

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1023

Introduced by Price, 3.

Read first time January 20, 2010

Committee: General Affairs

A BILL

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

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

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

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

8 9-603 For purposes of the Nebraska County and City
9 Lottery Act, the definitions found in sections 9-603.02 to 9-618
10 and sections 3 and 4 of this act shall be used.

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

13 Sec. 4. Ticket means a representation of a player's
14 wager, which may be paper, electronic, or any other medium
15 approved by the department as a secure way to provide evidence
16 of participation in a lottery as long as it is capable of being
17 printed on paper.

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

20 9-607 (1) Lottery shall mean a gambling scheme in which:

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

23 (b) Winning opportunities are represented by tickets;

24 (c) Winners are solely determined by one of the following
25 two methods:

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

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

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

22 (2) Lottery shall not include:

23 (a) Any gambling scheme which uses any mechanical gaming
24 device, computer gaming device, electronic gaming device, or video
25 gaming device which has the capability of awarding something of

1 value, free games redeemable for something of value, or tickets or
2 stubs redeemable for something of value;

3 (b) Any activity authorized or regulated under the
4 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the
5 Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and
6 Raffle Act, the State Lottery Act, section 9-701, or Chapter 2,
7 article 12; or

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

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

21 (4) A county, city, or village conducting a keno lottery
22 shall designate the method of winning number selection to be used
23 in the lottery and submit such designation in writing to the
24 department prior to conducting a keno lottery. Only those methods
25 of winning number selection described in subdivision (1)(c)(ii) of

1 this section shall be permitted, and the method of winning number
2 selection initially utilized may only be changed once during that
3 business day as set forth in the designation. A county, city, or
4 village shall not change the method or methods of winning number
5 selection filed with the department or allow it to be changed
6 once such initial designation has been made unless (a) otherwise
7 authorized in writing by the department based upon a written
8 request from the county, city, or village or (b) an emergency
9 arises in which case a ball draw method of number selection would
10 be switched to a number selection by a random number generator.
11 An emergency situation shall be reported by the county, city,
12 or village to the department within twenty-four hours of its
13 occurrence.

14 Sec. 6. Original sections 9-601, 9-603, and 9-607,
15 Reissue Revised Statutes of Nebraska, are repealed.