

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 470**

Introduced by Larson, 40.

Read first time January 17, 2017

Committee: General Affairs

1 A BILL FOR AN ACT relating to gambling; to amend sections 9-607 and  
2 9-646.01, Reissue Revised Statutes of Nebraska, and section 9-601,  
3 Revised Statutes Cumulative Supplement, 2016; to redefine a term; to  
4 change the manner of play of keno as prescribed; to change  
5 provisions relating to keno tickets; to require reasonable measures  
6 by lottery operators using electronic tickets; to provide for  
7 authorization of methods of payment for participation in gaming  
8 activities under the Nebraska County and City Lottery Act as  
9 prescribed; to harmonize provisions; and to repeal the original  
10 sections.

11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-601, Revised Statutes Cumulative Supplement,  
2 2016, is amended to read:

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

5 Sec. 2. Section 9-607, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 9-607 (1) Lottery shall mean a gambling scheme in which:

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

10 (b) Winning opportunities are represented by tickets;

11 (c) Winners are solely determined by one of the following two  
12 methods:

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

16 (ii) By use of a game known as keno in which (A) a player selects up  
17 to twenty numbers from a total of eighty numbers on a paper ticket or,  
18 beginning January 1, 2018, an electronic ticket, ~~(B)~~ and a computer,  
19 other electronic selection device, or electrically operated blower  
20 machine, which is not player-activated, randomly selects up to twenty  
21 numbers from the same pool of eighty numbers, and (C) the winning players  
22 are determined by the correct matching of the numbers on the paper ticket  
23 or, beginning January 1, 2018, an electronic ticket selected by the  
24 players with the numbers randomly selected by the computer, other  
25 electronic selection device, or electrically operated blower machine,  
26 except that ~~(A)~~ no keno game shall permit or require player activation of  
27 lottery equipment, each player shall be allowed to use a paper ticket for  
28 selection of numbers upon request by the player beginning January 1,  
29 2018, and ~~(B)~~ the random selection of numbers by the computer, other  
30 electronic selection device, or electrically operated blower machine  
31 shall not occur within four ~~five~~ minutes of the completion of the

1 previous selection of random numbers; and

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

5 (2) Lottery shall not include:

6 (a) Any gambling scheme which uses any mechanical gaming device,  
7 computer gaming device, electronic gaming device, or video gaming device  
8 which has the capability of awarding something of value, free games  
9 redeemable for something of value, or tickets or stubs redeemable for  
10 something of value;

11 (b) Any activity authorized or regulated under the Nebraska Bingo  
12 Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card  
13 Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery  
14 Act, section 9-701, or Chapter 2, article 12; or

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

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

27 (4) A county, city, or village conducting a keno lottery shall  
28 designate the method of winning number selection to be used in the  
29 lottery and submit such designation in writing to the department prior to  
30 conducting a keno lottery. Only those methods of winning number selection  
31 described in subdivision (1)(c)(ii) of this section shall be permitted,

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

12       Sec. 3. Beginning January 1, 2018, a lottery operator operating a  
13 keno lottery which uses electronic tickets shall take reasonable measures  
14 to prevent participation in the keno lottery by a person outside the  
15 licensed premises. Such reasonable measures may include geofencing that  
16 blocks access to participation outside of the licensed premises.

17       Sec. 4. Section 9-646.01, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19       9-646.01   (1) No person or licensee, or any employee or agent  
20 thereof, accepting wagers on a lottery conducted pursuant to the Nebraska  
21 County and City Lottery Act shall extend credit from the gross proceeds  
22 of a lottery to participants in the lottery for the purchase of lottery  
23 tickets.

24       (2) Except as otherwise provided in subsection (3) of this section,  
25 no ~~No~~ person shall purchase or be allowed to purchase any lottery ticket  
26 or make or be allowed to make any wager pursuant to the act unless he or  
27 she pays for such ticket or wager with United States currency or any  
28 method of payment representing United States currency ~~cash~~.

29       (3) Beginning January 1, 2018, no person shall be allowed to  
30 participate in keno unless he or she pays for such opportunity with cash  
31 or cash equivalent including a debit or prepaid card but not including a

1 credit card. For purposes of this subsection ~~section~~, cash shall mean  
2 United States currency having the same face value as the price of the  
3 ticket or wager.

4       Sec. 5.   Original sections 9-607 and 9-646.01, Reissue Revised  
5 Statutes of Nebraska, and section 9-601, Revised Statutes Cumulative  
6 Supplement, 2016, are repealed.