

**§ 18C-114. Powers and duties of the Commission.**

- (a) The Commission shall have the following powers and duties:
- (1) To specify the types of lottery games and gaming technology to be used in the Lottery.
  - (2) To prescribe the nature of lottery advertising which shall comply with the following:
    - a. All advertising shall include resources for responsible gaming information.
    - b. No advertising may intentionally target specific groups or economic classes.
    - c. No advertising may be misleading, deceptive, or present any lottery game as a means of relieving any person's financial or personal difficulties.
    - d. No advertising may have the primary purpose of inducing persons to participate in the Lottery.
  - (3) To specify the number and value of prizes for winning tickets or shares in lottery games, including cash prizes, merchandise prizes, prizes consisting of deferred payments or annuities, and prizes of tickets or shares in the same lottery game or other lottery games.
  - (4) To specify the rules of lottery games and the method for determining winners of lottery games.
  - (5) To specify the retail sales price for tickets or shares for lottery games.
  - (6) To establish a system to claim prizes, including determining the time periods within which prizes must be claimed, to verify the validity of tickets or shares claimed to win prizes, and to effect payment of those prizes.
  - (7) To conduct a background investigation, including a criminal history record check, of applicants for the position of Director, which may include a search of the State and National Repositories of Criminal Histories based on the fingerprints of applicants.
  - (8) To charge a fee of potential contractors, of lottery contractors, of lottery retailers, and of licensees and potential licensees and their key persons not to exceed the cost of the criminal history record check.
  - (9) To specify the manner of distribution, dissemination, or sale of lottery tickets or shares to lottery game retailers or directly to the public.
  - (10) To determine the incentives, if any, for any lottery employees, lottery retailers, lottery contractors, or electronic computer terminal operators.
  - (11) To specify the authority, compensation, and role of the Director, and to specify the authority, selection, and role of the other employees of the Commission. All of the following apply to all employees of the Commission:
    - a. No employee of the Commission may have a financial interest in any lottery potential contractor, lottery contractor or licensee, other than an interest as part of a mutual fund.
    - b. No employee of the Commission with decision-making authority shall participate in any decision involving the retailer, potential contractor, licensee, or license applicant with whom the employee has a financial interest.
    - c. No employee of the Commission who leaves the employment of the Commission may represent any licensee, license applicant, lottery contractor, potential contractor, or retailer before the Commission for a

- period of one year following termination of employment with the Commission.
- d. A background investigation shall be conducted on each applicant for employment with the Commission.
  - e. The Commission shall bond all employees with access to lottery funds or revenue or security.
- (12) To approve and authorize the Director to enter into agreements with other states to operate and promote multistate lotteries consistent with the purposes set forth in this Chapter.
  - (13) Any other powers necessary for the Commission to carry out its responsibilities under this Chapter.
  - (14) To adopt and implement any rules necessary to carry out the provisions of this Chapter, resolving any conflicts in this Chapter to the best interest of the State.
- (b) Article 15 of Chapter 143B of the General Statutes shall not apply to the Commission.
  - (c) The Commission and the Department of Revenue may agree to exchange any data necessary to enforce and administer Articles 9 and 10 of this Chapter and Article 2E of Chapter 105 of the General Statutes, including information deemed necessary to perform an audit of a licensee or taxpayer under those Articles. (2005-344, s. 1; 2005-276, s. 31.1(f); 2009-357, s. 1; 2009-570, s. 32(b), (c); 2015-241, s. 7A.4(a); 2023-42, s. 4(a).)