



Memo

Date:	May 12, 2023
To:	Oregon State Lottery Commissioners
From:	Kris Skaro, rules and policy analyst
Subject:	Repealing Scoreboard rules (OAR 177-092)

Background and Proposed Rulemaking:

Lottery transitioned its digital sports betting game to the DraftKings platform in January 2022. Lottery adopted new rules to govern the DraftKings platform. However, we kept the Scoreboard rules in place because there were some outstanding bets on the Scoreboard platform.

However, at this time, all bets have been settled and there are no active player accounts on the Scoreboard platform. Thus, the Lottery proposes to repeal the Scoreboard rules as having two sets of substantially similar rules applicable to digital sports betting may be confusing for players or Lottery staff.

Next Steps/Enclosures:

The Notice of proposed rulemaking is enclosed for review. Lottery will complete the rulemaking process and report back to the Commission on any public comment received in July.

Thank you, and please reach out to me or Interim Director Wells if you have any questions.

NOTICE OF PROPOSED RULEMAKING

CHAPTER 177 OREGON STATE LOTTERY

FILING CAPTION: *Repealing obsolete sports betting rules for the Lottery game Scoreboard*

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/30/2023 at 5:00 PM

NEED FOR THE RULE(S):

The Lottery needs to repeal rules described in this Notice because the rules govern a game that is no longer offered or active.

The Lottery's digital sports betting game moved to the DraftKings platform in January of 2022. To support the transition to the new platform, Lottery adopted new rules. See specifically the DraftKings Sportsbook rules in OAR chapter 177, division 93, as well as other rules in division 46 that apply to digital sports betting.

For a period of time after the transition to the DraftKings platform, Scoreboard players could access their player accounts on Scoreboard and any wagers placed prior to the transition were honored by the Lottery. However, at this time, all bets have settled, and the Scoreboard platform has been disabled completely. There are no remaining funds in Scoreboard player accounts.

Thus, the Lottery proposes to repeal the rules as having two sets of rules applicable to digital sports betting may be confusing for players or Lottery staff.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

- (1) Oregon State Lottery Act, ORS chapter 461, available online at https://www.oregonlegislature.gov/bills_laws/ors/ors461.html.
- (2) Oregon State Lottery Administrative Rules, OAR chapter 177, available online at <https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=153>. (See in particular divisions 46 and 93.)
- (3) Temporary Administrative Order filed by the Lottery on December 17, 2021, available online at the Secretary of State website at <https://secure.sos.state.or.us/oard/filingSearch.action> or upon request to Kris Skaro at kris.skaro@lottery.oregon.gov.
- (4) Notice of Proposed Rulemaking filed by the Lottery on March 25, 2022, available online at the Secretary of State website at <https://secure.sos.state.or.us/oard/filingSearch.action> or upon request to Kris Skaro at kris.skaro@lottery.oregon.gov.
- (5) Permanent Administrative Order filed by the Lottery on June 3, 2022, available online at the Secretary of State website at <https://secure.sos.state.or.us/oard/filingSearch.action> or upon request to kris.skaro@lottery.oregon.gov.
- (6) Internal Lottery communications indicating all bets were settled on the Scoreboard platform available upon request to the Lottery.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

The Lottery does not believe the proposed rules will affect racial equity in Oregon. The Lottery is proposing to repeal rules that are no longer used or applicable.

FISCAL AND ECONOMIC IMPACT:

The Lottery estimates no fiscal impact on any state agencies (including the Lottery), units of local government, or members of the public, including Scoreboard and DraftKings players. No small businesses are subject to these rules. There is no cost of compliance for business, including small business.

COST OF COMPLIANCE:

(1) Identify any state agencies, unit of local government, and members of the public likely to be economically affected by the rule(s).

No state agencies (including the Lottery), units of local government, and members of the public, including sports betting players, are likely to be economically affected by the rules. The rules are obsolete due to being replaced by rules in division 93. There are no remaining active players on the Scoreboard digital sports betting platform as all bets have settled and no funds remain in any player accounts.

(2) Effect on Small Businesses:

(a) Estimate the number and type of small businesses subject to the rule(s);

No small businesses are subject to the rules in OAR chapter 177, division 92.

(b) Describe the expected reporting, recordkeeping, and administrative activities and cost required to comply with these rule(s);

No small businesses are subject to the rules in OAR chapter 177, division 92; thus, Lottery estimates no costs of compliance for small businesses relating to reporting, recordkeeping, and administrative activities.

(c) Estimate the cost of professional services, equipment supplies, labor, and increased administration required to comply with the rule(s).

No small businesses are subject to the rules in OAR chapter 177, division 92; thus, Lottery estimates no costs of compliance for small businesses relating to professional services, equipment, supplies, labor, and increased administrative activities.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

No small businesses are subject to the rules in OAR chapter 177, division 92. The Lottery is proposing to repeal the rules because they are no longer used. The Lottery welcomes comment from small businesses during the public comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? IF NOT, WHY NOT?

No. The Lottery does not believe any person, business, or organization will be affected by or interested in the rules in OAR chapter 177, division 92, and thus, did not convene a Rule Advisory Committee. The Lottery plans to solicit public comment during the rulemaking process and will consider all comment received.

CONTACT:

Kris Skaro

971-719-0794

kris.skaro@lottery.oregon.gov

500 Airport Rd SE

Salem, OR 97301

RULES PROPOSED:

177-092-0000, 177-092-0005, 177-092-0010, 177-092-0015, 177-092-0020, 177-092-0025, 177-092-0030, 177-092-0035, 177-092-0040, 177-092-0045, 177-092-0050, 177-092-0055, 177-092-0060

REPEAL: 177-092-0000

RULE TITLE: Purpose

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0000

Purpose

(Adopted 3/29/20)

~~These rules establish Scoreboard as a sports betting game authorized by the Oregon State Lottery Commission and describe how the game works, how players can purchase a share and place bets, and how the Lottery determines winners and pays prizes.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#), [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#) & [OR Const. Art. XV § 4](#)

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0005

RULE TITLE: Scoreboard Disabled and Status of Player Accounts

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0005

Scoreboard Disabled and Status of Player Accounts

(Adopted 6/15/22)

- ~~(1) — In December 2021, the Oregon State Lottery, pursuant to direction from the Oregon State Lottery Commission, contracted with DraftKings to provide the digital platform (site and mobile app) through which players can play the Lottery's digital sports betting game.~~
- ~~(2) — Until the DraftKings mobile app or site is launched, the Lottery's digital sports betting game will be available to players on the Scoreboard platform. The player account and game play will be subject to the administrative rules in OAR chapter 177, divisions 46 and 92, as adopted on March 29, 2020, and any terms the player agreed to at account creation. These are available upon request to the Lottery.~~
- ~~(3) — When the Lottery's digital sports betting game becomes available through the DraftKings mobile app or site on January 18, 2022, the Lottery will disable game play on the Scoreboard website and mobile app. Although new bets may not be placed, confirmed bets on future sporting events will stand. The Lottery will deposit any future prizes or other money owed to players in the player's funding account accessed and managed through Scoreboard and subject to the administrative rules in OAR chapter 177, divisions 46 and 92, as adopted on March 29, 2020, and any terms the player agreed to at account creation. These are available upon request to the Lottery.~~

Statutory/Other Authority: Or Const, Art XV, § 4(4)(a), ORS 461.120, 461.130, 461.150, 461.200, 461.210, 461.250, 461.260, 461.400 & 461.440

Statutes/Other Implemented: Or Const, Art XV, § 4(4), ORS 461.010, 461.020, Or Laws 2019, ch 355, §§ 42-45a, ORS 461.120, 461.130, 461.150, 461.200, 461.210, 461.250, 461.260, 461.400 & 461.440

History:

LOTT 6-2022, adopt filed 06/03/2022, effective 06/15/2022

LOTT 20-2021, temporary adopt filed 12/17/2021, effective 12/17/2021 through 06/14/2022

REPEAL: 177-092-0010

RULE TITLE: Definitions

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0010

Definitions

(Adopted 3/29/20)

- ~~(1) "American odds" means a way of representing the probability that something will happen using a baseline of \$100. For example, a bet with odds of +585 means a player needs to bet \$100 to win \$585 and a bet with odds of -760 means a player would need to bet \$760 to win \$100.~~
- ~~(2) "Bet" means the amount of money paid by a player for a share in Scoreboard and risked on a particular outcome of a sporting event or occurrence within or related to a sporting event. A bet may be one of a variety of types including, but not limited to, pre-game, live, or parlay. Available bets are determined by the Lottery and displayed to players within Scoreboard on the mobile app or site.~~
- ~~(3) "Bonus" has the meaning given in OAR 177-046-0015.~~
- ~~(4) "Confirmed" means a bet was placed by a player, the Lottery accepted the bet, the bet amount was successfully debited from the player balance, the bet was recorded by the Lottery, and the player received a bet identification number or similar confirmation number.~~
- ~~(5) "Digitally" has the meaning given in OAR 177-046-0015.~~
- ~~(6) "Duplicative or identical bets" means a series of bets that contain the same identical selections made by the same person or a group of people in their favor.~~
- ~~(7) "Eligible player" means a person who is eligible to play Scoreboard pursuant to OAR 177-046-0022 and OAR 177-092-0020.~~
- ~~(8) "Funding account" has the meaning given in OAR 177-046-0015.~~
- ~~(9) "Funds balance" has the meaning given in OAR 177-046-0015.~~
- ~~(10) "Governing body" means a recognized organization that has regulatory or sanctioning authority or control over a particular sport.~~
- ~~(11) "In-game rules" means general betting and sport-specific information available to players on the Scoreboard mobile app or site.~~
- ~~(12) "Mobile app" has the meaning given in OAR 177-046-0015.~~

~~(13) — "Official event results" means the results of a sporting event that the Lottery determines will be used to determine winning bets as described in OAR 177-092-0035.~~

~~(14) — "Player account" has the meaning given in OAR 177-046-0015.~~

~~(15) — "Player balance" has the meaning given in OAR 177-046-0015.~~

~~(16) — "Share" has the meaning given in OAR 177-010-0003.~~

~~(17) — "Site" has the meaning given in OAR 177-046-0015.~~

~~(18) — "Sporting event" means a game, match, race, or similar competitive event associated with a governing body in its entirety or a particular occurrence within or related to the game, match, race, or similar competitive event such as, but not limited to, a particular play or score.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#), [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [OR Const. Art. XV § 4](#), [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

History:

[LOTT 1-2020](#), adopt filed [03/20/2020](#), effective [03/29/2020](#)

[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)

REPEAL: 177-092-0015

RULE TITLE: General Game Description

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0015

General Game Description

(Adopted 3/29/20)

~~(1) — Scoreboard is a sports betting game authorized by the Oregon Lottery Commission that allows eligible players to purchase shares and place bets on sporting events digitally. To purchase a share in Scoreboard, an eligible player places a bet on a sporting event. The odds and prize associated with each bet amount are disclosed to the player before the bet is placed. The Lottery determines winning bets based on the official event results.~~

~~(2) In addition to this division of rules, Scoreboard is subject to other applicable Lottery rules in OAR chapter 177. In the event of a conflict, the specific Scoreboard rules in this division of rules supersede the general rules.~~

~~(3) Scoreboard is governed by additional terms and conditions and in-game rules on betting and pertaining to particular sporting events. These are available to players on the mobile app or site and upon request from the Lottery.~~

Statutory/Other Authority: OR Const. Art. XV § 4(4)(a), ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

Statutes/Other Implemented: ORS 461.120, 461.200, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260 & OR Const. Art. XV § 4

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0020

RULE TITLE: Eligibility

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

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The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0020

Eligibility

(Adopted 3/29/20)

~~To be eligible to purchase a share in Scoreboard and win a prize, an individual must:~~

~~(1) Be 21 years of age or older;~~

~~(2) Have a player account that complies with all the requirements as described in OAR 177-046-0022; and~~

~~(3) Not be prohibited by law, contract, policy, or administrative rule from playing Lottery games.~~

Statutory/Other Authority: OR Const. Art. XV § 4(4)(a), ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

Statutes/Other Implemented: ORS 461.120, 461.200, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260 & OR Const. Art. XV § 4

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0025

RULE TITLE: Purchasing a Share and Placing a Bet

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0025

Purchasing a Share and Placing a Bet

(Adopted 3/29/20)

- ~~(1) — An eligible player purchases shares in Scoreboard and places a bet on a sporting event through their player account on the mobile app or site.~~
- ~~(2) — The odds and prize amount or "winnings" associated with each bet are determined by the Lottery and must be digitally displayed to the player before the bet is confirmed.~~
- ~~(3) — The Lottery only accepts bets placed digitally.~~
- ~~(4) — A bet may only be placed when the player is physically located within the geographic boundary of the state of Oregon and not on tribal lands.
 - ~~(a) — The Lottery must be able to verify the physical location of the player when the bet is placed. Players must consent to the Lottery's use of geolocation technologies as described in OAR-177-046-0022.~~
 - ~~(b) — The Lottery will use official, publicly available data sources to geolocate tribal lands and prohibit mobile gaming therein. For purposes of this rule, "tribal lands" means federal Indian reservations, lands held in trust by the federal government for the benefit of federally-recognized tribes, and lands held in fee by federally recognized tribes.~~~~
- ~~(5) — The bet amount may not exceed the player balance; under no circumstances will the Lottery extend credit to a player.~~
- ~~(6) — The Lottery may, in its sole discretion, from time to time, offer bonuses, free bets, or similar promotional incentives. These appear in the player balance and may be used to place bets but have no cash value and are not eligible for withdrawal. (The prize from a winning bet placed using bonus funds or free bets is eligible for withdrawal subject to applicable rules about prizes and prize payment.) Each bonus or promotional offer is subject to terms and conditions or limitations that will be disclosed to players on the mobile app or site such as, but not limited to, the requirement to use the full amount of~~

~~the bonus in a single transaction or forfeit the unused portion. Players must comply with any additional terms and conditions or requirements to be eligible to use bonuses, free bets, and similar promotional incentives.~~

- ~~(7) Bets may only be placed on sporting events associated with a recognized governing body. The Lottery determines available bets at any given time at the Lottery's sole discretion. Available bets are displayed to players on the mobile app or site. The Lottery may refuse a bet at any time for any reason.~~
- ~~(8) Placing duplicative or identical bets is prohibited.~~
- ~~(9) Once confirmed, a bet cannot be cancelled or changed by the player. It is the sole responsibility of the player to verify the accuracy of the bet prior to confirmation. The Lottery is not responsible for any bet placed in error.~~
- ~~(10) Some bets may, from time to time, display an option to settle a confirmed bet early for a certain percentage of the original bet. This feature is known as "Cash Out" or "Bet Back" and is available only at the Lottery's sole discretion on some bets at some times.~~
- ~~(11) Disputes regarding player eligibility, the amount of a bet, the time a bet was placed, odds on a particular bet, whether a bet is a winning bet, and the amount of any prize are resolved at the sole discretion of the director of the Oregon State Lottery or the director's designee.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#), [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#) & [OR Const. Art. XV § 4](#)

History:

[LOTT 1-2020](#), adopt filed [03/20/2020](#), effective [03/29/2020](#)

[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)

REPEAL: 177-092-0030

RULE TITLE: Price

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0030

Price

(Adopted 3/29/20)

~~The price to purchase a share in Scoreboard is the amount the player chooses to bet subject to all of the following limitations:~~

- ~~(1) — Bet Limits. In order to responsibly manage funds for the public purpose, the Lottery reserves the right to impose minimum and maximum limits on the bet amount or prize amount at any given time based on the sport, odds, risk, and related factors. This will be communicated to the player when the player attempts to place a bet at a certain amount or for a certain prize payout that the Lottery will not accept.~~
- ~~(2) — Additional Limitations on Bet Amount:
 - ~~(a) — Player Balance and Funding Account Limits: The bet amount may not exceed the player balance. The player balance is further limited by the player's deposit limit and any limits set by the financial institution that holds the funding account or any other financial institution or payment processor involved in the transaction.~~
 - ~~(b) — Personal Limits: The player may establish personal deposit, bet, or loss limits using the responsible gaming tools in the player account. When in effect, the player may not deposit or bet above the personal limit.~~~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#), [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#), [461.820](#) & [OR Const. Art. XV § 4](#)

History:

[LOTT 1-2020](#), adopt filed [03/20/2020](#), effective [03/29/2020](#)

[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)

REPEAL: 177-092-0035

RULE TITLE: Method for Validating Bets and Determining Winners

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0035

Method for Validating Bets and Determining Winners

(Adopted 3/29/20)

- ~~(1) — An eligible player wins a prize in Scoreboard by placing a confirmed and validated winning bet. Lottery decisions regarding the validity of a bet are final and binding. The Lottery has the sole discretion to determine winning bets based on the official event results.~~
- ~~(2) — A bet in Scoreboard is valid if the bet was placed in accordance with OAR 177-092-0025 and other applicable rules by an eligible player through a valid player account, the bet was confirmed, and the bet is not otherwise voided or refunded by the Lottery pursuant to any applicable rule or the terms and conditions.~~
- ~~(3) — A validated bet is a winning bet if the outcome on which the shares were risked accords with the official event results as provided in this section and the in-game rules.
 - ~~(a) — The Lottery has sole discretion to determine the official event results. The scores and results for a game become the official event results when the Lottery enters the results in the Lottery's sports betting platform. The Lottery reserves the right to delay entering official event results when needed to review information relevant to the outcome of the sporting event. Some game results only become official after a certain time delay as determined by the applicable governing body for any given sporting event. The Lottery will generally defer to the governing body for official event results but the Lottery retains ultimate discretion to determine winners and pay prizes.~~
 - ~~(b) — If a sporting event is cancelled, suspended, abandoned, or interrupted or the Lottery is for any reason unable to determine the outcome of a sporting event or particular occurrence within a sporting event on which bets were placed, then related bets may be voided at the Lottery's sole discretion as provided in OAR 177-092-0050 and the in-game rules for the sporting event.~~~~

Statutory/Other Authority: OR Const. Art. XV § 4(4)(a), ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

Statutes/Other Implemented: OR Const. Art. XV § 4, ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0040

RULE TITLE: Prizes

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed.

Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0040

Prizes

(Adopted 3/29/20)

- ~~(1) — The number of prizes for Scoreboard is not predetermined by the Lottery. The overall prize percentage payout for Scoreboard will vary from bet to bet due to factors which include, but are not limited to, the number of players participating and the number of winning bets.~~
- ~~(2) — Except as provided in section (3) of this rule, the value of the prize in Scoreboard is equal to the "winnings" that is digitally displayed to the player on the bet slip before the bet is confirmed:
 - ~~(a) — The prize amount or "winnings" is based on the amount of the bet selected by the player and the odds associated with the bet. The Lottery calculates the prize amount or "winnings" using American odds even if the player has selected to display odds in an alternative format.~~
 - ~~(b) — The prize amount or "winnings" digitally displayed to the player on the bet slip includes the original bet amount that the Lottery returns to the player as a prize plus any additional prize amount, unless the original bet was placed using all or part bonus or similar promotional incentive funds, in which case, the amount of bonus funds used is not returned to the player as a prize.~~
 - ~~(c) — The prize amount or "winnings" on a winning bet or a bet settled as a draw is subject to legally required offsets described in OAR 177-046-0110 and other applicable laws and rules.~~~~
- ~~(3) — Prize When Bet Settled as a Draw. Notwithstanding any other rule or the winnings amount that was displayed to the player before the bet was confirmed, The Lottery may settle a bet as a draw when the sporting event ends right on the listed point spread or finishes in a tie or draw. When a bet is settled as a draw, the prize is equal to the original bet amount and is subject to any prize offsets as described in other applicable laws and rules.~~

Statutory/Other Authority: OR Const. Art. XV § 4(4)(a), ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260 & 461.715, 461.719

Statutes/Other Implemented: OR Const. Art. XV § 4, ORS 461.120, 461.200, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260 & 461.560, 461.715, 461.719

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0045

RULE TITLE: Payment of Prizes

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0045

Payment of Prizes

(Adopted 3/29/20)

- ~~(1) — The prize amount on a winning bet in Scoreboard is credited to the player account only after:~~
- ~~(a) — The identity and eligibility of the player have been verified;~~
 - ~~(b) — The bet is validated and determined to be a winning bet or a bet settled as a draw; and~~
 - ~~(c) — All offsets or other deductions required by law as described in OAR 177-010-0090, 177-010-0094, and 177-046-0110 have been completed.~~
- ~~(2) — After the net prize amount credits to the player account, the equivalent amount of money is deposited in the funding account, and the player may withdraw the amount from the funding account as described in OAR 177-046-0027.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#) & [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#), [461.715](#), [461.719](#)

Statutes/Other Implemented: [OR Const. Art. XV § 4](#), [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#) & [461.560](#), [461.715](#), [461.719](#)

History:

[LOTT 1-2020](#), adopt filed [03/20/2020](#), effective [03/29/2020](#)

[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)

REPEAL: 177-092-0050

RULE TITLE: Voided Bets, Refunds, and Resettlements

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0050

Voided Bets, Refunds, and Resettlements

(Adopted 3/29/20)

- ~~(1) In order to maintain the fairness, integrity, security, and honesty of the Lottery and its operations, the Lottery reserves the right to void any share or bet at any time for any reason including, but not limited to:
 - ~~(a) The Lottery knows or has reason to believe that the player has engaged in conduct prohibited by any applicable source of law, including but not limited to conduct prohibited by OAR 177-046-0022 or 177-092-0055;~~
 - ~~(b) The Lottery knows or has reason to believe that the player does not meet all of the eligibility requirements in OAR 177-046-0022 or 177-092-0020, or the Lottery is unable to verify any of the information that the player provided in order to establish the player account;~~
 - ~~(c) The Lottery knows or has reason to believe the underlying integrity of the sporting event is in question. This includes, but is not limited to, when the Lottery believes a sporting event has been fixed or an individual who placed the bet was in any way involved in the sporting event such as, but not limited to, as a participant, referee, or coach; or~~
 - ~~(d) As provided in the in-game rules.~~~~
- ~~(2) A player may not initiate a refund on a confirmed bet in Scoreboard for any reason.~~
- ~~(3) The Lottery has discretion to issue a refund to players on a confirmed bet only in the following circumstances:
 - ~~(a) The Lottery has voided a bet under section (1) of this rule.~~
 - ~~(b) The Lottery is unable to satisfactorily determine official event results because the sporting event was not held, meaning the sporting event was cancelled or abandoned before completion for reasons including, but not limited to, player illness or inclement weather.~~
 - ~~(c) The Lottery has reason to believe the bet was accepted, placed, or confirmed after the advertised start time (except for an in-play bet), the outcome of the sporting event is known, or a material advantage had been achieved, such as, but not limited to, scoring a goal or touchdown or expulsion of an athlete.~~
 - ~~(d) The integrity of the sporting event itself is uncertain, such as, but not limited to, suspected cheating or athlete use of prohibited performance-enhancing drugs.~~
 - ~~(e) When provided for in the in-game rules.~~~~
- ~~(4) Resettlements: From time to time, operator errors may occur or the governing body may overturn a call or change the final results or score of a sporting event.
 - ~~(a) Operator error. A player is not entitled to a prize paid in error. The Lottery may recover any such prizes.~~
 - ~~(b) Change in official event results. If the governing body changes a sporting event result before making the result official, the Lottery may resettle bets to align with the results of the governing body. However, once the governing body makes final results official and the Lottery accepts them as the official event results, the Lottery shall not recognize any changes to the final score or particular calls within the sporting event.~~~~

Statutory/Other Authority: OR Const. Art. XV § 4(4)(a) & ORS 461.120, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

Statutes/Other Implemented: OR Const. Art. XV § 4 & ORS 461.120, 461.200, 461.210, 461.220, 461.230, 461.240, 461.250, 461.260

History:

LOTT 1-2020, adopt filed 03/20/2020, effective 03/29/2020

LOTT 2-2019, temporary adopt filed 10/01/2019, effective 10/01/2019 through 03/28/2020

REPEAL: 177-092-0055

RULE TITLE: Prohibited Conduct

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0055

Prohibited Conduct

(Adopted 3/29/20)

- ~~(1) — The Lottery has determined that the following conduct negatively impacts the Lottery's constitutional mandate to ensure the fairness, integrity, security, and honesty of the Lottery. Therefore, in addition to prohibited conduct in relation to the player account (see OAR 177-046-0022), the following conduct is prohibited in Scoreboard:
 - ~~(a) — Using unfair external factors or influences on the game outcome;~~
 - ~~(b) — Using software, bots, or other automatic software to manipulate game results or the mobile app or site; or~~
 - ~~(c) — Placing duplicative or identical bets.~~~~
- ~~(2) — In order to maintain the fairness, integrity, security, and honesty of the Lottery and its operations, the Lottery may close or suspend a player account and will not pay prizes on such shares or bets if the Lottery has any reason to believe that a player has engaged in prohibited conduct or the integrity of the underlying sporting event has been compromised.~~
- ~~(3) — Notwithstanding the Lottery's privacy policy or other personal information protections generally provided to individuals, the Lottery reserves the right to inform relevant authorities and third parties including, but not limited to, law enforcement, governing bodies, credit card companies, and financial institutions when the Lottery suspects or knows prohibited conduct has occurred or is occurring.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#) & [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [OR Const. Art. XV § 4](#) & [ORS 461.120](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

History:

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[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)

REPEAL: 177-092-0060

RULE TITLE: Decisions of the Director

RULE SUMMARY: The Lottery is proposing to repeal all rules in OAR chapter 177, division 92, which govern the Lottery's original digital sports betting game called Scoreboard.

The Scoreboard game was disabled in January 2022 when the Lottery moved its digital sports betting game to the DraftKings platform. Although no bets could be placed on the Scoreboard platform after it was disabled, Scoreboard remained accessible to players until any confirmed bets on future sporting events were settled. As of now, all bets have been settled and there are no active player accounts. Thus, the rules are proposed to be repealed.

The Lottery's digital sports betting game is currently governed by rules in OAR chapter 177, division 93. These rules govern the DraftKings Sportsbook and are substantially similar to the rules that are being repealed. Additionally, some aspects of digital sports betting are governed by rules in OAR chapter 177, division 46, such as the digital player account and funding account and prize claims and payments.

177-092-0060

Decisions of the Director

(Adopted 3/29/20)

~~As stated in OAR 177-046-0160, the decisions of the Lottery Director are final. This includes, but is not limited to, the amount or nature of a prize, the validity of a bet, whether a bet is a winner, whether it was submitted in error or by fraud, and whether a player has won a prize.~~

Statutory/Other Authority: [OR Const. Art. XV § 4\(4\)\(a\)](#) & [ORS 461.120](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

Statutes/Other Implemented: [OR Const. Art. XV § 4](#) & [ORS 461.120](#), [461.150](#), [461.200](#), [461.210](#), [461.220](#), [461.230](#), [461.240](#), [461.250](#), [461.260](#)

History:

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[LOTT 2-2019](#), temporary adopt filed [10/01/2019](#), effective [10/01/2019](#) through [03/28/2020](#)