

7856.7040 AGENTS RESPONSIBLE FOR TICKETS.

Subpart 1. **General responsibility.** Tickets accepted by the retailer from the lottery, or its authorized representatives, are considered to have been purchased by the retailer, unless returned within the time specified. The retailer is responsible for lost, stolen, or missing tickets.

Subp. 2. **Waiver of responsibility.** The director may waive, in whole or in part, the retailer's responsibility for lost, stolen, or missing tickets if the director determines that granting a waiver is consistent with the secure, fair, and efficient operation of the lottery. In determining whether to grant a waiver, the director may consider appropriate factors, including but not limited to:

- A. the timeliness and completeness of the retailer's reporting of lost, stolen, or missing tickets;
- B. the retailer's inventory and loss prevention practices;
- C. the retailer's cooperation during any related investigation;
- D. the retailer's history of similar incidents involving lost, stolen, or missing tickets; and
- E. any other factor the director reasonably determines would further the secure, fair, and efficient operation of the lottery.

Subp. 3. **Reconsideration.** A retailer who disagrees with a determination made by the director under subpart 2 may request reconsideration. The request for reconsideration must be in writing, state the reasons for the request, and be received by the lottery within 30 calendar days of the retailer's receipt of the determination. The director shall issue a written decision on the request for reconsideration within 30 calendar days of receipt. The decision on reconsideration is final.

Statutory Authority: *MS s 349A.05*

History: *14 SR 2315; 30 SR 478; 50 SR 757*

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