

CHAPTER 205**(HB 232)**

AN ACT relating to the lottery.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 154A IS CREATED TO READ AS FOLLOWS:

- (1) ***Except for lottery vending machines located in factories or lottery vending machines located in package liquor stores, bars or taverns to which persons under the age of eighteen (18) years are not permitted access, a lottery retailer shall locate any vending machine from which lottery tickets are dispensed in the sight of the employees of the lottery retailer.***
- (2) ***The provisions of this section shall not apply to blind persons who operate vending machines as a part of a program established by federal or state law.***

Section 2. KRS 154A.990 is amended to read as follows:

- (1) (a) Any person who knowingly sells a lottery ticket to a person under eighteen (18) years of age shall be guilty of a violation for the first offense and for each subsequent offense shall be guilty of a Class B misdemeanor.
(b) ***Any lottery retailer who violates Section 1 of this Act shall be notified by the corporation in writing that the retailer shall have thirty (30) days in which to correct the violation. If at the end of that thirty (30) day period the violation is not corrected, the corporation shall remove all lottery vending machines from the retailer's premises.***
- (2) Any person who, with intent to defraud, falsely makes, alters, forges, utters, passes, or counterfeits a state lottery ticket shall be guilty of a Class C felony.
- (3) Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception, or tampering with lottery equipment or materials shall be guilty of a Class B felony.
- (4) Any person who violates the provisions of KRS 154A.030(2) shall be guilty of a Class D felony and shall be removed from the board.
- (5) Any person who violates the provisions of KRS 154A.080(2) shall be fined not less than five thousand dollars (\$5,000) nor more than fifty thousand dollars (\$50,000) and shall be guilty of a Class D felony.
- (6) Any person who violates the provisions of KRS 154A.080(3) shall be guilty of a Class D felony.
- (7) Any person who violates the provisions of KRS 154A.080(4) shall be guilty of a Class A misdemeanor.
- (8) Any person, including any retailer and any officers, directors, or employees of a corporate retailer, any general partner or employee of a retailer which is a partnership or joint venture, or any owner or employee of a retailer which is a sole proprietorship, who willfully violates the provisions of KRS 154A.420(1) shall be fined not less than one thousand dollars

(\$1,000) nor more than ten thousand dollars (\$10,000) and shall be guilty of a Class D felony.

- (9) Any person who violates the provisions of KRS 154A.440(1) for the first offense shall be guilty of a violation and for each subsequent offense shall be guilty of a Class B misdemeanor.
- (10) Any person violating KRS 154A.160(3) is guilty of a Class D felony.
- (11) Any person who knowingly provides false or intentionally misleading information to the corporation in connection with a background investigation prior to employment pursuant to KRS 154A.080(5), an application for a lottery retailer certificate under KRS 154A.400, the corporation's investigation of prospective vendors pursuant to KRS 154A.600, or any investigation by the corporation's Division of Security shall be fined not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000), and shall be guilty of a Class D felony.
- (12) Unless the corporation shall have promulgated administrative regulations governing its procurements under KRS 154A.120(1), the provisions of KRS 45A.990(1) to 45A.990(8) shall be deemed to apply to procurement activities conducted under this chapter which are governed by KRS Chapter 45A. If the corporation has promulgated administrative regulations governing its procurements, any person who willfully violates the administrative regulations shall be guilty of a Class A misdemeanor.

Approved April 5, 2002