

**FINAL FORM RULEMAKING
125-195
IRRC # 3124**

PENNSYLVANIA GAMING CONTROL BOARD

58 PA.CODE CH. 679a.

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30)(relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 13A02(1) and (2), proposes to add chapter 679a (relating to Three Card Prime) to read as set forth in Annex A.

Purpose of the Rulemaking

This rulemaking will add a new table game, Three Card Prime, to the compliment of games available for play in the Commonwealth.

Explanation

Section 679a.1 (relating to definitions) contains the definitions used throughout Chapter 679a. Section 679a.2 (relating to Three Card Prime table physical characteristics) contains the table physical characteristics. Section 679a.3 (relating to cards; number of decks) details the number of cards and decks used to play the game. Section 679a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 679a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 679a.6 (relating to Three Card Prime rankings) specifies the ranking of the hands. Section 679a.7 (relating to wagers) outlines the permissible wagers. Sections 679a.8–679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) detail the procedures for dealing the cards. Section 679a.11 (relating to procedures for completion of each round of play) addresses how the round of play is to be completed. Section 679a.12 (relating to payout odds; Bad Beat Bonus) outlines the permissible payout odds for winning wagers. Section 679a.13 (relating to irregularities) addresses irregularities in play.

In Three Card Prime, the hold percentages/house edge for the optional side wagers are as follows: Bad Beat Bonus—between 2.28% and 3.03%; Prime Wager—3.62%; Pair Bonus Wager—between

3.18% and 5.83%; and All Six Bonus Wager—between 6.74% and 18.10%.

Comment and Response Summary

Notice of the proposed rulemaking was published at 45 Pa.B. 6992 (December 12, 2015). The Board did not receive any comments from the regulated community. On February 10, 2016 the Independent Regulatory Review Commission provided the following comments on this rulemaking:

As it relates to the Bad Beat Bonus, IRRRC recommended that a definition of the payout be added to section a.1 (relating to definitions) and that the title of § 679a.12 (Payout odds; Envy Bonus) be amended to reflect the Bad Beat rather than Envy Bonus. Both revisions were made in the final-form rulemaking.

In Section 679a.2 (relating to Three Card Prime table physical characteristics), the Board corrected subsection (b)(2) which referenced the three betting areas on the table layout while there are, in fact, only two betting areas on the layout required for the Ante and Play Wagers.

Additional Revisions

At final, the Board added two optional payout tables for the Bad Beat Bonus. Currently players receive a Bad Beat Bonus if they lose to the dealer's hand but have a straight or higher. The new tables will provide a payout to patrons who lose to the dealer's hand but have a lower ranking flush or higher. The hold percentages for the two additional payout tables are 2.28% and 2.41%.

Additionally, as there is no progressive side wager currently offered on the game, the Board corrected the title of section a.12 to remove the "rate of progression" language.

Affected Parties

Slot machine licensees may be impacted by this rulemaking as they will have the option to offer another game to patrons at their licensed facilities.

Fiscal Impact

Commonwealth. The Board does not expect that the provisions contained in this rulemaking will have any fiscal impact on the Board or any other Commonwealth agency. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

Political Subdivisions. This proposed rulemaking will have no fiscal impact on political subdivisions of the Commonwealth.

Private Sector. This rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Three Card Prime within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Any costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General Public. This proposed rulemaking will have no fiscal impact on the general public.

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated rules submission form reflecting the changes. These forms are available and submitted to agency staff electronically.

Effective Date

The rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), on November 23, 2015, the Board submitted a copy of the proposed rulemaking, published at 45 Pa.B. 6992 (December 12, 2015) and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee (Committees).

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of comments received during the public comment period, as well as other documents when requested. With regard to this rulemaking, no comments were received from the Committees.

Under section 5a(j.2) of the Regulatory Review Act, the final-form rulemaking was deemed approved by the Committees on **INSERT DATE**. IRRC met on **INSERT DATE** and approved the regulations in accordance with section 5a(e) of the Regulatory Review Act.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240)(45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa.Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa.Code Chapter 679a to read as set forth in Annex A.

(2) The Chairman of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(3) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

David M. Barasch
Chairman

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 679a. THREE CARD PRIME

Sec.

679a.1. Definitions.

679a.2. Three Card Prime table physical characteristics.

679a.3. Cards; number of decks.

679a.4. Opening of the table for gaming.

679a.5. Shuffle and cut of the cards.

679a.6. Three Card Prime rankings.

679a.7. Wagers.

679a.8. Procedures for dealing the cards from a manual dealing shoe.

679a.9. Procedures for dealing the cards from the hand.

679a.10. Procedures for dealing the cards from an automated dealing shoe.

679a.11. Procedures for completion of each round of play.

679a.12. Payout odds; ~~Envy~~ BAD BEAT Bonus; rate of progression.

679a.13. Irregularities.

§ 679a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

All-Six Bonus Wager – An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Ante Wager – The wager that a player is required to make prior to any cards being dealt to compete against the dealer's hand.

BAD BEAT BONUS - A PAYOUT ON THE PLAYER'S PLAY WAGER WHEN THE RANK OF THE PLAYER'S THREE CARD HAND IS A FLUSH OR HIGHER OR A STRAIGHT OR HIGHER, DEPENDING ON THE PAYOUT TABLE SELECTED BY THE CERTIFICATE HOLDER, BUT IS LOWER IN RANK THAN THE DEALER'S THREE CARD HAND.

Hand – The Three Card Prime hand that is held by each player and the dealer after the cards are dealt.

Pair Bonus Wager – An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Play Wager – An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

Prime Wager – An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Qualify or qualifies – When the dealer's hand is a queen high or better.

§ 679a.2. Three Card Prime table physical characteristics.

(a) Three Card Prime shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Three Card Prime table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

(1) The name or logo of the certificate holder.

(2) ~~Three~~ **TWO** separate betting areas designated for the placement of Ante and Play Wagers for each player.

(3) If the certificate holder offers the optional Prime Wager authorized under § 679a.7(d)(2) (relating to wagers), the Pair Bonus Wager authorized under § 679a.7(d)(3) or the All-Six Bonus Wager authorized under § 679a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder and the phrase "'Dealer Qualifies with a Queen or Ante Pushes and Play Wins'" and "'Player wins ties.'" If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Three Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 679a.12(h) (relating to payout odds; ~~Envy~~ BAD BEAT Bonus; rate of progression), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Three Card Prime table.

(c) Each Three Card Prime table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Three Card Prime table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 679a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Three Card Prime shall be played with one deck of cards that are identical in appearance and one cover card.

(b) If an automated card shuffling device is utilized, Three Card Prime may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Three Card Prime shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 679a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 679a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)-(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or

(v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)–(d) do not apply.

§ 679a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 679a.8, §

679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a Three Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the

procedures in § 679a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)–(f) do not apply.

§ 679a.6. Three Card Prime rankings.

(a) The rank of the cards used in Three Card Prime, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2 and 3 but may not be combined with any other sequence of cards (for example, king, ace and 2). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Three Card Prime, in order of highest to lowest rank, shall be:

(1) A mini-royal, which is a hand consisting of an ace, king and queen of the same suit.

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, other than a mini-royal, with a king, queen and jack being the highest

ranking straight flush and an ace, 2 and 3 being the lowest ranking straight flush.

(3) A three-of-a-kind, which is a hand consisting of three cards of the same rank with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(4) A straight, which is a hand consisting of three cards of more than one suit and of consecutive rank, with an ace, king and queen being the highest ranking straight and an ace, 2 and 3 being the lowest ranking straight.

(5) A flush, which is a hand consisting of three cards of the same suit, regardless of rank.

(6) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not contained in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

(2) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A straight flush, which is a hand consisting of five cards of the same suit, other than a royal flush, in consecutive ranking.

(4) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit.

(5) A full house, which is a hand consisting of three-of-a-kind and a pair.

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

(8) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit.

§ 679a.7. Wagers.

(a) Wagers at Three Card Prime shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Three Card Prime table may wager at the game. Once a player has placed a wager and

received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except the Play Wager, shall be placed prior to the dealer announcing 'no more bets' in accordance with the dealing procedures in § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 679a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced 'no more bets.'

(d) The following wagers may be placed in the game of Three Card Prime:

(1) A player may compete solely against the dealer's Three Card Prime hand by placing an Ante Wager then a Play Wager, in an amount equal to the player's Ante Wager, in accordance with § 679a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Three Card

Prime table the option to make an additional Prime Wager which shall win if all three of player's cards are of the same color.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional Pair Bonus Wager, which shall win if the player's hand contains a pair or better as provided in § 679a.6(b) (relating to Three Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player's three cards and the dealer's three cards form a three-of-a-kind or better as provided in § 679a.6(d).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 679a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 679a.5 (relating to shuffle and cut

of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player's fourth card. All cards shall be dealt face down.

(d) After three cards have been dealt to each player and the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used,

the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 679a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the

cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce 'no more bets.'

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player's fourth card. All cards shall be dealt face down.

(c) After three cards have been dealt to each player and the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used,

the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 679a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "'no more bets.'"

(b) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of three cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards. If a player has placed a Pair Bonus Wager, after removing the stub from the automated dealing shoe, the dealer shall deal an additional card face down to the area of the layout for the player's fourth card. Except as provided in subsection (d), the dealer shall then place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of

play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe that automatically reshuffles the cards, the dealer may distribute four cards to each player and the dealer provided that as the cards are dispensed and distributed to each player:

(1) The top card of a stack dealt to a player who placed a Pair Bonus Wager shall be moved off the top of the stack and placed face down on the table layout until it is revealed by the dealer in accordance with § 679a.11(d)(2) (relating to procedures for completion of each round of play).

(2) The top card of a stack dealt to a player who did not place a Pair Bonus Wager and to the dealer shall be collected and placed face down in the discard rack.

§ 679a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Three Card Prime shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his three cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Play Wager in an amount equal to the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Prime, Pair Bonus or All-Six Bonus Wager but does not make a Play Wager, the

player shall forfeit the Ante Wager but does not forfeit the Prime, Pair Bonus or All-Six Bonus Wagers.

(c) After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Prime, Pair Bonus or All-Six Bonus Wager, and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking Three Card Prime hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the three cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and form the highest possible ranking Three Card Prime hand for each player.

(3) If the dealer's highest ranking Three Card Prime hand:

(i) Does not qualify, the dealer shall return each player's Ante Wager and pay the player's Play Wager in

accordance with § 679a.12(a) (relating to payout odds; ~~Envy~~ **BAD BEAT** Bonus; rate of progression).

(ii) Qualifies, and the player's highest ranking Three Card Prime hand is higher than or equal to the dealer's hand, the dealer shall pay the winning Ante Wager in accordance with § 679a.12(a) and the player's winning Play Wager in accordance with § 679a.12(b).

(iii) Qualifies, and the player's hand contains a flush or lower **OR A PAIR OR LOWER, DEPENDING ON THE PAYOUT TABLE SELECTED BY THE CERTIFICATE HOLDER,** and is lower than the dealer's hand, the dealer shall collect the player's losing Ante and Play Wagers.

(iv) Qualifies, and the player's hand contains a straight or better **OR A FLUSH OR BETTE, DEPENDING ON THE PAYOUT TABLE SELECTED BY THE CERTIFICATE HOLDER,** and is lower than the dealer's hand, the dealer shall collect the player's losing Ante Wager and pay the player a Bad Beat Bonus on the player's Play Wager in accordance with § 679a.12(c).

(d) After settling the player's Ante and Play Wagers, the dealer shall settle any optional wagers as follows:

(1) For the Prime Wager, if all three of the player's cards:

(i) Are not the same color, the dealer shall collect the losing Prime Wager.

(ii) Are of the same color, or if all three of the player's cards are the same color and all three of the dealer's cards are the same color as the player's three cards, the winning Prime Wager shall be paid out in accordance with § 679a.12(d).

(2) For the Pair Bonus Wager, if the player's hand:

(i) Does not contain a pair or better, the dealer shall collect the losing Pair Bonus Wager.

(ii) Contains a pair or better, the dealer shall reveal the fourth card dealt to the player. If the fourth card dealt to the player:

(A) Is not a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(e).

(B) Is a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(f).

(3) For the All-Six Bonus Wager, the dealer shall combine the player's three cards and the dealer's three cards to form the highest ranking six-card hand as provided in § 679a.6(d) (relating to Three Card Prime rankings). If the hand:

(i) Does not contain a three-of-a-kind or better, the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, the dealer shall pay the winning All-Six Bonus Wager in accordance with § 679a.12(g).

(e) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 679a.12. Payout odds; ~~Envy~~ BAD BEAT Bonus; ~~rate of progression.~~

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 and shall pay Play Wagers when a dealer does not qualify at odds of 1 to 1.

(b) A certificate holder shall pay winning Play Wagers, when the dealer's hand qualifies, in accordance with the following payout table:

Hand	Payout
Mini-royal flush	10 to 1
Straight flush	6 to 1
Three-of-a-kind	5 to 1
Straight	2 to 1
Flush or lower	1 to 1

(c) A certificate holder shall pay a Bad Beat Bonus on the player's Play Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules

Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	Paytable A	<u>PAYTABLE B</u>	Paytable B C	<u>PAYTABLE D</u>
Straight flush	12 to 1	<u>12 TO 1</u>	6 to 1	<u>6 TO 1</u>
Three-of-a-kind	10 to 1	<u>10 TO 1</u>	5 to 1	<u>5 TO 1</u>
Straight	4 to 1	<u>4 TO 1</u>	2 to 1	<u>2 TO 1</u>
<u>FLUSH</u>		<u>1 TO 1</u>		<u>1 TO 1</u>

(d) A certificate holder shall pay out winning Prime Wagers at the odds in the following payout table:

Hand	Payout
Same color player and dealer hand	4 to 1
Same color player hand	3 to 1

(e) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was not a 2, as provided in the following payout table:

Hand	Payout
Mini-royal flush	50 to 1
Straight flush	40 to 1
Three-of-a-kind	30 to 1
Straight	6 to 1
Flush	3 to 1
Pair	1 to 1

(f) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was a 2, as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Mini-royal flush	100 to 1	75 to 1	75 to 1	75 to 1
Straight flush	80 to 1	60 to 1	50 to 1	50 to 1
Three-of-a-kind	60 to 1	45 to 1	40 to 1	40 to 1
Straight	12 to 1	10 to 1	8 to 1	8 to 1
Flush	6 to 1	5 to 1	4 to 1	4 to 1
Pair	1 to 1	2 to 1	2 to 1	1 to 1

(g) A certificate holder shall pay out winning All-Six Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1

Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1
Hand		Paytable D	Paytable E
Six-card royal flush—diamonds			200,000 to 1
Six-card royal flush—hearts, spades or clubs			20,000 to 1
Royal flush		1,000 to 1	1,000 to 1
Straight flush		200 to 1	200 to 1
Four-of-a-kind		100 to 1	50 to 1
Full house		20 to 1	20 to 1
Flush		15 to 1	15 to 1
Straight		10 to 1	10 to 1
Three-of-a-kind		7 to 1	5 to 1

(h) Notwithstanding the payout odds in subsections (a)–(g), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. However, if a certificate holder is offering the All-Six Bonus Wager and selects payable E, the aggregate payout limit

established may not include the payout for the six-card royal flush.

§ 679a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accordance with § 679a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Play Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Pair Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 679a.11(d).

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.