

Enrolled
House Bill 3115

Sponsored by Representatives LIVELY, WALLAN; Representatives ANDERSEN, GOMBERG, SOSA
(Presession filed.)

CHAPTER

AN ACT

Relating to the state lottery; creating new provisions; amending ORS 461.250; and prescribing an effective date.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 461.

SECTION 2. (1) Subject to subsection (2) of this section, a person may not:

(a) Sell, or offer to sell, a winning ticket or share;

(b) Purchase, or offer to purchase, a winning ticket or share; or

(c) Claim, or offer to claim, a winning ticket or share for another person for compensation.

(2) This section does not apply to any prize that the Oregon State Lottery Commission authorizes lottery game retailers to pay under ORS 461.250.

(3) The commission shall adopt rules necessary to enforce the provisions of this section.

SECTION 3. Section 4 of this 2025 Act is added to and made a part of ORS chapter 316.

SECTION 4. If the amount of the purchase price of a lottery ticket that is purchased in violation of section 2 of this 2025 Act is allowed as a deduction for federal tax purposes, the amount of the purchase price shall be added to federal taxable income for Oregon tax purposes.

SECTION 5. Section 6 of this 2025 Act is added to and made a part of ORS chapter 317.

SECTION 6. If the amount of the purchase price of a lottery ticket that is purchased in violation of section 2 of this 2025 Act is allowed as a deduction for federal tax purposes, the amount of the purchase price shall be added to federal taxable income for Oregon tax purposes.

SECTION 7. Sections 4 and 6 of this 2025 Act apply to purchases of lottery tickets made in tax years beginning on or after January 1, 2026.

SECTION 8. ORS 461.250 is amended to read:

461.250. Upon recommendation of the Director of the Oregon State Lottery, the Oregon State Lottery Commission shall adopt rules to establish a system of verifying the validity of tickets or shares claimed to win prizes and to effect payment of such prizes, provided:

(1) For the convenience of the public, lottery game retailers may be authorized by the commission to pay winners of up to \$5,000 after performing validation procedures on their premises appropriate to the lottery game involved.

(2) A prize may not be paid to a person under 18 years of age.

(3) A video lottery game prize may not be paid to a person under 21 years of age.

(4) A prize may not be paid arising from claimed tickets or shares that are stolen, counterfeit, altered, fraudulent, unissued, produced or issued in error, unreadable, not received or not recorded by the Oregon State Lottery by applicable deadlines, lacking in captions that confirm and agree with the lottery play symbols as appropriate to the lottery game involved or not in compliance with such additional specific rules or with public or confidential validation and security tests of the lottery appropriate to the particular lottery game involved. However, the commission may adopt rules to establish a system of verifying the validity of claims to prizes greater than \$600 that are otherwise not payable under this subsection due to a lottery game retailer's losing, damaging or destroying the winning ticket or share while performing validation procedures thereon, and to effect payment of verified claims. A verification system established by the commission shall include appropriate public or confidential validation and security tests.

(5) A particular prize in any lottery game may not be paid more than once, and in the event of a binding determination that more than one claimant is entitled to a particular prize, the sole remedy of such claimants is the award to each of them of an equal share in the prize.

(6) The commission may specify that winners of less than \$25 claim such prizes from either the same lottery game retailer who sold the winning ticket or share or from the lottery itself and may also specify that the lottery game retailer who sold the winning ticket or share be responsible for directly paying that prize.

(7) Holders of tickets or shares shall have the right to claim prizes for one year after the drawing or the end of the lottery game or play in which the prize was won. The commission may define shorter time periods to claim prizes and for eligibility for entry into drawings involving entries or finalists. If a valid claim is not made for a prize payable directly by the lottery commission within the applicable period, the unclaimed prize shall remain the property of the commission and shall be allocated to the benefit of the public purpose.

(8)(a) The right of any person to a prize shall not be assignable, except that:

(A) Payment of any prize may be made according to the terms of a deceased prize winner's signed beneficiary designation form filed with the commission or, if no such form has been filed, to the estate of the deceased prize winner.

(B) Payment of any prize shall be made to a person designated pursuant to an appropriate judicial order or pursuant to a judicial order approving the assignment of the prize in accordance with ORS 461.253.

(b) The director, commission and state shall be discharged of all further liability with respect to a specific prize payment upon making that prize payment in accordance with this subsection or ORS 461.253.

(9) A ticket or share may not be purchased by, and a prize may not be paid to, a member of the commission, the director, the assistant directors or any employee of the state lottery or to any spouse, child, brother, sister or parent of such person.

(10) Payments made according to the terms of a deceased prize winner's signed beneficiary designation form filed with the commission are effective by reason of the contract involved and this statute and are not to be considered as testamentary devices or subject to ORS chapter 112. The director, commission and state shall be discharged of all liability upon payment of a prize.

(11) In accordance with the provisions of the Servicemembers Civil Relief Act, 50 U.S.C. [3935] **3901 et seq.**, a person while in active military service may claim exemption from the one-year ticket redemption requirement under subsection (7) of this section. However, the person must notify the commission by providing satisfactory evidence of possession of the winning ticket within the one-year period, and must claim the prize or share no later than one year after discharge from active military service.

(12) The name and address of a prize winner are exempt from disclosure under ORS 192.311 to 192.478 and may not be publicly disclosed by the Oregon State Lottery or the commission unless the prize winner provides written authorization for such disclosure.

SECTION 9. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by House March 17, 2025

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Julie Fahey, Speaker of House

Passed by Senate April 29, 2025

.....
Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

.....
Tobias Read, Secretary of State