

NEW YORK STATE GAMING COMMISSION
ADDITION OF SECTION 5007.16 OF NEW YORK CODES, RULES AND REGULATIONS
TITLE 9, SUBTITLE T, CHAPTER III, SUBCHAPTER A

Title 9 of the NYCRR is amended to add a section 5007.16 to read as follows:

§ 5007.16. Monopoly[®] Millionaires' Club.

(a) *Definitions.* The following definitions apply to the MONOPOLY Millionaires' Club:

(1) *Agent* means a person who has been licensed and authorized by the commission to sell lottery tickets pursuant to this Subchapter.

(2) *Annuity option* means the manner in which the MONOPOLY Millionaires' Club top prize may be paid in annual installments.

(3) *Claimant* means any person or entity submitting a claim form within the required time period to collect a prize for any MONOPOLY Millionaires' Club ticket.

(4) *Lump-sum option* means the manner in which MONOPOLY Millionaires' Club top prize may be paid in a single payment as set forth in this section.

(5) *Millionaires' Club prize* means a single payment prize (prize level 11) with a value of \$1,000,000 drawn independently from the other MONOPOLY Millionaires' Club prizes (prize levels 1-10).

(6) *MONOPOLY Millionaires' Club play slip* means a computer-readable form, printed and issued by the commission, used to mark a player's numbered selection when purchasing a MONOPOLY Millionaires' Club ticket, having up to four separate play areas.

(7) *MONOPOLY Millionaires' Club ticket* means a game ticket, produced on official paper stock, by an agent in an authorized manner, bearing player- or computer-selected numbers, game name, drawing date, amount of wager and validation data. Each such ticket shall bear a unique non-repeating transactional number associated with that play.

(8) *Pari-mutuel* means, for this section, the total amount of prize money allocated to pay prize claimants, at the designated prize level, divided among the number of winning MONOPOLY Millionaires' Club ticket.

(9) *Party lotteries* mean one or more of the state lotteries established and operated pursuant to the laws of any state that are part of the national premium game product group that offers the MONOPOLY Millionaires' Club lottery game.

(10) *A play* is one entry into a MONOPOLY Millionaires' Club drawing.

(11) *Play area* is the area on a MONOPOLY Millionaires' Club play slip containing one field of 52 one- or two-digit numbers (1 to 52, inclusive). This is the area from which the player

selects five numbers from the first field of 52 if the player is not using the quick pick option and allowing the computer system to select up to five numbers at random.

(12) *Prize pool* means that portion of MONOPOLY Millionaires' Club gross sales set aside for the payment of prizes.

(13) *Purchaser* means a player of MONOPOLY Millionaires' Club who purchases a ticket within New York State in accordance with MONOPOLY Millionaires' Club rules and New York State governing laws and regulations.

(14) *Quick pick* means a method in which some or all MONOPOLY Millionaires' Club number selections are determined at random by the computer system at the time of purchase. Quick pick is a player option for selection of up to five number selections ranging from one through 52, but the number ranging from one through 28, representing a MONOPOLY property, must be selected by quick pick.

(15) *Top prize* means the game prize awarded when a player's selections matches all five winning numbers from the field of 52 and the property number drawn from the field of 28 numbered MONOPOLY properties for the MONOPOLY Millionaires' Club. If more than one player has selected all the winning numbers drawn, the top prize shall be divided equally among those players.

(16) *Set Prize* or *Low-Tier prizes* (prize levels 2-10) means, except as otherwise specified in this section, all prizes (other than the top prize and Millionaires' Club prizes) that are to be paid in a single payment as established by this section for each prize level.

(17) *Winning numbers* are five one- or two-digit numbers (1 to 52, inclusive) and one number (1 to 28, inclusive), randomly selected at each MONOPOLY Millionaires' Club drawing, that shall be used to determine winning MONOPOLY Millionaires' Club plays contained on MONOPOLY Millionaires' Club tickets.

(b) *Ticket price and sales.*

(1) A MONOPOLY Millionaires' Club ticket may be purchased for \$5 per play per drawing. The purchaser receives one ticket for each \$5 wagered in MONOPOLY Millionaires' Club. The commission may authorize the sale of MONOPOLY Millionaires' Club tickets at a different purchase price. Such a change in the purchase price shall be announced publicly by the commission prior to the effective date of such change.

(2) From time to time, the commission may authorize the sale of MONOPOLY Millionaires' Club tickets at a discount for promotional purposes.

(3) MONOPOLY Millionaires' Club tickets shall be sold only through agents or other means authorized by the commission.

(4) A MONOPOLY Millionaires' Club ticket may not be cancelled.

(5) It shall be the sole responsibility of a player to verify the accuracy and readability of the information displayed on a MONOPOLY Millionaires' Club ticket at the time of purchase. Neither an agent nor the commission shall be liable for any errors in the accuracy and readability of a ticket occurring for any reason, after the purchaser leaves an agent location.

(6) A play may be entered only:

- (i) manually using a lottery terminal keypad or touch screen;
- (ii) by means of a play slip provided by the commission and hand-marked by the player;
or
- (iii) by other means approved by the commission.

(7) MONOPOLY Millionaires' Club play slips shall be available at no cost to a player, shall have no pecuniary or prize value, shall not constitute evidence of purchase and shall not constitute evidence of a player's number selections. An agent shall not permit the use of facsimiles of play slips, copies of play slips or other materials that are not printed or approved by the commission to be inserted into a terminal's play slip reader. An agent shall not permit any device to be connected to a lottery terminal to enter plays, except as approved by the commission.

(c) *Game Description.*

(1) *Primary drawing.* To play MONOPOLY Millionaire's Club, a player shall select five different numbers (from 1 to 52, inclusive); the terminal or selling system shall always quick pick one additional number in the range from one through 28, to comprise the second value in the player's selection for each play. The additional number may be the same as one of the five numbers a player selects in the first field. The second number shall be represented on the player's ticket both as a number and as the associated MONOPOLY game board property. A player may select numbers by:

- (i) communicating the five numbers to a lottery sales agent;
- (ii) marking five numbered spaces in any one panel on a play slip and submitting the play slip to an agent; or
- (iii) requesting quick pick from an agent.

The agent shall then issue a ticket or tickets containing the selected set or sets of numbers, each of which constitutes a game play.

(2) *Secondary drawing.* If a top-prize-winning ticket has been sold, a secondary drawing shall occur to select winners of Millionaires' Club prizes. A ticket holder wins such a prize if a randomly selected Millionaire's Club number drawn in the secondary drawing matches the unique transactional number printed on such ticket. The number of winners to be selected shall be not less than 10 and may increase based upon sales. The number of winners to be selected in the secondary drawing, if any, shall be announced publicly prior to each drawing.

(3) A MONOPOLY Millionaires' Club game feature may be added at the discretion of the commission. A *game feature* is an alternative or additional method for awarding prizes using MONOPOLY Millionaire ticket information.

(4) A MONOPOLY Millionaires' Club subscription sales program may be offered at the discretion of the commission.

(5) Except for Millionaires' Club Prizes, the holder of a winning ticket may win only one prize for the primary drawing for such ticket and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(d) *Play characteristics.* A MONOPOLY Millionaires' Club ticket matching all game play, serial number and other validation data recorded in the commission's gaming system computer shall be the only valid proof of the wager placed and the only valid receipt for claiming or redeeming any prize.

(e) *Drawings.* MONOPOLY Millionaires' Club drawings shall be conducted once per week at a time and at a location authorized by the party lotteries. The day, time, frequency and location of the MONOPOLY Millionaires' Club drawings may be changed following a public announcement.

(f) *Pool, Prize Structure and Probability of Winning.*

(1) *Prize Pool.* The prize pool for the aggregate of all prize levels one through 11 shall consist of 50 percent of the sales for each drawing period after the prize reserve accounts are funded to predetermined amounts.

(2) *Prize Reserve.* The prize reserve may be adjusted as needed to maintain an approved maximum balance and shares from each of the party lotteries as specified by the party lotteries. The prize reserve is used to guarantee payment of the minimum or starting top prize and Millionaires' Club prizes, guarantee the payment of valid, but unanticipated, top prize and Millionaires' Club prize claims and to fund deficiencies in set prize payments (subject to the limitations of an agreement among the party lotteries). If the MONOPOLY Millionaires' Club is no longer offered in New York State, any amount remaining in a prize reserve account at the end of the game shall be carried forward to a replacement prize reserve account or used in a manner as permitted by New York State law.

(3) *Prize Payout and Structure.* There are 11 prize levels in the MONOPOLY Millionaires' Club. The prize payout percentage and prize structure are as follows, unless there are multiple winners in a prize category that leads to an excess prize liability, in which case prize amounts may be reduced as set forth in paragraph (4) of subdivision (f) of this section:

Match Field 1	Match Field 2	Odds 1 in	Prize Category	Level
5	1	72,770,880.0000	Top	1
5	0	2,695,217.7778	\$100,000	2
4	1	309,663.3191	\$20,000	3
4	0	11,469.0118	\$500	4
3	1	6,731.8113	\$250	5
2	1	448.7874	\$25	6
3	0	249.3263	\$20	7
1	1	81.5977	\$10	8
0	1	47.4405	\$7	9
2	0	16.6218	\$5	10
Millionaires' Club prize		Varies with sales	\$1 million	11

Overall chances of winning for levels 1-10: 1 in 10.0025

Total aggregate payout for levels 1-11: 50%

(4) *Pari-mutuel prize determinations.*

(i) If the total of the set prizes awarded in a drawing (prize levels 2-10) exceeds the percentage of the prize pool allocated to the set prizes, then the amount needed to fund the set prizes awarded shall be drawn from the following sources, in the following order:

(A) the amount allocated to the set prizes and carried forward from previous drawings, if any;

(B) an amount from the prize reserve, if available, not to exceed \$20,000,000 per drawing.

(ii) If, after the sources described in subparagraph (i) of this paragraph are depleted, there are not sufficient funds to pay the set prizes awarded, then the highest set prize shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still not sufficient funds to pay the remaining set prizes awarded, then the next highest set prize shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel prize levels.

(g) *Top prize payment options.* A claimant of a valid winning top prize in New York must select either an annuity option or lump sum option. A top prize shall be paid as an annuity prize, unless

a winner elects, within 60 days after the claimant becomes entitled to such prize, to be paid a lump sum. If a lump sum payment is selected, the prize amount shall be determined according to a methodology that shall be established by the party lotteries. An election made by a claimant is final and cannot be revoked, withdrawn or otherwise changed without the approval of the commission. Unless a lump-sum payment is paid in accordance with this section, annuitized prize payments shall be paid annually in 30 payments with the initial payment being followed by 29 payments funded by the annuity. If paid in a lump-sum payment, a top prize shall be rounded to the nearest whole dollar. An annuity claimant shall have no recourse to any party lottery or to MUSL (as defined in paragraph (1) of subdivision (b) of section 5007.13 of this Subchapter), other than to the commission.

(h) Neither the commission nor the party lotteries shall be responsible for any MONOPOLY Millionaires' Club ticket that is not deemed to be a valid or winning draw-game ticket pursuant to Parts 5003 and 5004 of this subchapter.

(i) This section applies to the MONOPOLY Millionaires' Club game only.