

August 15, 2000

Bingo, Lottery by Pickle Card, Lottery, and Raffle - Bingo Bonus Pickle Cards. IN ACCORDANCE WITH PROVISIONS CONTAINED IN LB 658, EFFECTIVE JULY 13, 2000, AN ORGANIZATION WHICH HOLDS A CLASS I OR CLASS II BINGO LICENSE WHO ALSO HOLDS A CLASS I OR CLASS II LOTTERY BY THE SALE OF PICKLE CARDS LICENSE MAY SELL BINGO BONUS PICKLE CARDS AT ITS REGULAR OR LIMITED PERIOD BINGO OCCASIONS. EXCEPT AS PROVIDED IN THIS RULING, BINGO BONUS PICKLE CARDS SHALL BE SUBJECT TO ALL OF THE REQUIREMENTS OF THE NEBRASKA PICKLE CARD LOTTERY ACT AND ACCOMPANYING REGULATIONS.

Advice has been requested as to the proper marketing, sale, and conduct of a lottery by the sale of pickle cards in which certain prize winners in the lottery by pickle cards are determined by the drawing of bingo balls during the conduct of a licensed bingo occasion. Such pickle card games shall be known and referred to as “bingo bonus pickle card games” and are subject to the following provisions.

I. DEFINITIONS

- A. Bingo bonus pickle card game means a lottery by the sale of pickle cards game in which certain prize winners are determined by the drawing of bingo balls during the conduct of a licensed bingo occasion.
- B. Bingo bonus hold card means a pickle card used in conjunction with a bingo bonus pickle card game which contains a bingo letter and number combination predetermined by the manufacturer to be a “hold” combination eligible for a bingo bonus prize.
- C. Bingo bonus prize means a cash prize amount predetermined by the manufacturer which is to be awarded to a player possessing a bingo bonus hold card which has been determined to be a winning card based upon the drawing of bingo balls at a licensed bingo occasion.

II. MANUFACTURER REQUIREMENTS

- A. Except as otherwise specifically provided in the Nebraska Pickle Card Lottery Act, bingo bonus pickle cards shall adhere to all of the requirements contained in the Act and Pickle Card Regulation 35-318, which apply to traditional pickle cards.
- B. No bingo bonus pickle card shall be both an instant winner and a bingo bonus hold card. In designing a bingo bonus pickle card game, the manufacturer shall ensure that each unit contains 75 bingo numbered hold combinations which correspond to the traditional bingo ball numbers of B-1 through O-75. The manufacturer shall ensure that no individual unit of bingo bonus pickle cards contains any duplicate or identical bingo bonus hold combinations.
 - 1. The manufacturer may design a bingo bonus pickle card game to contain multiple sets of bingo numbered hold combinations provided each set of hold numbers contains the numbers B-1 through O-75 and is distinguishable by color.
 - 2. The manufacturer may design a bingo bonus hold card to contain more than one bingo numbered hold combination.
- C. No bingo bonus pickle card game may contain a last sale feature whereby a prize is to be awarded to the person who purchases the last pickle card of a particular unit.

- D. No bingo bonus pickle card game shall incorporate user-determined, carry-over, or progressive prize features. The number of winners and all cash prize amounts to be awarded shall be predetermined by the licensed manufacturer.
- E. The flare card for each bingo bonus pickle card game shall adhere to all of the requirements contained in the Nebraska Pickle Card Lottery Act and Pickle Card Regulation 35-318 which apply to flare cards.
 - 1. No bingo bonus pickle card game may utilize multiple boards or placards. All the required flare card information and game play features must be contained on one board or placard which shall serve as the game's flare card.
- F. Each bingo bonus pickle card game must have a unique form number which differentiates such game from any similar seal card game approved for sale in Nebraska.
 - 1. No bingo bonus pickle card game shall be packaged to contain an optional seal card which can be used in place of the drawing of bingo balls to determine prize winners.
- G. For each unit of bingo bonus pickle cards sold to a Nebraska licensed distributor for resale in Nebraska, the licensed manufacturer shall supply a conspicuous warning label or sticker, advising that such game can be played in Nebraska only at a licensed bingo occasion.
 - 1. Each manufacturer shall submit a sample of such label or sticker to the Department for approval. Any subsequent modifications made to an approved label or sticker shall also be subject to Department approval.

III. DISTRIBUTOR REQUIREMENTS

- A. A licensed distributor shall ensure that bingo bonus pickle card units are sold only to organizations which hold a Class I or Class II bingo license and a Class I or Class II lottery by the sale of pickle cards license.
- B. A licensed distributor shall not sell or otherwise provide a unit of bingo bonus pickle cards to any licensed organization in this state unless and until such unit has been affixed with a conspicuous warning label or sticker, supplied by the manufacturer of the game, advising that such game can be played in Nebraska only at a licensed bingo occasion.
 - 1. The warning label or sticker shall be affixed to outside of the box or other container in which the game is packaged by the manufacturer in such a manner as to easily draw the attention of the licensed organization to whom the game is supplied.
 - 2. It shall be the responsibility of the licensed distributor to ensure that the warning label or sticker provided by the manufacturer is properly affixed to each unit of bingo bonus pickle cards.

IV. ORGANIZATION REQUIREMENTS

- A. Bingo bonus pickle cards shall be sold to the public only at a licensed Class I or Class II bingo occasion or at an authorized limited period bingo occasion. A licensed organization shall not sell bingo bonus pickle card units to any pickle card operator or at its designated premises except in conjunction with the conduct of bingo.
- B. Bingo bonus pickle cards shall not be sold through any coin-operated or currency-operated pickle card dispensing device. Additionally, the commingling of two or more units of bingo

bonus pickle cards is prohibited. However, a licensed organization may offer for sale more than one bingo bonus pickle card game simultaneously, provided the games are of a different form number.

1. Only one bingo bonus pickle card game of a particular form number may be placed in play at a time. No licensed organization shall place a second unit of bingo bonus pickle cards, with the same form number, in play until the winning bingo bonus hold number(s) of the previous game have been drawn and announced.
- C. The winning bingo bonus hold number(s) for a particular game shall not be drawn unless and until all of the pickle cards within the unit have been sold.
1. The winning bingo bonus hold number for a particular game shall be determined by the first bingo ball drawn of the first bingo game conducted after all of the bingo bonus pickle cards of the game have been sold.
 2. If the manufacturer has designed a bingo bonus pickle card game which allows two or more bingo bonus prizes to be awarded by the drawing of more than one bingo ball, the winner of the top-tier bingo bonus prize shall be determined by the first bingo ball drawn, and the remaining bingo bonus prize winners shall be determined in successive ball draws with prizes awarded in descending order of value.
 3. If the last pickle card of a particular bingo bonus pickle card game is sold during the last bingo game of the occasion, then upon the conclusion of that bingo game the bingo caller shall:
 - a. Return all bingo balls to the receptacle; and
 - b. Draw the appropriate number of bingo balls necessary to determine the bingo bonus winners.
 4. The bingo caller shall record the following information on the flare card for each bingo bonus pickle card game:
 - a. The number of the bingo game in which the bingo bonus numbers were drawn;
 - b. The winning bingo bonus number(s) drawn;
 - c. The date of the bingo occasion at which the winning numbers were drawn;
 - d. The first and last name of the bingo caller; and
 - e. The first and last name of either the bingo chairperson or the gaming manager for the licensed organization signifying that such person has verified the winning bingo bonus number(s) drawn.
 5. In the event a particular unit of bingo bonus pickle cards is not completely sold during the course of the bingo occasion, the licensed organization must continue to sell the pickle cards for that game at its next bingo occasion. Additionally, the bingo caller must make an announcement at the conclusion of the bingo occasion advising that any player with a bingo bonus hold card for a game to be continued at the next bingo occasion, shall be solely responsible for the safekeeping of his or her hold card(s).
 6. No licensed organization shall award a bingo bonus prize unless and until the appropriate winning bingo bonus hold card is presented for payment. The licensed organization must

verify that the serial number of any winning bingo bonus pickle card presented matches the serial number of a game which was sold at its bingo occasion.

- a. In the event one or more of the winning bingo bonus hold cards are not presented for payment during the bingo occasion at which the winning numbers were determined, the licensed organization shall post the following information at each successive bingo occasion for the next thirty days or until the bingo bonus prize(s) have been claimed, whichever comes first:
 - i. The name, form number, and serial number of the bingo bonus game with unclaimed bingo bonus prizes;
 - ii. The date of the bingo occasion at which the winning numbers were drawn;
 - iii. The winning bingo bonus number for the game; and
 - iv. A statement indicating that bingo bonus pickle card prizes must be claimed within thirty days.
 - b. The bingo caller shall, at the beginning of each bingo occasion, make an announcement identifying the name and serial number of each bingo bonus pickle card game with unclaimed prizes. Such announcement shall be made at each successive bingo occasion for the next thirty days or until the prize(s) have been claimed, whichever comes first.
7. Winning bingo bonus hold cards must be redeemed within 30 days from the date of the bingo occasion at which the winning bingo bonus hold number(s) were determined. At the end of the 30-day period, any unclaimed prize shall be retained in the licensed organization's pickle card checking account until utilized for a lawful purpose.
- a. Winning bingo bonus hold card(s) must be stapled to the game flare card. The flare card and winning bingo bonus hold card(s) shall be retained with the organization's records for a period of three years.
8. The proceeds from the sale of bingo bonus pickle cards shall not be included in the organization's bingo gross receipts and shall be recorded as pickle card sales. The proceeds from the sale of bingo bonus pickle cards, less prizes actually paid, shall be deposited in the licensed organization's pickle card checking account.
- a. Bingo bonus pickle card prizes are not considered bingo prizes and are not required to be included when determining bingo prize limitations or bingo prize payout requirements.

APPROVED:



Mary Jane Egr
State Tax Commissioner

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