

House Bill 3377

Sponsored by Representative PARRISH

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Limits amount Oregon State Lottery Commission may spend to advertise state lottery. Requires that portion of moneys spent on advertising be directed to prevention and treatment of addiction and other emotional and behavioral problems related to playing state lottery.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to advertising for the state lottery; amending ORS 461.220; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 461.220 is amended to read:

5 461.220. (1) Upon recommendation of the Director of the Oregon State Lottery, the Oregon State
6 Lottery Commission shall adopt rules that specify the number and value of prizes for winning tickets
7 or shares in each lottery game including, without limitation, cash prizes, merchandise prizes, prizes
8 consisting of deferred payments or annuities and prizes of tickets or shares in the same lottery game
9 or other lottery games conducted by the Oregon State Lottery.

10 (2) In each lottery game utilizing tickets, the following information shall be printed on each
11 ticket:

12 (a) A close approximation of the odds of winning some prize or some cash prize, as appropriate
13 for the lottery game.

14 (b) An approximation of a payout percentage that will be returned to players in the form of
15 prizes for the lottery game. For online games, the approximation may be based on the average
16 payout percentage over several prior years.

17 (c) The statement that "Lottery games are based on chance, should be played for entertainment
18 only and should not be played for investment purposes."

19 (3) A detailed tabulation of the estimated number of prizes of each particular prize denomination
20 that are expected to be awarded in each lottery game and the close approximation of the odds of
21 winning such prizes shall be available at each location at which tickets or shares in such lottery
22 games are offered for sale to the public.

23 (4) Notwithstanding subsection (1) of this section, the commission may specify by rule the num-
24 ber and value of prizes for lottery games that use video devices or that use tickets or shares that
25 allow a player to manually reveal covered play symbols, or the commission may make such infor-
26 mation available at each location that offers such games using video devices, tickets or shares for
27 sale to the public.

28 **(5)(a) The commission shall spend one percent or less of the gross proceeds of the state
29 lottery in a biennium to advertise the state lottery.**

30 **(b) Of the amount described in paragraph (a) of this subsection, the commission shall**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **spend \$2 million on advertising directed to the prevention and treatment of addiction and**
 2 **other emotional and behavioral problems related to playing the state lottery.**

3 [(5)] (6) All television, radio and newspaper advertising of a lottery game shall include a dis-
 4 claimer representing a close approximation of the odds of winning some prize and an approximation
 5 of the amount that will be returned to the players in the form of prizes for the game in the following
 6 words: “The odds of winning some prize are one in (some number). The prize payout percentage is
 7 (some number).” where the numbers stated represent a close approximation of the odds of winning
 8 some prize and the prize payout percentage. However, this subsection does not apply to advertising
 9 the purpose of which is to advertise the location where tickets may be purchased or to provide in-
 10 formation about the winners.

11 [(6)] (7) All television, radio and newspaper advertising of lottery games funded by the lottery
 12 commission, including advertising that is intended to indicate where tickets may be purchased or to
 13 provide information about prize winners, shall include the disclaimer that “Lottery games are based
 14 on chance, should be played for entertainment only and should not be played for investment pur-
 15 poses.”

16 [(7)] (8) All television, radio and newspaper advertising intended to publicize projects or pro-
 17 grams funded by lottery dollars shall include the disclaimer that “Lottery games are based on
 18 chance and should be played for entertainment only.” However, this subsection does not apply to
 19 any such advertising that has the sole purpose of educating the public about gambling addiction or
 20 available treatments.

21 [(8)] (9) All billboard advertising intended to promote a lottery game, to indicate where tickets
 22 may be purchased or to provide information about prize winners shall include the disclaimer that
 23 “Lottery games should not be played for investment purposes.”

24 [(9)] (10) All billboard advertising intended to publicize projects or programs funded by lottery
 25 dollars shall include the disclaimer that “Lottery games should be played for entertainment only.”

26 [(10)] (11) A disclaimer required by this section to be included in a written advertisement shall
 27 be of a size and in a form that allows an individual to readily notice and read the statement. A
 28 disclaimer required by this section to be included in a television or radio advertisement shall be
 29 spoken aloud and, in the case of television, must also be displayed visually in a form that allows an
 30 individual to readily notice and read the statement.

31 **SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**
 32 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
 33 **July 1, 2013.**