

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 490

Introduced by Karpisek, 32.

Read first time January 18, 2011

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 section 3 of this act
4 shall be known and may be cited as the Nebraska County and City
5 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 and
10 section 3 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. Section 9-607, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 9-607 (1) Lottery shall mean a gambling scheme in which:

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

18 (b) Winning opportunities are represented by tickets;

19 (c) Winners are solely determined by one of the following
20 two methods:

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

24 (ii) By use of a game known as keno in which a player
25 selects up to twenty numbers from a total of eighty numbers on a

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

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

18 (2) Lottery shall not include:

19 (a) Any gambling scheme which uses any mechanical gaming
20 device, computer gaming device, electronic gaming device, or video
21 gaming device which has the capability of awarding something of
22 value, free games redeemable for something of value, or tickets or
23 stubs redeemable for something of value;

24 (b) Any activity authorized or regulated under the
25 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska

1 Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act,
2 the State Lottery Act, section 9-701, or Chapter 2, article 12; or

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

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

16 (4) A county, city, or village conducting a keno lottery
17 shall designate the method of winning number selection to be used in
18 the lottery and submit such designation in writing to the department
19 prior to conducting a keno lottery. Only those methods of winning
20 number selection described in subdivision (1)(c)(ii) of this section
21 shall be permitted, and the method of winning number selection
22 initially utilized may only be changed once during that business day
23 as set forth in the designation. As part of the designation, a
24 county, city, or village may determine to use a time limit of more
25 than one minute between random-number selections under subdivision

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

11 Sec. 5. Original sections 9-601, 9-603, and 9-607,
12 Reissue Revised Statutes of Nebraska, are repealed.