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**DIVISION OF STATE LOTTERY**  
**Ongoing Requirements to Maintain Courier Service Registration**

**Proposed Amendment: N.J.A.C. 17:20-12.6**

Authorized By: New Jersey Lottery Commission, James A. Carey,  
 Executive Director.

Authority: N.J.S.A. 5:9-7.

Calendar Reference: See Summary below for explanation of  
 exception to calendar requirement.

Proposal Number: PRN 2022-126.

Submit written comments by November 18, 2022, to:

Patricia Coppel  
 Division of State Lottery  
 PO Box 041  
 Trenton, NJ 08625-0041  
 Email: [Patricia.Coppel@lottery.nj.gov](mailto:Patricia.Coppel@lottery.nj.gov)

The agency proposal follows:

**Summary**

The Division of State Lottery (Division) is proposing an amendment to existing N.J.A.C. 17:20-12.6(a)11 that would allow courier services to offer internet and mobile gaming, as well as online sports wagering, through a shared or separate wallet by means of a separate tab or other entry point on the courier service's website or mobile application. The proposed amendment may create opportunities to encourage casino players to try Lottery games. The existing regulation, N.J.A.C. 17:20-12.6(a)11, provides that a courier service's website and mobile application shall offer for sale only New Jersey-authorized game tickets produced by the affiliated agent's dedicated terminal. The courier website and mobile applications shall be prohibited from the sale of all other products. The proposed amendment will clarify the existing rule by allowing the courier's website and mobile applications to offer other gaming options, such as online sports wagering, by providing a shared or separate wallet by means of a separate tab or other entry point on their courier service website or mobile application.

A 60-day comment period is provided on this notice of proposal, and therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, the notice is excepted from the provisions at N.J.A.C. 1:30-3.1 and 3.2, governing rulemaking calendars.

**Social Impact**

The proposed amendment is expected to have a favorable social impact by giving access to active New Jersey gaming consumers and players that might not currently be able to play the Lottery due to mobility restrictions, restrictions resulting from COVID-19, and other factors. The proposed amendment will also keep the risk of fraud at a minimum, while opening up the Lottery to players who prefer the convenience of online play and offers players and consumers of other gaming options, the readily available opportunity to purchase Lottery tickets.

**Economic Impact**

The proposed amendment provides an additional authorized game purchasing option and adds a service that may benefit customers and provide additional incentives to attract players. This proposed amendment may increase Lottery ticket sales and maintain or increase the Lottery's revenue contribution to the State's pension systems pursuant to the Lottery Enterprise Contribution Act, N.J.S.A. 5:9-21.

**Federal Standards Statement**

A Federal standards analysis is not required because the proposed amendment is not subject to any Federal standards or requirements. The proposed amendment only authorizes increased opportunity of internet ticket sales to customers located within the geographic boundaries of the State of New Jersey.

**Jobs Impact**

The proposed amendment may generate additional jobs within the Division to implement the proposed amendment. The Division does not anticipate any jobs will be lost as a result of the proposed amendment.

**Agriculture Industry Impact**

The proposed amendment will not have an impact on the agriculture industry. The proposed amendment has no effect on agriculture, as it pertains to Lottery services.

**Regulatory Flexibility Analysis**

The proposed amendment does not require a regulatory flexibility analysis in accordance with N.J.S.A. 52:14B-16 et seq., as the proposed amendment does not affect existing requirements nor impose additional reporting, recordkeeping, and compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendment only affects courier services in that it allows the courier services the opportunity to offer the sale of Lottery tickets to other existing gaming players and consumers in the State of New Jersey.

**Housing Affordability Impact Analysis**

The proposed amendment will have no impact on the affordability of housing in this State, nor will it have any impact on the average costs associated with housing, as it pertains to expanding Lottery services available to consumers in the State of New Jersey.

**Smart Growth Development Impact Analysis**

The proposed amendment will have no impact on the number of housing units in the State and will have no effect on smart growth development in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan, as the proposed amendment pertains to expanding Lottery services available to consumers in the State of New Jersey.

**Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Division has evaluated this rulemaking and has determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State. Accordingly, no further analysis is required.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 12. COURIER SERVICES

17:20-12.6 Ongoing requirements to maintain courier service registration

(a) In addition to other requirements of this subchapter, subsequent to a courier service registration being awarded, a courier service must adhere to the following requirements to maintain registration:

1.-10. (No change.)

11. The courier service's website and mobile applications shall offer [for sale] only:

i. [New Jersey authorized] **Sale of New Jersey-authorized** game tickets produced by the affiliated agent's dedicated terminal[. The courier website and mobile application shall be prohibited from the sale of all other products.]; **and**

ii. **Through a separate or shared wallet, other forms of gaming permitted at N.J.A.C. 13:69N and 13:69O, as long as such other forms of gaming are offered through a separate tab or other entry point within the same website or mobile application.**

12.-17. (No change.)