



Together, we do good things.

# Memo

**Date:** May 20, 2020  
**To:** Oregon State Lottery Commissioners  
**From:** Kris Skaro, rules and policy analyst  
**Subject:** Update on temporary rulemaking

This memo updates the Commission about two temporary rulemaking projects underway:

## 1. Managing VLTs During COVID-19 State of Emergency

The Lottery recently notified Commissioners and other interested parties that the Lottery adopted a temporary rule to provide a framework for managing Video Lottery terminals (VLTs) during the COVID-19 state of emergency. The new rule, [OAR 177-040-0049](#), provides transparency to our Video Lottery retailers and the public about how the Lottery will manage VLTs during various phases of reopening.

Specifically, the rule explains that during the COVID-19 state of emergency and various phases of reopening, retailers must comply with [official guidance](#) about the safe placement, operation, and maintenance of VLTs, such as physical distancing requirements, cleaning protocols, and limitations on access to and hours of operation of VLTs. The rule also commits the Lottery to inform retailers about these requirements and provide assistance to retailers to help them comply. The rule requires retailers to provide information to Lottery to verify compliance and allows the Lottery to conduct on-site inspections and investigate reports of non-compliance. The rule explains consequences for failure to comply.

The temporary rulemaking is provided in your meeting materials. The temporary rule is effective for six months. It is not clear at this time if the Commission will need to permanent adopt this rule; hopefully we will not need this rule beyond November, but I will report back either way.

## 2. Virtual Sporting Events

The Lottery is planning to adopt temporary rules to allow Scoreboard players to place bets on virtual sporting events. As you know, sporting events around the world have been suspended since March; offering virtual sporting events is an opportunity to keep players engaged and entertained, but this requires some modest amendments to our Scoreboard rules to: define virtual sporting events; explain how winners are determined; and explain how game integrity is ensured. The draft temporary rulemaking is provided in your meeting materials for reference. Lottery may ask the Commission to consider permanently adopting the rule changes later this year if virtual sporting events are popular with our players.

Please see enclosed additional information about these temporary rulemaking projects, including rule text showing changes.

Thank you, and please let me know if you have any questions.