
<u>\$500</u>	<u>2</u>	<u>1:210,000.00</u>
<u>\$100</u>	<u>40</u>	<u>1:10,500.00</u>
<u>\$50</u>	<u>300</u>	<u>1:1,400.00</u>
<u>\$25</u>	<u>1,200</u>	<u>1:350.00</u>
<u>\$15</u>	<u>2,000</u>	<u>1:210.00</u>
<u>\$5</u>	<u>4,200</u>	<u>1:100.00</u>
<u>\$3</u>	<u>28,000</u>	<u>1:15.00</u>
<u>\$2</u>	<u>50,400</u>	<u>1:8.33</u>
<u>Overall</u>		<u>1:4.88</u>

The EZmatch prize structure will be replenished automatically when the top tier prizes are exhausted. The prize structure and odds of winning are subject to change. The current prize structure and odds are available at [www.flalottery.com](http://www.flalottery.com), Lottery district offices and retailer locations.

(e) EZmatch prizes can be claimed up to 180 days from the first draw date on the FANTASY 5 ticket.

(8) The effective date of this emergency rule is February 26, 2012.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS, Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS, History—New 2-64-12, Replaces 53ER08-57.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 26, 2012

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER12-22  
 RULE TITLE: CASH 3™

SUMMARY: This emergency rule sets forth the provisions for the conduct of CASH 3™. This emergency rule replaces Emergency Rule 53ER10-39, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-22 CASH 3™

(1) How to Play CASH 3™

(a) CASH 3 is a lottery on-line game in which a player must select any two (2)- or three (3)-digit number from 000 to 999 inclusive. The digits may be the same or different; for example, 111, 122, and 123 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$1.50, \$3.00, or \$6.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their CASH 3 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their CASH 3 selections must mark the play type, draw time, play amount and number selection (or mark the “Quick Pick” box located at the bottom of each panel for the terminal to randomly select one (1) or more of the numbers for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

Players may mark the \$5 “Quick Picks” box to receive five (5) \$1.00 tickets, each with one (1) set of three (3) randomly selected numbers (straight play) for the next available CASH 3 drawing, or may mark the \$10 “Quick Picks” box to receive ten (10) \$1.00 tickets, each with one (1) set of three (3) randomly selected numbers (straight play) for the next available CASH 3 drawing. Players may mark Quick Picks in addition to panel plays.

Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their CASH 3 ticket selections by telling the retailer may specify the play type, play amount, draw time, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one (1) or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as described in paragraph (1)(g) below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type

of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described below.

(f) Players may play future consecutive midday, evening or both drawings within a fourteen (14)-day period or non-consecutive drawings within a seven-day period by using the “advance play” feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen (14)-day and a seven (7)-day period begin on the date of the next available CASH 3 drawing for the draw time(s) selected and continue through the next thirteen (13)/six (6) consecutive days for the draw time(s) selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the “Days” section and the desired draw time(s) in the “Draw Time” section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance Play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven (7)-day period;

b. Any two (2) non-consecutive days for the draw time(s) selected in a seven (7)-day period;

c. Any two (2) or more consecutive days for the draw time(s) selected in a seven (7)-day period, not including the next available drawing.

d. Up to fourteen (14) consecutive days for the draw time(s) selected, including the next available drawing.

(g) CASH 3 can be played and won as follows:

1. “Straight” play. In a straight play, if a player’s digits are drawn in the exact order as they were chosen by the player, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

2. “Box” play. A box play allows a player to win if the player’s selections are drawn in any order.

a. A “3-way box” is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves three (3) combinations; for example, a 122 box covers the combinations 122, 212, and 221, and pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

b. A “6-way box” is a play in which the player has selected a number in which all three (3) digits are different. Therefore, the play involves six (6) combinations; for example, a 123 box covers the combinations 123, 132, 213, 231, 312, and 321, and pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

3. “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A “Straight and 3-way box” play pays a winner \$330.00 if a player’s digits are drawn in the exact order as printed on the player’s ticket, or \$80.00 if the player’s digits are drawn in any other order.

b. A “Straight and 6-way box” play pays a winner \$290.00 if a player’s digits are drawn in the exact order as printed on the ticket, or \$40.00 if the player’s digits are drawn in any order.

4. “Combo” play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

a. A “3-way combo” is a play in which the player has selected a number with two (2) identical digits. The combo involves three (3) straight play combinations; for example, a 122 combo covers the combinations 122, 212, and 221. A “3-way combo” pays \$250 for a \$1.50 play (\$.50 per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

b. A “6-way combo” is a play in which the player has selected a number in which all three (3) digits are different. The combo involves six (6) straight play combinations; for example, a 123 combo covers the combinations 123, 132, 213, 231, 312, and 321. A “6-way combo” pays \$250 for a \$3.00 play (\$.50 per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

5. “Front Pair” play. A front pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the first two (2) numbers drawn by the Lottery.

6. “Back Pair” play. A back pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the last two (2) numbers drawn by the Lottery.

7. “1-OFF™” play. A 1-OFF play allows a player to win if the three (3)-digit number chosen by the player matches in exact order the CASH 3 winning numbers drawn by the

Lottery (“straight win”) or if one (1) of the twenty-six (26) three (3)-digit 1-OFF numbers printed on the player’s ticket matches in exact order the CASH 3 winning numbers drawn by the Lottery (“1-OFF win”). The CASH 3 1-OFF ticket will contain the three (3)-digit number (player-selected or Quick Pick) that qualifies for the straight win plus twenty-six (26) additional three (3)-digit 1-OFF numbers that qualify for a 1-OFF win. The twenty-six (26) 1-OFF numbers are all the possible combinations in which each of the three (3) digits either matches or is one (1) number higher or lower than each of the player’s three (3) digits, in exact order. A player wins \$125 for a \$.50 straight win or \$250 for a \$1.00 straight win, and \$5.00 for a \$.50 1-OFF win or \$10.00 for a \$1.00 1-OFF win.

(h) A liability limit of \$10 million is established for CASH 3. When the play of a particular three (3)-digit number for a drawing reaches the Lottery’s CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three (3)-digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three (3)-digit number will be allowed for that drawing.

(2) CASH 3 Drawings.

(a) CASH 3 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of three (3) units of balls numbered zero (0) through nine (9).

(c) Three balls will be selected in the drawing, one (1) each into three (3) separate display devices. The numbers shown on the three (3) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) CASH 3 Odds of Winning. The odds of winning in CASH 3 are as follows:

<u>(a) Straight</u>	<u>1 in 1000</u>
<u>(b) Box 3-Way</u>	<u>1 in 333.33–</u>
<u>(c) Box 6-Way</u>	<u>1 in 166.67</u>
<u>(d) Straight and Box 3-Way</u>	<u>1 in 1000 and 1 in 333.33–</u>
<u>(e) Straight and Box 6-Way</u>	<u>1 in 1000 and 1 in 166.67–</u>
<u>(f) Combo 3-Way</u>	<u>1 in 333.33</u>
<u>(g) Combo 6-Way</u>	<u>1 in 166.67</u>
<u>(h) Front Pair</u>	<u>1 in 100</u>
<u>(i) Back Pair</u>	<u>1 in 100</u>
<u>(j) 1-OFF</u>	<u>1 in 38.46 and 1 in 1000</u>
	<u>(Straight)</u>

(4) CASH 3 Rules and Prohibitions.

(a) By purchasing a CASH 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) CASH 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and on-line system availability, CASH 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily CASH 3 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m. ET for the evening draw. Ticket sales for a specific CASH 3 drawing will close approximately ten (10) minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available CASH 3 draw date and draw time, unless the player specifies another CASH 3 draw date and draw time within the selection parameters.

(e) Retailer cancellations of CASH 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two (2) hours after printing, except that no CASH 3 ticket can be cancelled after game close for the related drawing. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of on-line system availability, or the time of the related CASH 3 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player’s selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the “quick pick” method of number selection.

(5) The effective date of this emergency rule is February 26, 2012.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.117(2), 24.124(1) FS. History–New 2-26-12, Replaces 53ER10-39.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: February 26, 2012

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER12-23  
 RULE TITLE: PLAY 4™

SUMMARY: This emergency rule sets forth the provisions for the conduct of PLAY 4™. This emergency rule replaces Emergency Rule 53ER11-37, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-23 PLAY 4™.

(1) How to Play PLAY 4™.

(a) PLAY 4 is a lottery on-line game in which a player must select any two (2)- or four (4)-digit number from 0000 through 9999 inclusive. The digits may be the same or different; for example, 1111, 1212, and 1348 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$2.00, \$3.00, \$4.00, \$6.00, \$12.00, or \$24.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their PLAY 4 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PLAY 4 ticket selections must mark the play type, draw time, play amount, and number selection (or mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the numbers) for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

Players may mark the \$5 "Quick Picks" box to receive five (5) \$1.00 tickets each with one (1) set of four (4) randomly selected numbers (straight play) for the next PLAY 4 drawing, or may mark the \$10 "Quick Picks" box to receive ten (10) \$1.00 tickets, each with one (1) set of four (4) randomly selected numbers (straight play) for the next available PLAY 4 drawing. Players may mark Quick Picks in addition to panel plays.

Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PLAY 4 ticket selections by telling the retailer may specify the play type, draw time, play amount, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one (1) or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (1)(g) below.

(f) Players may play future consecutive midday, evening, or both drawings within a fourteen (14)-day period or non-consecutive drawings within a seven (7)-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw times they desire. For purposes of this paragraph (1)(f), both a fourteen (14)-day and a seven (7)-day period begin on the date of the next available PLAY 4 drawing for the draw time selected and continue through the next thirteen (13)/six (6) consecutive days for the draw time selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to Quick Picks.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one (1) of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven (7)-day period;

b. Any two (2) non-consecutive days for the draw time(s) selected in a seven (7)-day period;

c. Any two (2) or more consecutive days for the draw time(s) selected in a seven (7)-day period, not including the next available drawing.

d. Up to fourteen (14) consecutive days for the draw times selected, including the next available drawing.

(g) PLAY 4 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

a. A "4-way box" is a play in which the player has selected a number with three (3) identical digits. Therefore, the play involves four (4) combinations; for example, a 1112 box covers the combinations 1112, 1121, 1211 and 2111, and pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number with pairs of two (2) unique digits. Therefore, the play involves six (6) combinations; for example, a 1122 box covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

c. A "12-way box" is a play in which the player has selected a number with two (2) identical digits. Therefore, the play involves twelve (12) combinations; for example, a 1123 box covers the combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

d. A "24-way box" is a play in which the player has selected a number with four (4) unique digits. Therefore, the play involves twenty-four (24) combinations; for example, a 1234 box covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 4-way box" play pays a winner \$3,099 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$599 if the player's digits are drawn in any other order.

b. A "Straight and 6-way box" play pays a winner \$2,900 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$400 if the player's digits are drawn in any other order.

c. A "Straight and 12-way box" play pays a winner \$2,700 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$200 if the player's digits are drawn in any other order.

d. A "Straight and 24-way box" play pays a winner \$2,600 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$100 if the player's digits are drawn in any other order.

4. "Combo" play. A combo is a play covering all straight combinations of a four (4)-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four (4)-digit number selected.

a. A "4-way combo" is a play in which the player has selected a number with three (3) identical digits. The 4-way combo is comprised of four (4) straight play combinations; for example, a 1112 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

b. A "6-way combo" is a play in which the player has selected a number with two (2) pairs of unique digits. The 6-way combo is comprised of six (6) straight play combinations; for example, a 1122 6-way combo covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

c. A "12-way combo" is a play in which the player has selected a number with two (2) identical digits. The 12-way combo is comprised of twelve (12) straight play combinations; for example, a 1123 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

d. A "24-way combo" is a play in which the player has selected a number with four (4) unique digits. The 24-way combo is comprised of twenty-four (24) straight play combinations; for example, a 1234 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

5. "Front Pair" play. A front pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the first two (2) numbers drawn by the Lottery.

6. "Mid Pair" play. A mid pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the middle two (2) numbers drawn by the Lottery.

7. "Back Pair" play. A back pair play allows a player to select only two (2) digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two (2) digits as printed on the ticket match, in exact order, the last two (2) numbers drawn by the Lottery.

(h) On occasion, increases in the prize amounts set forth in paragraph (1)(g) above will be offered for promotional purposes.

(i) A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery’s PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

(2) PLAY 4 Drawings.

(a) PLAY 4 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero through nine.

(c) Four balls will be selected in the drawing, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PLAY 4 Odds of Winning. The odds of winning in PLAY 4 are as follows:

- (a) Straight 1 in 10,000
- (b) Box 4-Way 1 in 2,500
- (c) Box 6-Way 1 in 1,666.67
- (d) Box 12-Way 1 in 833.33
- (e) Box 24-Way 1 in 416.67
- (f) Straight/ Box 4-Way 1 in 10,000 and 1 in 2,500
- (g) Straight/ Box 6-Way 1 in 10,000 and 1 in 1,666.67
- (h) Straight/ Box 12-Way 1 in 10,000 and 1 in 833.33
- (i) Straight/ Box 24-Way 1 in 10,000 and 1 in 416.67
- (j) Combo 4-Way 1 in 2,500
- (k) Combo 6-Way 1 in 1,666.67
- (l) Combo 12-Way 1 in 833.33
- (m) Combo 24-Way 1 in 416.67
- (n) Front Pair 1 in 100
- (o) Middle Pair 1 in 100
- (p) Back Pair 1 in 100.

(4) PLAY 4 Rules and Prohibitions.

(a) By purchasing a PLAY 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PLAY 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and on-line system availability, PLAY 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PLAY 4 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m., ET for the evening draw. Ticket sales for a specific PLAY 4 drawing will close approximately ten (10) minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PLAY 4 draw date and time unless the player specifies another PLAY 4 draw date and time within the selection parameters.

(e) Retailer cancellations of PLAY 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two (2) hours after printing, except that no PLAY 4 ticket shall be cancelled after close of game for the related drawing. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of on-line system availability, or the time of the related PLAY 4 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s), draw time(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player’s selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the “quick pick” method of number selection.

(5) The effective date of this emergency rule is February 26, 2012.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.117(2), 24.124(1) FS. History—New 2-26-12, Replaces 53ER11-37.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE  
EFFECTIVE DATE: February 26, 2012

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on February 22, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Merchantile Bank Plaza, filed January 30, 2012, and advertised in Vol. 38, No. 6, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for