Rules and Regulations
Title 58. Recreation
Part VII. Gaming Control Board

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THE TEMPORARY REGULATIONS ADOPTED BY THE BOARD EXPIRED JULY 5, 2007.

THIS DOCUMENT CONTAINS THE CHAPTERS OF PERMANENT REGULATIONS AND AMENDMENTS THERE TO THAT HAVE COMPLETED REVIEW UNDER THE REGULATORY REVIEW ACT AS OF DECEMBER 10, 2016 (MOST CURRENT PUBLICATION IN THE PA BULLETIN)

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Title. 58. Recreation

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Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart A. GENERAL PROVISIONS

CHAPTER 401a. PRELIMINARY PROVISIONS

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§ 401a.1. Purpose.

The purpose of this part is to facilitate the implementation of the act.

§ 401a.2. Construction.

(a) This part shall be liberally construed to secure the just, speedy and efficient determination of every action, proceeding or issue presented to which it is applicable. The Board at any stage of an action, proceeding or issue presented may disregard an error or defect of procedure which does not affect the substantive rights of the participants.

(b) Subsection (a) supersedes 1 Pa. Code § 31.2 (relating to liberal construction).

§ 401a.3. Definitions.

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

Act--The Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S. §§ 1101--1904).

Affiliate, affiliate of or person affiliated with--A person that directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with a specified person.

Applicant--A person, who on his own behalf or on behalf of another, is applying for permission to engage in an act or activity which is regulated under the act or this part. In cases in which the applicant is a person other than an individual, the Board will determine the associated persons whose qualifications are necessary as a precondition to the licensing of the applicant.

Application--A written request for permission to engage in an act or activity which is regulated under the act or this part.

Approved, approval or *approve*--The date that an application to the Board is granted regardless of the pendency of administrative or judicial appeals or other legal action challenging the decision of the Board.

Arrest--Detaining, holding, or taking into custody by police or other law enforcement authorities to answer for an alleged commission of an offense.

Associated equipment--Equipment or mechanical, electromechanical or electronic contrivance, component or machine used in connection with gaming, including the following:

(i) Linking devices which connect to progressive slot machines or slot machines.

(ii) Replacement parts needed to conduct slot machine gaming.

(iii) Equipment which affects the proper reporting of gross revenue.

(iv) Computerized systems for controlling and monitoring slot machines, including, the central control computer and devices for weighing or counting money.

BIE or *Bureau*--The Bureau of Investigations and Enforcement of the Board.

Background investigation--A security, criminal, credit and suitability investigation of a person as provided for in the act. The investigation must include the status of taxes owed to the United States and to the Commonwealth and its political subdivisions.

Backside area--

(i) Those areas of the racetrack facility that are not generally accessible to the public and which include facilities commonly referred to as barns, track kitchens, recreation halls, backside employee quarters and training tracks, and roadways providing access thereto.

(ii) The term does not include those areas of the racetrack facility which are generally accessible to the public, including the various buildings commonly referred to as the grandstand or the racing surfaces, paddock enclosures and walking rings.

Board--The Pennsylvania Gaming Control Board.

Board web site – www.gamingcontrolboard.pa.gov.

Central control computer--A central site computer controlled by the Department and accessible by the Board to which all slot machines communicate for the purpose of auditing capacity, real-time information retrieval of the details of a financial event that occurs in the operation of a slot machine, including, coin in, coin out, ticket in, ticket out, jackpots, machine door openings and power failure, and remote machine activation and disabling of slot machines.

Certificate holder --A slot machine licensee that was awarded a certificate to operate table games.

Certified gaming service provider--A gaming service provider that holds a gaming provider certification.

Charge--An indictment, complaint, information, summons or other notice of an alleged commission of an offense.

Clerk--The Clerk to the Board's Office of Hearings and Appeals.

Collateral agreement--Any contract between a management company or its affiliates, intermediaries, subsidiaries or holding companies and a slot machine licensee or its affiliates, intermediaries, subsidiaries or holding companies that is related either directly or indirectly to a management contract or to any rights, duties or obligations created between a management company and a slot machine licensee.

Commission or *Commissions*--The State Horse Racing Commission or the State Harness Racing Commission, or both, as the context may require.

Compensation--A thing of value, money or a financial benefit conferred on or received by a person in return for services rendered, or to be rendered, whether by that person or another.

Complimentary--

(i) Any lodging, service or item, including a cash or non-cash gift which is provided directly or indirectly to an individual at no cost or at a reduced cost which is not generally available to the public.

(ii) The term includes lodging provided to an individual at a reduced price due to the anticipated or actual gaming activities of that individual. Group rates, including convention and government rates, shall be deemed generally available to the public.

(iii) The term includes points that are awarded to patrons of a licensed facility who are members of the licensed facility’s player rewards program and credits for promotional slots play.

Conduct of gaming--The licensed placement and operation of games of chance under the act or this part and approved by the Board at a licensed facility.

Confidential information--Materials that are not generally available to the public.

Controlling interest--

(i) For a publicly traded domestic or foreign corporation, a controlling interest is an interest in a legal entity, applicant or licensee if a person's sole voting rights under state law or corporate articles or bylaws entitle the person to elect or appoint one or more of the members of the board of directors or other governing board or the ownership or beneficial holding of 5% or more of the securities of the publicly traded corporation, partnership, limited liability company or other form of publicly traded legal entity, unless this presumption of control or ability to elect is rebutted by clear and convincing evidence.

(ii) For a privately held domestic or foreign corporation, partnership, limited liability company or other form of privately held legal entity, a controlling interest is the holding of any securities in the legal entity, unless this presumption of control is rebutted by clear and convincing evidence.

(iii) A person who owns or beneficially holds less than 5% of the securities of a privately held domestic or foreign corporation, partnership, limited liability company or other form of privately held legal entity shall be deemed as having rebutted the presumption of control by clear and convincing evidence.

Conviction--

(i) A finding of guilt or a plea of guilty or nolo contendere, whether or not a judgment of sentence has been imposed as determined by the law of the jurisdiction in which the prosecution was held.

(ii) The term does not include a conviction that has been expunged or overturned or for which an individual has been pardoned or an order of Accelerated Rehabilitative Disposition has been entered.

Corporation--A publicly traded corporation.

Credential--A form of identification approved and issued by the Board.

Department--The Department of Revenue of the Commonwealth.

Ex parte communication--

(i) Any off-the-record communication engaged in or received by a member or presiding officer of the Board regarding the merits of or any fact in issue relating to a pending matter before the Board or presiding officer or which may reasonably be expected to come before the Board or presiding officer in a contested on-the-record proceeding.

(ii) The term does not include the following:

(A) Off-the-record communications by or between a member or presiding officer of the Board, the Department, the Pennsylvania State Police, the Attorney General or other law enforcement official prior to the beginning of the proceeding solely for the purpose of seeking clarification or correction to evidentiary materials intended for use in the proceedings.

(B) Communications between the Board or a member and the Office of Chief Counsel.

Federal tax identification number--The Social Security number of an individual or the Employer Identification Number of a business entity, fiduciary or other person.

Final order--One of the following:

(i) An action by the Board which approves, issues, renews, revokes, suspends, conditions, denies issuance or renewal of a license, permit, certification or registration.

(ii) An action by the Board which affects personal or property rights, privileges, immunities, duties, liabilities or obligations and disposes of all claims by or against parties before the Board.

(iii) An action by the Board which is designated by the Board as final.

Financial backer--An investor, mortgagee, bondholder, note holder or other source of equity or capital provided to an applicant or licensed entity.

Formal record--The pleadings in a matter or proceeding, a notice or Board order initiating the matter or proceeding, and if a hearing is held: the transcript of a hearing, exhibits received in evidence, offers of proof, motions, stipulations, subpoenas, proofs of service, determinations made by the Board thereon, and certifications to the Board.

Gaming area or *gaming floor*--Any portion of a licensed facility where slot machines have been installed for use or play.

Gaming employee—

(i) An employee of a slot machine licensee, including:

(A) Cashiers.

(B) Change personnel.

(C) Count room personnel.

(D) Slot attendants.

(E) Dealers of croupiers.

(F) Machine mechanics, computer machine technicians or table game device technicians.

(G) Security personnel.

(H) Surveillance personnel.

(I) Personnel with SLOTS Link security administrator access and responsibilities.

(J) Hosts or other individuals authorized to extend complimentary services, including employees performing functions similar to those performed by a gaming junket representative.

(K) Promotional play supervisors, credit supervisors, pit supervisors, cashier supervisors, shift supervisors, table game managers and assistant managers and other supervisors and managers, except for those specifically identified in this part as key employees.

(L) Boxpersons.

(M) Floorpersons.

(N) Personnel authorized to issue promotional play.

(O) Personnel authorized to issue credit.

(P) Directors of the following departments:

(I) Food and beverage.

(II) Facilities.

(III) Construction.

(ii) Employees of a licensed supplier, manufacturer, manufacturer designee or gaming related gaming service provider whose duties:

(A) Are directly involved with the repair, service or distribution of slot machines, table game devices or associated equipment sold or provided to a licensed facility within this Commonwealth.

(B) Require the employee's presence on the gaming floor or in a restricted area of a licensed facility.

(iii) Employees of a gaming service provider whose duties require:

(A) The employee's presence on the gaming floor or in a restricted area of a licensed facility.

(B) The employee to access the slot machines, table game devices or associated equipment in a manner that does not affect the play of the game.

(iv) Gaming junket representatives.

(v) Other employees or individuals who the Board determines, after a review of the work being performed, require permits for the protection of the integrity of gaming.

Gaming service provider--

(i) A person that provides goods or services to a slot machine licensee or applicant, but is not required to be licensed as a manufacturer, manufacturer designee, supplier, management company or gaming junket enterprise.

(ii) The term includes:

(A) Suppliers of alcoholic beverages (if not otherwise regulated by the Pennsylvania Liquor Control Board), food and nonalcoholic beverages.

(B) Refuse handlers.

(C) Vending machine providers and service personnel.

(D) Linen and uniform suppliers.

(E) Janitorial and maintenance companies, not relating to the repair of slot machines or associated equipment.

(F) Tenant businesses or franchises located within licensed facilities.

(G) Providers of transportation services.

(H) Companies, subcontractors and professionals involved in the construction of a facility for a slot machine licensee or applicant.

(I) Lessors of real property or goods.

(J) Other entities which the Board will determine based on detailed analyses by the Board of gaming service provider contracts.

Gaming service provider certification--A certification issued by the Board authorizing a gaming service provider to provide goods or services to a slot machine licensee or applicant.

Gaming service provider registration--A registration issued by the Board authorizing a gaming service provider to provide goods or services to a slot machine licensee or applicant.

Gross terminal revenue--The total of cash or cash equivalent wagers received by a slot machine minus the total of:

(i) Cash or cash equivalents paid out to patrons as a result of playing a slot machine which are paid to patrons either manually or paid out by the slot machine.

(ii) Cash paid to purchase annuities to fund prizes payable to patrons over a period of time as a result of playing a slot machine.

(iii) Any personal property distributed to a patron as the result of playing a slot machine. This does not include travel expenses, food, refreshments, lodging or services.

(iv) The term does not include counterfeit money or tokens, coins or currency of other countries which are received in slot machines (except to the extent that they are readily convertible to United States currency), cash taken in fraudulent acts perpetrated against a slot machine licensee for which the licensee is not reimbursed or cash received as entry fees for contests or tournaments in which the patrons compete for prizes.

Holding company--A person, other than an individual, which, directly or indirectly, owns, has the power or right to control or to vote 20% or more of the outstanding voting securities of a corporation or other form of business organization. A holding company indirectly has, holds or owns any such power, right or security if it does so through an interest in a subsidiary or successive subsidiaries.

IRS--The Internal Revenue Service of the United States.

Independent contractor--A person who performs professional, scientific, technical, advisory or consulting services to the Board for a fee, honorarium or similar compensation pursuant to a contract.

Institutional investor--A retirement fund administered by a public agency for the exclusive benefit of Federal, State or local public employees, investment company registered under the Investment Company Act of 1940 (15 U.S.C.A. §§ 80a-1--80a-64), collective investment trust organized by banks under Part Nine of the Rules of the Comptroller of the Currency, closed end investment trust, chartered or licensed life insurance company or property and casualty insurance company, banking and other chartered or licensed lending institution, investment advisor registered under the Investment Advisors Act of 1940 (15 U.S.C.A. §§ 80b-1--80b-21), and other persons registered in any foreign jurisdiction and regulated pursuant to a statute of any foreign jurisdiction that the Board determines to be substantially similar to either or both of the aforementioned statutes.

Intermediary--A person, other than an individual, which is:

(i) A holding company with respect to a corporation or other form of business organization, which holds or applies for a license under the act or this part.

(ii) A subsidiary with respect to a holding company.

Issued, issuance or *issue*--The date when a determination by the Board approving an application becomes final, binding and nonappealable and is not subject to a pending legal challenge.

Key employee--An individual who is:

(i) Employed in a director or department head capacity and who is empowered to make discretionary decisions that regulate slot machine or table game operations in this Commonwealth, including the general manager and assistant manager of the licensed facility, director of slot operations, director of table games operations, director of cage operations, director of credit operations, director of surveillance, director of marketing, director of management information systems, director of security, director of human resources, comptroller and any employee who is not otherwise designated as a gaming employee and who supervises the operations of these departments or to whom these department directors or department heads report.

(ii) Employed by a slot machine licensee, manufacturer licensee or supplier licensee whose duties affect or require contact with slot machines, slot monitoring systems, casino management systems, player tracking systems and wide-area progressive systems for use or play in this Commonwealth, whether or not the individual is assigned to gaming operations in this Commonwealth.

(iii) A sales representative seeking to sell slot machines, table game devices and associated equipment for use in this Commonwealth on behalf of a licensed manufacturer, manufacturer designee or supplier.

(iv) Employed in other positions which the Board will determine based on detailed analyses of the employee's duties or the job descriptions.

License fee--The amount of money required to be paid for the issuance or renewal of any type of license required by the act or as established by the Board.

Licensed entity--A slot machine licensee, manufacturer licensee, supplier licensee or other person licensed by the Board under this part.

Licensed entity representative--A person acting on behalf of or representing the interest of an applicant, licensee, permittee or registrant, including an attorney, agent or lobbyist regarding any matter which may reasonably be expected to come before the Board.

Licensed facility--

(i) The physical land-based location at which a licensed gaming entity is authorized to place and operate slot machines including the gaming floor, all restricted areas servicing slot operations, and food, beverage and retail outlets and other areas serving the gaming floor which are located either on or directly accessible from and adjacent to the gaming floor or the restricted areas servicing slot operations.

(ii) The term does not encompass areas or amenities exclusive to pari-mutuel activities, hotel activities including hotel rooms, catering or room service operations serving a hotel, convention, meeting and multipurpose facilities, retail facilities, food and beverage outlets and other amenities and activities not located on or adjacent to the gaming floor, or related to slot machine gaming operations.

Licensed gaming entity--A person that holds a slot machine license.

Licensed racetrack or *racetrack*--

(i) The physical facility and grounds where a person has obtained a license from either the State Horse Racing Commission or the State Harness Racing Commission to conduct live thoroughbred or harness race meetings respectively with pari-mutuel wagering.

(ii) The term “racetrack” or “its racetrack” means the physical land-based location at which live horse racing is conducted even if not owned by the person.

Licensed racing entity--A legal entity that has obtained a license to conduct live thoroughbred or harness horse race meetings respectively with pari-mutuel wagering from either the State Horse Racing Commission or the State Harness Racing Commission under the Race Horse Industry Reform Act.

Management company--A person or legal entity which, through a Board-approved management contract with a slot machine licensee, is responsible for the management of all or part of the operation of a licensed facility.

Management contract--A contract, subcontract or collateral agreement between a management company and a slot machine licensee if the contract provides for the management of all or part of a licensed facility.

Manufacturer--A person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs or otherwise makes modifications to slot machines or associated equipment for use or play of slot machines in this Commonwealth for gaming purposes.

Manufacturer designee--A person who is designated by a licensed manufacturer pursuant to an agreement to supply or repair the licensed manufacturer's slot machines or associated equipment.

Manufacturer designee license--A license issued by the Board authorizing a manufacturer designee to supply or repair slot machines or associated equipment of a licensed manufacturer for use in this Commonwealth for gaming purposes.

Manufacturer designee licensee--A manufacturer designee that obtains a manufacturer designee license.

Manufacturer license--A license issued by the Board authorizing a manufacturer to manufacture or produce slot machines or associated equipment for use in this Commonwealth for gaming purposes.

Manufacturer licensee--A person that holds a manufacturer license.

Manufacturer's serial number--The unique number permanently assigned to a slot machine by a manufacturer for identification and control purposes.

Member--An individual appointed to and sworn in as a member of the Board in accordance with section 1201(b) of the act (relating to Pennsylvania Gaming Control Board established).

Municipality--A city, borough, incorporated town or township.

Net terminal revenue--The net amount of the gross terminal revenue less the tax and assessments imposed by sections 1402, 1403, 1405 and 1407 of the act.

Nongaming employee--An employee of a slot machine licensee, manufacturer, manufacturer designee, supplier or gaming service provider who is not included within the definition of “principal,” “key employee” or “gaming employee,” and:

(i) Whose job duties require the employee to be:

(A) On the gaming floor but do not require the employee to touch or have contact with slot machines, table game devices or associated equipment other than exterior contact that does not affect the play of the game.

(B) In a restricted area and the employee:

(I) Is under the constant supervision of an employee of the slot machine licensee who is licensed or permitted and has appropriate access clearance to be in the restricted area.

(II) Is not required to touch or have contact with slot machines, table game devices or associated equipment other than exterior contact that does not affect the play of the game.

(ii) Who the Board determines, after a review of the work being performed, requires registration for the protection of the integrity of gaming.

Nonprimary location--A facility in which pari-mutuel wagering is conducted by a licensed racing entity other than the racetrack where live racing is conducted.

Occupation permit--A permit issued by the Board authorizing an individual to be employed or work as a gaming employee.

Offense--Felonies, crimes, high misdemeanors, misdemeanors, disorderly persons offenses, petty disorderly offenses, driving while intoxicated/impaired, motor vehicle offenses and violations of probation or any other court order.

On-the-record proceeding--A matter that comes before the Board or a presiding officer by way of application, complaint, petition, exception, appeal of staff decision, consent agreement or other motion relating to a licensing, disciplinary or other proceeding for which a formal record is maintained and upon which the Board bases its order and adjudication.

Pending matter or *contested on the record proceeding*--

(i) A matter including the discretionary issuance, approval, renewal, conditioning, revocation, suspension or denial of any license, permit, certification or registration or any petitions or motions that would require Board consideration.

(ii) The term does not include a policy or administrative matter.

Permit fee--The amount of money required to be paid for issuance or renewal of any type of permit required by the Board.

Permittee--A holder of a permit issued under this part.

Person--A natural person, corporation, foundation, organization, business trust, estate, limited liability company, licensed corporation, trust, partnership, limited liability partnership, association or other form of legal business entity.

Presiding officer --

(i) A member of the Board, or other person designated by the Board to conduct a proceeding.

(ii) This definition supersedes 1 Pa. Code § 31.3 (relating to the definitions).

Principal--Includes the following:

(i) An officer.

(ii) Director.

(iii) Person who directly holds a beneficial interest in or ownership of the securities of an applicant or licensee.

(iv) Person who has a controlling interest in an applicant or licensee, or has the ability to elect a majority of the Board of directors of a licensee or to otherwise control a licensee.

(v) Lender or other licensed financial institution of an applicant or licensee, other than a bank or lending institution which makes a loan or holds a mortgage or lien acquired in the ordinary course of business.

(vi) Underwriter of an applicant or licensee.

(vii) Other persons or employees of an applicant, slot machine licensee, manufacturer licensee or supplier licensee deemed to be a principal by the Board.

Publicly traded corporation--A person other than an individual which:

(i) Has a class or series of securities registered under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a--78nn) or on a foreign stock exchange determined by the Bureau of Licensing to have similar listing and reporting requirements to exchanges that are regulated under the Securities Exchange Act of 1934.

(ii) Is a registered management company under the Investment Company Act of 1940.

(iii) Is subject to the reporting obligations imposed by section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C.A. § 78o(d)) by reason of having filed a registration statement which has become effective under the Securities Act of 1933 (15 U.S.C.A. §§ 77a--77aa).

Race Horse Industry Reform Act--4 P. S. §§ 325.101--325.402.

Registered gaming service provider--A gaming service provider that is registered with the Board.

Restricted area--An area where access is limited and is specifically designated by the Board as restricted, including:

(i) The cashiers' cage.

(ii) The soft count room.

(iii) The surveillance monitoring room.

(iv) The slot machine storage and repair rooms.

(v) The progressive controller room.

(vi) The central control computer room.

(vii) The information technology department.

(viii) Any additional area that the slot machine licensee designates as restricted in its Board-approved internal controls.

Revenue- or *tourism-enhanced location*--A location within this Commonwealth determined by the Board, which will maximize net revenue to the Commonwealth or enhance year-round recreational tourism within this Commonwealth, in comparison to other proposed facilities and is otherwise consistent with the act and its declared public policy purposes.

SEC--The Securities and Exchange Commission of the United States.

Secretary--Secretary to the Board.

Securities--As defined in the Pennsylvania Securities Act of 1972 (70 P. S. §§ 1-101--1-703).

Slot machine--

(i) A mechanical or electrical contrivance, terminal, machine or other device approved by the Board which, upon insertion of a coin, bill, token, gaming voucher, coupon or similar object therein or upon payment of any consideration, including the use of electronic payment system except a credit card or debit card, is available to play or operate, the play or operation of which, whether by reason of skill or application of the element of chance, or both, may deliver or entitle the person playing or operating the contrivance, terminal, machine or other device to receive cash, billets, tokens, gaming vouchers or electronic credits to be exchanged for cash or to receive merchandise or anything of value, whether the payoff is made automatically from the machine or manually. A slot machine:

(A) May utilize spinning reels or video displays, or both.

(B) May or may not dispense coins, vouchers or tokens to winning patrons.

(C) May use an electronic credit system for receiving wagers and making payouts.

(ii) The term includes associated equipment necessary to conduct the operation of the contrivance, terminal, machine or other device.

Slot machine license--A license issued by the Board authorizing a person to place and operate slot machines under the act.

Slot machine licensee--A person that holds a slot machine license.

SLOTS Link--An electronic application system developed by the Board.

Staff--An employee or an independent expert, including but not limited to, attorneys, accountants, investment bankers, architects, engineers, scientific and technical consultants and licensed financial brokers retained by the Board.

State gaming receipts--Revenues and receipts required by the act to be paid into the State Gaming Fund, the Pennsylvania Race Horse Development Fund and the Pennsylvania Gaming Economic Development and Tourism Fund, and all rights, existing on July 5, 2004, or coming into existence after July 5, 2004, to receive any of those revenues and receipts.

State Treasurer--The State Treasurer of the Commonwealth.

Statement of Investigation--An order of the Board in response to a petition for an order regarding inquiry and investigation of a purchase of an eligible applicant or licensee which specifies the particular criterion satisfied by the purchaser, provides for the continuing obligation of the purchaser to provide information to the Board, is applicable only as to the purchase of a specific eligible applicant or licensee, and provides an expiration date not to exceed 6 months from the date of issuance unless otherwise extended by the Board.

Subsidiary--A person other than an individual. The term includes:

(i) A corporation, any significant part of whose outstanding equity securities are owned, subject to a power or right of control, or held with power to vote, by a holding company or an intermediary company.

(ii) A significant interest in a person, other than an individual, which is owned, subject to a power or right of control, or held with power to vote, by a holding company or an intermediary company.

(iii) A person deemed to be a subsidiary by the Board.

Supplier--A person that sells, leases, offers or otherwise provides, distributes or services slot machines or associated equipment for use or play of slot machines in this Commonwealth at a licensed gaming facility.

Supplier license--A license issued by the Board authorizing a supplier to provide products or services related to slot machines or associated equipment to licensed gaming entities.

Supplier licensee--A person that holds a supplier license.

Trade secret--A private formula, pattern, device, cost study or compilation of information which is used in a business and which, if disclosed could negate an advantage over competitors who do not know or use it.

Underwriter--As defined in the Pennsylvania Securities Act of 1972.

§ 401a.4. Jurisdiction.

(a) The Board will have exclusive jurisdiction over all matters within the scope of its powers under the act.

(b) Nothing contained in this part shall be construed to limit the powers and duties of the Board as provided in the act.

§ 401a.5. Adjudicatory function of the Board; ex parte communications.

(a) The Board or a presiding officer acts in an adjudicatory capacity when considering any matter presented for a decision by the Board or presiding officer in relation to an on-the-record proceeding. To ensure the integrity and impartiality of the Board or presiding officer acting in an adjudicatory capacity, there will be no commingling of the adjudicatory functions of the Board or presiding officer and the investigatory or prosecutorial functions of the Bureau or Office of Enforcement Counsel.

(b) When acting in an adjudicatory capacity regarding the facts at issue or merits of a matter pending before the Board or presiding officer, or which may reasonably be expected to come before the Board or presiding officer in a contested on-the-record proceeding, a member or presiding officer of the Board or an attorney from the Office of Chief Counsel who is advising the Board on the matter may not engage in an ex parte communication with any person including the Bureau or the Office of Enforcement Counsel.

(c) An ex parte communication received or engaged in by a member or presiding officer of the Board will be recorded in a log which will be available for public inspection at the Board's office during normal business hours and will be posted on the Board's web site. The log must include:

(1) The name of the individual documenting the ex parte communication.

(2) The date and time of the ex parte communication.

(3) The names of all individuals involved in the ex parte communication.

(4) The subject discussed.

(d) In addition to documenting an ex parte communication in accordance with subsection (c), notification of the substance of the communication and an opportunity to respond will be

provided to all parties to the hearing or other proceeding that is the subject of the ex parte communication.

(e) A member or presiding officer of the Board may be required to recuse himself if substantial reasonable doubt exists as to the individual's ability to act objectively, independently or impartially in a hearing or proceeding as follows:

(1) A member or presiding officer of the Board who engaged in or received an ex parte communication will recuse himself from any hearing or other proceeding related to the ex parte communication if the context and substance of the ex parte communication creates substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially.

(2) A member or presiding officer of the Board who engaged in or received an ex parte communication who elects not to recuse himself from a hearing or other proceeding will state his reasons for not recusing himself on the record prior to the commencement of the hearing or proceeding.

(3) A member or presiding officer of the Board who has identified any other reason which creates substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially will recuse himself from any hearing or other proceeding related thereto.

(4) If a legislative appointee recuses himself from any hearing or other proceeding under this section, any qualified majority vote required under this part will consist of all of the remaining legislative appointees and at least two gubernatorial appointees.

(5) Failure of a presiding officer, for whom substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially exists, to recuse himself from a hearing or other proceeding when required under paragraph (1) shall be grounds for appeal to the Board.

(6) Failure of a member, for whom substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially exists, to recuse himself from a hearing or other proceeding when required shall be grounds for appeal to a court of competent jurisdiction if the Board action being appealed could not have occurred without the participation of the member.

(f) Nothing in this subsection will preclude a member of the Board from consulting with other members individually if the consultation complies with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act) or with employees or independent contractors whose functions are to assist the Board in carrying out its adjudicative functions.

CHAPTER 403a. BOARD OPERATIONS AND ORGANIZATION

Sec.

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§ 403a.1. Definitions.

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

Financial interest--

(i) An ownership, property, leasehold or other beneficial interest in an entity.

(ii) The term does not include an interest which is held or deemed to be held in any of the following:

(A) Securities that are held in a pension plan, profit-sharing plan, individual retirement account, tax sheltered annuity, a plan established pursuant to section 457 of the Internal Revenue Code of 1986 (26 U.S.C.A. § 457), or any successor provision, deferred compensation plan whether qualified or not qualified under the Internal Revenue Code of 1986, or any successor provision, or other retirement plan that:

(I) Is not self-directed by the individual.

(II) Is advised by an independent investment adviser who has sole authority to make investment decisions with respect to contributions made by the individual to these plans.

(B) A tuition account plan organized and operated under section 529 of the Internal Revenue Code of 1986 (26 U.S.C.A. § 529) that is not self-directed by the individual.

(C) A mutual fund where the interest owned by the mutual fund in a licensed entity does not constitute a controlling interest as defined in this part.

Ownership interest--Owning or holding or being deemed to hold, debt or equity securities or other ownership interest or profit interest.

§ 403a.2. Participation at meetings and voting.

(a) *Qualified majority vote*. An action by the Board, except as set forth in subsections (b) and (c), including the approval, issuance, denial or conditioning of a license or the making of an order or the ratification of a permissible act done or order made by one or more of the members of the Board will require a qualified majority vote consisting of at least one gubernatorial appointee and the four legislative appointees.

(b) *Majority vote*. An action by the Board to suspend, revoke, not renew, void or require forfeiture of a license, permit, certification or registration previously issued by the Board, to impose an administrative fine or penalty or to issue cease and desist will require a majority vote of all the Board members.

(c) *Participation*. A member may not participate in a hearing, proceeding or other matter in which the member, or the immediate family thereof, has a financial interest in the subject matter of the hearing or proceeding or other interest that could be substantially affected by the outcome of the hearing or proceeding, without first fully disclosing the nature of the interest to the Board and other persons participating in the hearing or proceeding. For purposes of the subsection, the term “immediate family” means spouse, parent, brother, sister or child.

(d) *Disqualifying interest*. If a Board member has a disqualifying interest in a voting matter, the member shall disclose the nature of the disqualifying interest, disqualify himself and abstain from voting in a proceeding in which his objectivity, impartiality, integrity or independence of judgment may be reasonably questioned, including instances where he knows that he possesses a substantial financial interest in the subject matter of the proceeding or an interest that could be substantially affected by the outcome of the proceeding. If it is a legislative appointee member that has disqualified himself, the qualified majority will consist of the remaining three legislative appointees and at least two gubernatorial appointees.

(e) *Member abstention*. When a member has disqualified himself, the member's abstention from voting will apply only to the singular voting matter that led to the disqualification and not apply to other matters under consideration by the Board for which the member is otherwise qualified.

§ 403a.3. Meetings.

(a) *Public sessions*. The proceedings of all public sessions will be conducted in accordance with 65 Pa.C.S. Chapter 7 (relating to the Sunshine Act).

(b) *Regularly scheduled meetings*. The Board will meet once a month, and on other dates as the Board determines.

(c) *Participation by means of telephone or video teleconference*. A Board member may participate in a meeting by means of telephone or video teleconference when it is impractical for the Board member to attend the meeting in person.

(d) *Record of proceedings*. The Board will keep a record of all proceedings held at public meetings of the Board. A verbatim transcript of those proceedings will be prepared by and will be the property of the Board. The verbatim transcript will be available for inspection at the Board's office during normal business hours.

§ 403a.4. Board office hours.

Board offices will be open from 8:30 a.m. to 5 p.m. on business days except Saturdays, Sundays, legal holidays and Commonwealth office closures declared by the Governor, unless otherwise directed by the Board.

§ 403a.5. Public communication.

Requests for information regarding the Board may be directed to:

Office of Communications
Pennsylvania Gaming Control Board
P. O. Box 69060
Harrisburg, PA 17106-9060

§ 403a.6. Delegation of powers.

(a) The Board may, consistent with the act and this part, delegate its authority to perform any of its functions to a Board member or member of the Board's staff.

(b) A delegation of Board authority will be effected by promulgation of a regulation or the adoption of an order or a resolution at a public meeting of the Board. The regulation, order or resolution will specify:

(1) The specific authority delegated.

(2) The Board member or Board staff members to whom the authority is delegated.

(3) Limitations or conditions imposed on the authority delegated.

(c) Delegations of authority made under this section will remain in effect indefinitely unless otherwise specified in the implementing regulation, order or resolution.

(d) A delegation of authority adopted by the Board may be modified or rescinded by the Board through promulgation of a regulation or the adoption of a subsequent order or resolution at a public meeting of the Board.

(e) Notwithstanding any other provision of this section, a matter that has been delegated to the Board staff may alternatively be presented to and determined by the Board on its own motion, at the discretion of the Chairperson or at the request of the Board staff.

§ 403a.7. Temporary emergency orders.

(a) Upon request of the Office of Enforcement Counsel in accordance with subsection (d), a temporary emergency order may be issued by the Executive Director of the Board or the Executive Director's designee. A temporary emergency order may be issued without a hearing and without advanced notice in accordance with this section.

(b) A temporary emergency order may be issued to do one of the following:

(1) Suspend a license, certification, permit or registration.

(2) Temporarily exclude a person from a licensed facility pending Board action on an underlying petition for exclusion.

(3) Direct that a person cease and desist engaging in specific conduct.

(c) A temporary emergency order may be issued if there is insufficient time to provide notice and hearing prior to suspension or exclusion; emergency suspension or exclusion is necessary to preserve the public health, welfare or safety, or the integrity of gaming in this Commonwealth; and the Executive Director has determined that one of the following has occurred:

(1) A person holding a license, certification, permit or registration issued by the Board has been charged with or convicted of a felony, a criminal gaming offense, or crime of dishonesty or false statement or other offense that would make the person ineligible or unsuitable to hold a license, permit, certification or registration.

(2) A person meets one or more of the criteria for exclusion or ejection under § 511a.3 (relating to criteria for exclusion or ejection).

(3) The action is necessary to prevent or cure a violation of any provision of the act, this part or other Federal or State laws or regulations.

(d) If the Office of Enforcement Counsel determines that circumstances exist which require that immediate action be taken against a person's license, certification, permit or registration, or to place a person on the exclusion list, the Office of Enforcement Counsel may submit a request for a temporary emergency order. The request will include:

(1) The circumstances upon which the request for a temporary emergency order was made.

(2) The legal grounds upon which the temporary emergency order is being requested.

(3) The specific relief sought.

(e) By the close of the next business day following its issuance, a temporary emergency order, together with the request required under subsection (d), will be filed with the Clerk.

(f) A temporary emergency order will specify that the person subject to the temporary emergency order may request an informal hearing before the Executive Director or a designee which will occur within 3 business days of filing the request for a hearing with the Clerk.

(g) The Bureau will serve the request and the issued order upon the person named in the temporary emergency order. Service required by this subsection will be made as expeditiously as possible following the issuance of the order and the request. Service will be made in the manner prescribed by § 491a.5 (relating to service).

(h) If a person files a request for an informal hearing, the hearing will be held before the Executive Director or a designee within 3 business days at a location determined in accordance with § 491a.8(e) (relating to hearings generally).

(i) At the conclusion of the informal hearing, the Executive Director or a designee will render a decision within 3 business days as to whether the temporary emergency order will continue, be modified or dissolved. Service of the decision will be made in accordance with § 491a.5.

(j) Unless the Executive Director or a designee dissolves the temporary emergency order, the Executive Director, in consultation with the Office of Chief Counsel, will refer the matter for a formal hearing before either:

(1) The Board to determine the validity of the suspension in accordance with subsection (m).

(2) The Office of Hearings and Appeals which will thereafter prepare a report and recommendation for the Board's consideration in accordance with subsection (p).

(k) If the person named in the temporary emergency order does not file a request for an informal hearing within 10 business days of the issuance of the temporary emergency order, the matter will be referred in accordance with subsection (j).

(l) Until the temporary emergency order is presented to the Board for consideration or the Office of Hearings and Appeals has issued its report and recommendation, the Executive Director or a designee may dissolve or modify a temporary emergency order previously issued.

(m) If the hearing is conducted by the Board, the Board may take one of the following actions upon conclusion of oral arguments and evidentiary presentations:

(1) If the Board finds that the facts and circumstances presented are sufficient to support the issuance of the emergency order, and that dissolution of the emergency order would pose a threat to the public health, safety or welfare, or the public's interest in the effective regulation of gaming demands the action, it may issue an order ratifying or modifying the order of suspension. The Board order may thereafter be appealed under § 494a.11 (relating to appeals).

(2) If the Board finds that there is insufficient cause to continue the emergency order, it may issue an order dissolving the emergency order and the privileges of the person named in the order will be reinstated.

(3) If the Board finds that further hearing is necessary, it may schedule a hearing or refer the matter to the Office of Hearings and Appeals for additional presentation of evidence and testimony of witnesses. In either case, the order of suspension will remain in effect, with or without modification as the Board deems appropriate.

(n) Board orders ratifying or dissolving temporary emergency orders will not have effect upon the power and duty of the Office of Enforcement Counsel to initiate, in its sole discretion, proceedings for violations of the act or this part or upon the outcome of any proceeding so initiated.

(o) Copies of the Board's final order will be served on the person named in the order in accordance with § 491a.5.

(p) If at any point the Board or Executive Director refers the matter to the Office of Hearings and Appeals, the formal hearing will be subject to the following requirements:

(1) The hearing before a presiding officer will occur no more than 15 business days after the Board or Executive Director refers the matter to the Office of Hearings and Appeals, unless a delay is requested by the person named in the temporary emergency order.

(2) Within 10 business days following the conclusion of the hearing, the presiding officer will forward a report and recommendation for action on the temporary emergency order to the Board. A copy of the report and recommendation will be served on the person named in the temporary emergency order in accordance with § 491a.5.

(3) Upon receipt of a report and recommendation from the Office of Hearings and Appeals, the matter will be placed on an upcoming Board meeting agenda for final consideration.

§ 403a.8. Licensed entity representative meetings.

(a) If a Board member conducts a meeting with a licensed entity representative under section 1201.1(c)(7) of the act (relating to code of conduct), the Board member will record the following in the log:

(1) The names of individuals with whom the Board member met.

(2) The date and time of the meeting.

(b) The Board member will include a memorandum of the content of the discussion in the log.

(c) The log will be available for public inspection.

CHAPTER 405a. BUREAU OF INVESTIGATIONS AND ENFORCEMENT

Sec.

405a.1. General duties and powers.
405a.2. Information.
405a.3. Office of Enforcement Counsel.
405a.4. Conduct.
405a.5. Investigatory subpoena.
405a.6. Enforcement action.

§ 405a.1. General duties and powers.

(a) Except for administrative purposes, the Bureau is a distinct entity, independent of the Board, the Office of Chief Counsel and the Office of Hearings and Appeals.

(b) The Bureau has the powers and duties set forth in section 1517 of the act (relating to enforcement) including:

(1) The investigation and review of applicants seeking a license, permit, certification or registration.

(2) The investigation of licensees, permittees, registrants, certified gaming service providers and other persons for potential violations of the act, including potential violations referred to the Bureau by the Board or other persons.

(3) The monitoring of slot machine operations to ensure compliance with the act, this part and the integrity of gaming, including internal controls, exclusion list enforcement, underage gaming and drinking, individual complaints, information systems, integrity and security issues.

(4) The inspection and examination of all premises where slot machine operations are conducted, gaming devices or equipment are manufactured, sold, distributed or serviced or where records of these activities are prepared or maintained as provided in section 1517(e) of the act. Inspections may include the review and reproduction of any document or record.

(5) The conduct of audits of slot machine operations as necessary to ensure compliance with the act and this part. An audit may include, but is not limited to, reviews, examinations and inspections of:

(i) Accounting, administrative and financial records and procedures utilized by the licensed entity.

(ii) Internal control procedures and management control procedures.

(iii) Security and surveillance departments.

(iv) Corrective action taken by the licensee to resolve reported deficiencies.

(v) Reports issued by an independent certified public accountant or independently registered public accounting firm pertaining to the adequacy of the licensee's system of internal controls over financial reporting.

(vi) The licensee's responses, if any, to the reports noted in paragraph (v).

(vii) Other matters required by the Board or the Bureau.

(6) The referral of possible criminal violations under the act to the Pennsylvania State Police.

(7) Be a criminal justice agency under 18 Pa.C.S. Chapter 91 (relating to criminal history record information).

(c) The Bureau will determine the scope of a background investigation, which may not be directed or limited by the Executive Director or Chief Counsel of the Board.

§ 405a.2. Information.

(a) An applicant for or holder of a license, permit, certification or registration shall provide all information, data and documents requested by the Bureau under section 1517(a) of the act (relating to enforcement). The Bureau may also request the execution of a release which would enable the Bureau and the Board to receive information pursuant to a request for information under the Freedom of Information Act (5 U.S.C. § 552).

(b) The Director of the Bureau, the Chief Enforcement Counsel, and their designees, will have the power and authority to administer oaths and affirmations for the purpose of obtaining voluntary sworn statements with regard to any matter or thing which may properly fall within the jurisdiction of the Board. Any person so designated will have the power and authority to obtain by subpoena the sworn statement of a person deemed to have information relevant to an investigation that the Board is authorized to conduct. Designation pursuant to this section will be made in writing, filed with the Clerk, and remain in effect until revoked.

(c) A State or local law enforcement agency, including the Pennsylvania State Police and the Office of Attorney General, the Department or other executive agency may provide

information, data and documents requested by the Bureau relating to an applicant for or holder of a license, permit, certification or registration.

(d) The Bureau may, upon request, provide pertinent information relating to an applicant for or holder of a license, permit, certification or registration to law enforcement agencies, including the Federal Bureau of Investigation or other domestic or foreign agencies or jurisdictions.

(e) Information under this section may be provided or received by electronic distribution.

§ 405a.3. Office of Enforcement Counsel.

(a) The Office of Enforcement Counsel within the Bureau has the following powers and duties:

(1) Advise the Bureau on all matters, including the granting of licenses, permits, certifications or registrations, the conduct of background investigations, audits and inspections and the investigation of potential violations of the act or this part.

(2) Make recommendations and objections relating to the issuance of licenses, permits, certifications and registrations.

(3) Initiate, in its sole discretion, proceedings for violations of the act or this part by filing a complaint or other pleading with the Board seeking civil fines or penalties, the imposition of conditions on a license, permit, certification or registration, or the suspension or revocation of a license, permit, certification or registration.

(4) Act as the prosecutor in enforcement actions under the act.

(5) Seek a settlement that may include fines, penalties or other actions subject to approval by the Board.

(6) Appear at administrative hearings and other proceedings before the Board.

(7) Petition the Board for the appointment of a trustee under section 1332 of the act (relating to appointment of trustee).

(8) Review all information discovered during an investigation relating to an applicant's suitability and eligibility for a license, permit, certification or registration and, in accordance with law, independently determine the content and scope of that information to be included in the final background investigation report.

(9) Prepare a final background investigation report for inclusion in the applicant's suitability report to the Board relating to an applicant's suitability and eligibility for a license, permit, certification or registration.

(b) The Chief Enforcement Counsel will report to the Executive Director of the Board on administrative matters.

(c) The Chief Enforcement Counsel may be removed by the Board only for good cause shown.

§ 405a.4. Conduct.

(a) As provided in section 1202.1(c.1) of the act (relating to code of conduct), an attorney representing the Bureau or Office of Enforcement Counsel, or an employee involved in the hearing process, may not engage in an ex parte communication with a member or presiding officer of the Board, the Chief Counsel or an attorney from the Office of Chief Counsel who is advising the Board in relation to that matter.

(b) A member or presiding officer of the Board, the Chief Counsel or an attorney from the Office of Chief Counsel who advises the Board may not direct, restrict or influence any employee of the Board or Bureau with respect to the conduct and scope of an enforcement proceeding or hearing with which the employee is involved.

(c) If it becomes necessary for the Chief Counsel or an attorney from the Office of Chief Counsel or a Board member to become involved on behalf of the Board in any enforcement proceeding, the Chief Counsel or the attorney from the Office of Chief Counsel or the Board member involved shall be prohibited from participating in the adjudication of that matter.

(d) The Bureau may not disclose any portion of a background investigation report to a member of the Board, the Chief Counsel or an attorney from the Office of Chief Counsel who is advising the Board, prior to the Office of Enforcement Counsel's submission to the Board of the final background investigation report relating to an applicant's suitability and eligibility for a license, permit, certification or registration.

§ 405a.5. Investigatory subpoena.

(a) The Chief Enforcement Counsel is authorized to require the attendance and testimony of witnesses and the production of books, accounts, papers, records, documents, files, computer files and photographs in original or electronic format necessary for all action within the authority of the Bureau under the act or this part.

(b) The Chief Enforcement Counsel or his representative may issue subpoenas.

(c) In case of disobedience of any subpoena or the contumacy of any witness appearing before the Chief Enforcement Counsel or a representative, the Chief Enforcement Counsel or a representative may invoke the aid of Commonwealth Court or any court of record of this Commonwealth to require the person subpoenaed to obey the subpoena or to give evidence or to produce books, accounts, papers, records, documents, files, computer files and photographs in original or electronic format relative to the matter in question.

(d) The issuance of a subpoena under this section will not be required to secure the cooperation of a person who is an applicant for, or the holder of, a license, permit, certification or registration issued by the Board, or to secure the voluntary cooperation of any person.

§ 405a.6. Enforcement action.

(a) Upon a determination by the Office of Enforcement Counsel that sufficient facts exist to support enforcement action against a person holding a license, permit, certification or registration issued by the Board, the Office of Enforcement Counsel will initiate a complaint in accordance with § 493a.2 (relating to complaints), including a proposed order for an enforcement action and serve the complaint in accordance with § 491a.5 (relating to service).

(b) The complaint for an enforcement action will include a statement of the facts, the statute, regulation or statement of conditions that the person is being charged with violating and the remedy sought. The proposed order will be accompanied by a certificate of service demonstrating the date of service.

(c) Within 30 days from the date of service of complaint for an enforcement action, the person may file an answer in accordance with § 493a.5 (relating to answers to complaints, petitions, motions and other filings requiring a response) and serve a copy of the answer to the Office of Enforcement Counsel. Failure to file an answer within 30 days will be deemed:

(1) A waiver by the person of any right to an administrative hearing before the Board or the Office of Hearings and Appeals.

(2) An admission by the person of all matters and facts alleged in the proposed order for enforcement action.

(3) Consent by the person to the entry of a final order by the Board disposing of the enforcement matter.

(d) Upon the person's failure to file an answer within the prescribed 30 days, the Office of Enforcement Counsel will file with the Clerk a Request for Default Judgment and will then present the proposed enforcement order to the Board. The Board may, by order, adopt the proposed enforcement order.

(e) The Clerk will serve a copy of the Board's final order upon the person in accordance with § 491a.5 (relating to service).

CHAPTER 407a. PUBLIC ACCESS TO BOARD FILES

Sec.

407a.1. Case files.
407a.2. Minutes of public meeting and annual report.
407a.3. Confidential information.

§ 407a.1. Case files.

(a) The Clerk will maintain a file for all formal records.

(b) Access to formal records will be governed by the following:

(1) Nonconfidential information in formal records will be available for inspection during normal Board business hours.

(2) A request for access to information will be addressed in accordance with the Right-to-Know Law (65 P. S. §§ 67.101—67.3104).

(c) The Board or its designee may issue protective orders sua sponte or by request of a party or may establish standards governing the protection of proprietary or confidential information for a given proceeding. All parties to a proceeding shall mark documents in accordance with the directives of the Board or its designee and in accordance with § 493a.10a (relating to motions to protect confidential information).

§ 407a.2. Minutes of public meeting and annual report.

Minutes of the public meeting and annual reports will be available for public inspection upon request to the Secretary during normal Board business hours. Copies will be provided upon request and payment of the cost for copying as the Board may establish through a schedule published in the *Pennsylvania Bulletin*.

§ 407a.3. Confidential information.

(a) Confidential information may include background investigation information, including information provided under section 1310(a) of the act (relating to slot machine license application character requirements), submitted in connection with an application required for the issuance of any license, permit, certification or registration under this part, discovery procedures, or cross-examination or that is provided as a courtesy to a party in a formal proceeding received by the Board or the Department as well as records obtained or developed by the Board or the Department as part of an investigation related to an applicant for or holder of a license, permit, certification or registration containing any of the following:

(1) Personal information, including home addresses, telephone numbers, Social Security numbers, educational records, memberships, medical records, tax returns and declarations, actual or proposed compensation, financial account records, credit-worthiness or financial condition relating to an applicant, licensee or permittee or the immediate family thereof.

(2) Documents and information relating to proprietary information, trade secrets, patents or exclusive licenses, architectural and engineering plans and information relating to competitive marketing materials and strategies which may include customer-identifying information or customer prospects for services subject to competition.

(3) Security information including risk prevention plans, detection and countermeasures, emergency management plans, security and surveillance plans, equipment and usage protocols and theft and fraud prevention plans and countermeasures.

(4) Information with respect to which there is a reasonable possibility that public release or inspection of the information would constitute an unwarranted invasion into personal privacy as determined by the Board.

(5) Records or information that is designated confidential by statute or the Board.

(6) Records of an applicant or licensee not required to be filed with the SEC by issuers that either have securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C.A. § 781) or are required to file reports under section 15(d) of that act (15 U.S.C.A. § 78o(d)).

(7) Records considered nonpublic matters or information by the SEC as provided by 17 CFR 200.80 (relating to commission records information).

(8) Information obtained about an applicant for or holder of a license, permit, certification or registration as a result of a release executed by the individual at the request of the Bureau or the Board.

(b) Confidential information may be released by the Board under the following circumstances:

(1) To State or Federal law enforcement agencies or entities upon approval of the Attorney General or pursuant to a lawful order issued by court of competent jurisdiction.

(2) To the public, in whole or in part, if one of the following occurs:

(i) Upon written request from the applicant or holder of a license, permit, certification or registration, to the extent that the information does not contain otherwise confidential information about another person.

(ii) If the information subsequently becomes a part of the public domain by an action by the applicant or holder of a license, permit, certification or registration.

(3) To a person with the written consent of the applicant or holder of a license, permit, certification or registration.

Subpart B. LICENSING, PERMITTING, CERTIFICATION AND REGISTRATION

CHAPTER 421a. GENERAL PROVISIONS

Sec.

421a.1. General requirements.
421a.2. Disqualification criteria.
421a.3. Investigations; supplementary information.
421a.4. Presuitability determination.
421a.5. Undue concentration of economic opportunities and control.
421a.6. (Reserved).

§ 421a.1. General requirements.

(a) A license, permit, certification, registration or authorization issued by the Board is a revocable privilege. No person holding a license, permit, certification, registration or authorization is deemed to have any property rights related to the license, permit, certification, registration or authorization.

(b) By filing an application with the Board, an applicant consents to an investigation, to the extent deemed appropriate by the Bureau, of the applicant's general suitability, financial suitability, character, integrity and ability to engage in, or be associated with, gaming activity in this Commonwealth.

(c) By filing an application for a license, permit, certification, registration or authorization from the Board, an applicant agrees to:

(1) Abide by the provisions of the act and this part.

(2) Waive liability as to the Board, its members, its employees, the Pennsylvania State Police, the Commonwealth and its instrumentalities for damages resulting from disclosure or publication in any manner, other than a willfully unlawful disclosure or publication of material or information acquired during an investigation of the applicant.

(3) Execute all releases requested by Board staff, including releases whereby the applicant consents to the release of information that may be requested by the individual under section 1 of the Freedom of Information Act (5 U.S.C.A. § 552).

(d) An applicant for or holder of a license, permit, certification, registration or authorization may not give, or offer to give, compensation or reward or a percentage or share of

the money or property played or received through gaming to a public official or public employee in consideration for or in exchange for obtaining a license, permit, certification registration or authorization issued pursuant to this part.

(e) An applicant for or holder of a license, permit, certification, registration or authorization shall have a continuing duty to inform the Bureau of:

(1) An action which the applicant for or holder of a license, permit, certification, registration or authorization believes would constitute a violation of the act or the Board's regulations. A person who so informs the Bureau may not be discriminated against by an applicant for or holder of a license, permit, certification, registration or authorization for supplying the information.

(2) A change in circumstances that may render the applicant for or holder of a license, permit, certification, registration or authorization ineligible, unqualified or unsuitable to hold a license, permit, certification, registration or authorization under the act and this part including an arrest, charge, indictment or conviction for:

(i) An offense involving moral turpitude.

(ii) An offense under 18 Pa.C.S. (relating to Crimes Code).

(iii) An offense under 75 Pa.C.S. (relating to Vehicle Code) which is punishable by 1 year or more.

(iv) An offense under section 13(a) of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § 780-113(a)), regarding prohibited acts and penalties.

(v) A felony offense.

(vi) A comparable offense in other states or foreign jurisdictions.

(f) An applicant for or holder of a license, permit, certification, registration or authorization shall have a continuing duty to inform the Bureau of Licensing of changes in the information supplied to the Bureau of Licensing in or in conjunction with the original or renewal application.

(g) An applicant for or holder of a license, permit, certification, registration or authorization shall have a continuing duty to promptly provide information requested by Board staff relating to its application and cooperate with Board staff in investigations, hearings, and enforcement and disciplinary actions.

(h) An applicant shall at all times have the burden of proof. It shall be the applicant's affirmative responsibility to establish the facts supporting its suitability under the act and this part by clear and convincing evidence, including why a license, permit, certification, registration or authorization should be issued or renewed by the Board.

(i) A person holding a license, permit, certification, registration or authorization issued by the Board shall have a continuing duty to maintain suitability and eligibility in accordance with the act and this part.

§ 421a.2. Disqualification criteria.

(a) An application for issuance or renewal of a license, permit, certification, registration or authorization may be denied, or a license, permit, certification, registration or authorization may be suspended or revoked if:

(1) The applicant has failed to prove to the satisfaction of the Board that the applicant or any of the persons required to be qualified are in fact qualified in accordance with the act and with this part.

(2) The applicant for or holder of a license, permit, certification, registration or authorization has violated the act or this part.

(3) The applicant for or holder of a license, permit, certification, registration or authorization is disqualified under the criteria in the act.

(4) The applicant for or holder of a license, permit, certification, registration or authorization has misrepresented, falsified or omitted a fact in the application for licensure or renewal.

(5) The applicant for or holder of a license, permit, certification, registration or authorization has failed to comply with Federal, state or local laws or regulations.

(6) The applicant for or holder of a license, permit, certification, registration or authorization is not current or is in arrears on a financial obligation owed to the Commonwealth or a subdivision thereof, including court-ordered child support payments.

(b) An individual will be disqualified from obtaining or holding:

(1) A principal or key employee license if the individual has been convicted of a:

(i) Felony offense in any jurisdiction.

(ii) Misdemeanor gambling offense in any jurisdiction, unless 15 years have elapsed from the date of conviction for the offense.

(2) A permit if the individual has been convicted of a felony or misdemeanor gambling offense in any jurisdiction unless 15 years have elapsed from the date of conviction for the offense.

(c) When considering an application for registration from an individual who has been convicted of a felony or misdemeanor gaming offense in any jurisdiction, a permit from an

individual who has been convicted of a felony or misdemeanor gaming offense in any jurisdiction when 15 years have elapsed from the date of the conviction for the offense, or a license from an individual who has been convicted of a misdemeanor gaming offense in any jurisdiction when 15 years have elapsed from the date of the conviction for the offense, the Board will consider:

(1) The nature and duties of the applicant's position with the licensed entity.

(2) The nature and seriousness of the offense or conduct.

(3) The circumstances under which the offense or conduct occurred.

(4) The age of the applicant when the offense or conduct was committed.

(5) Whether the offense or conduct was an isolated or a repeated incident.

(6) Evidence of rehabilitation, including good conduct in the community, counseling or psychiatric treatment received and the recommendation of persons who have substantial contact with the applicant.

(d) For purposes of this section, a felony offense is any of the following:

(1) An offense punishable under the laws of the Commonwealth by imprisonment for more than 5 years.

(2) An offense which, under the laws of another jurisdiction, is either:

(i) Classified as a felony.

(ii) Punishable by imprisonment for more than 5 years.

(3) An offense under the laws of another jurisdiction which, if committed in this Commonwealth, would be subject to imprisonment for more than 5 years.

(e) An individual may not be employed in this Commonwealth by an applicant for or holder of a license, certification, registration or authorization under this part in any capacity unless the individual is a citizen of the United States or can demonstrate that he holds a current and valid work authorization and is not restricted from working in the capacity for which employment is sought or held.

(f) A denial of an application or nonrenewal, suspension or revocation of a license, permit, certification, registration or authorization may be made for a sufficient cause consistent with the act, this part and the public interest.

§ 421a.3. Investigations; supplementary information.

(a) The Bureau may make an inquiry or investigation concerning an applicant for or holder of a license, permit, certification, registration or authorization or any affiliate, intermediary, subsidiary or holding company of the applicant for or holder of a license, permit, certification, registration or authorization as it may deem appropriate either at the time of the initial application or at any time thereafter.

(b) It is the continuing duty of an applicant and a holder of a license, permit, certification, registration or authorization to provide full cooperation to the Bureau in the conduct of an inquiry or investigation and to provide supplementary information requested by the Bureau.

(c) An applicant for an initial or renewal license, permit, registration, certification or authorization will be required to reimburse the Board for additional costs, based on the actual expenses incurred, in conducting the background investigation.

§ 421a.4. Presuitability determination.

(a) Upon request from an eligible applicant for or holder of a license and upon receipt of an application and appropriate fees, the Bureau will make an inquiry or investigation of a potential purchaser of an applicant for or holder of a license as if the purchaser were an eligible applicant.

(b) The eligible applicant for or holder of a license making the request shall reimburse the costs associated with the inquiry or investigation.

(c) This inquiry or investigation does not replace the application process required under the act and this part which is a requirement for licensure.

§ 421a.5. Undue concentration of economic opportunities and control.

(a) In accordance with section 1102(5) of the act (relating to legislative intent), a slot machine license, management company license or principal license may not be issued to or held by a person if the Board determines that the issuance or holding will result in the undue concentration of economic opportunities and control of the licensed gaming facilities in this Commonwealth by that person.

(b) For purposes of this section, “undue concentration of economic opportunities and control of the licensed gaming facilities” means that a person:

(1) Would have actual or potential domination of the gaming market in this Commonwealth contrary to the legislative intent.

(2) Could substantially impede or suppress competition among licensees.

(3) Could adversely impact the economic stability of the gaming industry in this Commonwealth.

(c) In determining whether the issuance or holding of a license by a person will result in undue concentration of economic opportunities and control of the licensed gaming facilities in this Commonwealth, the Board will consider the following criteria:

(1) The percentage share of the market presently controlled by the person in each of the following categories:

(i) Total number of slot machine licenses available under section 1307 of the act (relating to number of slot machine licenses).

(ii) Total gaming floor square footage.

(iii) Number of slot machines and table games.

(iv) Gross terminal and table game revenue.

(v) Net terminal and table game revenue.

(vi) Number of persons employed by the licensee.

(2) The estimated increase in the market share in the categories in paragraph (1) if the person is issued or permitted to hold the license.

(3) The relative position of other persons who hold licenses, as evidenced by the market share of each person in the categories in paragraph (1).

(4) The current and projected financial condition of the industry.

(5) Current market conditions, including level of competition, consumer demand, market concentration, any consolidation trends in the industry and other relevant characteristics of the market.

(6) Whether the gaming facilities held or to be held by the person have separate organizational structures or other independent obligations.

(7) The potential impact of licensure on the projected future growth and development of the gaming industry in this Commonwealth and the growth and development of the host communities.

(8) The barriers to entry into the gaming industry, including the licensure requirements of the act, and whether the issuance or holding of a license by the person will operate as a barrier to new companies and individuals desiring to enter the market.

(9) Whether the issuance or holding of the license by the person will adversely impact consumer interests, or whether the issuance or holding is likely to result in enhancing the

quality and customer appeal of products and services offered by slot machine licensees to maintain or increase their respective market shares.

(10) Whether a restriction on the issuance or holding of an additional license by the person is necessary to encourage and preserve competition and to prevent undue concentration of economic opportunities and control of the licensed gaming facilities.

(11) Other evidence related to concentration of economic opportunities and control of the licensed gaming facilities in this Commonwealth.

§ 421a.6. (Reserved).

CHAPTER 423a. APPLICATIONS; STATEMENT OF CONDITIONS; WAGERING RESTRICTIONS

Sec.

423a.1. General requirements.
423a.2. Preliminary submission review.
423a.3. Application processing.
423a.4. Deficient and abandoned applications.
423a.5. Application withdrawal and surrender.
423a.6. License, permit, registration and certification issuance and statement of conditions.
423a.6a. Restriction on wagering after issuance of a license, permit, registration or certification.
423a.7. Restriction on application after withdrawal with prejudice, denial or revocation.

§ 423a.1. General requirements.

(a) For the purposes of this section, a reference to an applicant includes the applicant's affiliates, intermediaries, subsidiaries and holding companies.

(b) An application shall be submitted on forms or in an electronic format supplied or approved by the Board, contain the information and documents required by the Board and include the applicable fees.

(c) Upon request of the Board or Board staff, the applicant shall further supplement information provided in the application. The applicant shall provide requested documents, records, supporting data and other information within the time period specified in the request, or if no time is specified, within 30 days of the date of the request. If the applicant fails to provide the requested information within the required time period as set forth in the request, the Board may deny the application.

(d) The application, and amendments thereto, and other specific documents designated by the Board shall be sworn to or affirmed by the applicant before a notary public. If there is any change in the information provided to the Board or Board staff, the applicant shall promptly file a written amendment.

(e) The Board will deny the application of an applicant who refuses to submit to a background investigation or provide requested information as required under the act.

(f) An applicant that submits a document to the Board which is in a language other than English shall also submit an English translation of the non-English language document. At its discretion, the Board may accept an English summary of a document instead of a complete translation of the document. The summary or translation must include the signature, printed

name, address and telephone number of the translator and a verification by the translator of the truth and accuracy of the summary or translation.

(g) An application and related materials that have been submitted to the Board will become the property of the Board and will not be returned to the applicant.

§ 423a.2. Preliminary submission review.

(a) Upon receipt of an application submission, the Bureau of Licensing will review the submission to ensure that it contains:

(1) The applicable application fee.

(2) The applicable application forms and additional information and accompanying documentation required by the act or the Board's regulations governing the specific type of application.

(3) Completed authorization forms for release of information from governmental agencies and other entities required for the specific type of application.

(4) For slot machine license applications only, a bond or letter of credit as required by section 1313(c) of the act (relating to slot machine license application financial fitness requirements).

(b) If an application submission fails to include one or more of the items in subsection (a)(1)—(3), the applicant will be notified and given an opportunity to cure the deficiency.

§ 423a.3. Application processing.

(a) Upon a determination that an application is required and the prerequisites for filing have been met, the application will be accepted for filing and Board staff, if applicable, will:

(1) Obtain information as may be necessary to determine the qualifications of the applicant and any matter relating to the application.

(2) Promptly conduct an investigation of the applicant and on any matter relating to the application.

(3) Request the Pennsylvania State Police to provide a criminal history background investigation report, determine employee eligibility consistent with § 435a.1 (relating to general provisions), conduct fingerprinting, photograph the applicant and perform other related duties in accordance with the act.

(4) Request the Department to promptly conduct a tax clearance review.

(5) Request the Department of Labor and Industry to perform an Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review.

(6) Request any agencies, entities or persons to conduct investigations or evaluations or to provide information to the Board as deemed necessary by the Board.

(b) The Board will keep and maintain a record of all applicants under this part together with a record of all actions taken with respect to applicants.

(c) An application submitted under this part and information obtained by Board staff relating to the application will be part of the evidentiary record. The Board's decision to approve, issue or deny a license, permit, registration or certification will be based solely on the evidentiary record before the Board.

§ 423a.4. Deficient and abandoned applications.

(a) If an application is found to be deficient, Board staff will notify the applicant of the deficiencies in the application and permit the applicant to cure the deficiencies within a time period prescribed by Board staff.

(b) Failure to provide the information necessary to cure the deficiencies required under subsection (a) may result in the denial of the application or in the application being declared abandoned. The Bureau of Licensing may close and declare abandoned an incomplete or deficient application which is not recommended for denial.

(c) An applicant whose application is denied will be subject to the restrictions on filing a new application in § 423a.7 (relating to restriction on application after withdrawal with prejudice, denial or revocation). An applicant whose application has been declared abandoned may file a new application at any time.

(d) When an application is denied or declared abandoned under subsection (b), the applicant will be given written notice of this action.

§ 423a.5. Application withdrawal and surrender.

(a) A request for withdrawal of an application may be made at any time prior to the Board taking action on the application in accordance with the following requirements:

(1) A request for withdrawal of an entity applying for a license, certification or registration, or an individual applying for a principal license or a qualifier of an entity applying for a license or certification shall be made by filing a petition with the Board in accordance with § 493a.4 (relating to petitions generally).

(2) A request for withdrawal of an individual applying for a key employee license, a permit or registration shall be made on a form supplied by the Bureau of Licensing. If

Board staff objects to the request for withdrawal, the person filing the form will be notified and may be required to file a petition for withdrawal with the Board in accordance with § 493a.4.

(b) The petition or form must set forth the reasons for the withdrawal.

(c) When rendering a decision on a petition for withdrawal, the Board may set the conditions of withdrawal and may deny or grant the request with or without prejudice.

(d) A request to surrender a license, permit, certification or registration may be made in accordance with the following requirements:

(1) An entity holding a license, certification or registration, an individual holding a principal license or a qualifier of an entity holding a license or certification that is requesting to surrender shall file a petition with the Board in accordance with § 493a.4.

(2) An individual holding a key employee license, permit or registration who is requesting to surrender the license, permit or registration shall file the request on a form supplied by the Bureau of Licensing.

(e) The petition or form must set forth the reasons for the surrender.

(f) Unless the Board otherwise directs, fees or other payments relating to the application, license, permit, registration or certification will not be refundable by reason of the withdrawal or surrender. Additionally, fees and costs owed to the Board shall be paid prior to granting a withdrawal or surrender.

§ 423a.6. License, permit, registration and certification issuance and statement of conditions.

(a) *Issuance criteria.* In addition to the criteria contained in the act, the Board will not issue or renew a license, permit, certification or registration unless the Board finds that the following criteria have been established by the applicant:

(1) The applicant has paid all applicable fees.

(2) The applicant has fulfilled each condition set by the Board or contained in the act, including the execution of a statement of conditions.

(3) The applicant is found suitable consistent with the laws of the Commonwealth and is otherwise qualified to be issued a license, permit, certification, registration or other authorization.

(b) *Statement of conditions.*

(1) For the purposes of this subsection, “executive officer” means the individual holding the highest ranking management position within the entity and who is authorized to

legally bind the entity. If the entity elects to designate another competent individual with a direct reporting relationship to its executive officer to execute the statement of conditions required in this section and otherwise legally bind the entity, the entity shall adopt a resolution identifying and authorizing the individual to act on behalf of both the entity and its executive officer. A copy of the resolution shall be provided to the Bureau of Licensing and attached to the Statement of Conditions.

(2) If the Board approves an entity's application for or renewal of a license the executive officer of the entity, or other competent individual designated by the entity in accordance with paragraph (1), shall execute a Statement of Conditions in the manner and form required by the Board. Execution of the Statement of Conditions constitutes the acceptance of each provision contained in the Statement of Conditions by both the entity and the executive officer. The executive officer shall ensure that the entity fully complies with each provision contained in the statement of conditions.

(3) At the time of application for registration or certification, the executive officer, or other competent individual designated by the applicant in accordance with paragraph (1), of a gaming service provider or gaming related gaming service provider shall execute a Statement of Conditions in the manner and form required by the Board. The execution of the Statement of Conditions constitutes the acceptance of each provision in the Statement of Conditions by both the entity and the executive officer. The executive officer shall ensure that the entity fully complies with each provision in the Statement of Conditions.

(4) An individual who has applied for the issuance or renewal of a license, permit, certification, registration or authorization shall execute a statement of conditions in the manner and form required by the Board. The execution of the Statement of Conditions constitutes the acceptance of each provision contained in the statement of conditions.

(5) Failure to fully comply with any provision contained in an executed Statement of Conditions constitutes a violation and may result in Board-imposed administrative sanctions, up to and including revocation, against the individual or entity to whom the license, permit, certification, registration or authorization was issued.

§ 423a.6a. Restriction on wagering after issuance of a license, permit, registration or certification.

(a) An individual who holds a license, permit or registration and is currently employed by or is a principal of a slot machine licensee may not wager at any slot machine or table game in the licensed facility in which the licensee, permittee or registrant is currently employed or associated. The licensed, permitted or registered individual shall wait at least 30 days following the date that the individual is no longer employed in a position that requires a license, permit or registration before the individual may wager at the licensed facility.

(b) An employee of a slot machine licensee who is not required to obtain a license, permit or registration may not wager in the licensed facility in which the employee is currently employed.

(c) An individual who holds a license, permit or registration and is currently employed by a manufacturer, manufacturer designee, supplier or gaming related gaming service provider may not wager at a slot machine or table game in the licensed facility in which the individual is servicing or installing table games, table game devices, slot machines or associated equipment while the individual is at the licensed facility in the performance of the individual's job duties.

(d) An individual who is a qualifier of a gaming junket enterprise or an individual who is employed as a gaming junket representative may not wager at a slot machine or table game in the licensed facility in which the gaming junket enterprise has an ongoing contractual agreement.

§ 423a.7. Restriction on application after withdrawal with prejudice, denial or revocation.

(a) A person whose application has been withdrawn with prejudice, denied or whose license, permit, registration or certification has been revoked may not apply for a license, permit, certification or registration for 5 years from the date that the application was withdrawn with prejudice, denied or the license, permit, certification or registration was revoked.

(b) The 5-year restriction in subsection (a) will not apply:

(1) To applicants for a slot machine license if the denial was for reasons other than unsuitability.

(2) If the denial or revocation was based on pending charges for a disqualifying offense under section 1213 or 1518 of the act (relating to license or permit prohibition; and prohibited acts; penalties), 18 Pa.C.S. (relating to Crimes Code) or the criminal laws of any other jurisdiction and the pending charges did not result in conviction of the disqualifying offense.

(c) Two years from the date that the application was withdrawn with prejudice, denied or the license, permit, certification or registration was revoked, a person may file a petition for permission to apply for a license, permit, certification or registration before the expiration of the 5-year period.

(d) A petition filed under subsection (c) shall be filed in accordance with § 493a.4 (relating to petitions generally).

(e) Petitions filed under subsection (c) must contain:

(1) An explanation of how the conditions that were the basis for withdrawal with prejudice, denial or revocation have been corrected or no longer exist.

(2) Supporting materials that demonstrate that the person meets the requirements for a license, permit, certification or registration.

(3) If the withdrawal with prejudice, denial or revocation was the result of a conviction, the petition must include evidence of rehabilitation, such as:

(i) The nature and seriousness of the offense or conduct.

(ii) The circumstances under which the offense or conduct occurred.

(iii) The date of the offense or conduct.

(iv) The age of the applicant when the offense or conduct was committed.

(v) Whether the offense or conduct was an isolated or repeated incident.

(vi) Social conditions which may have contributed to the offense or conduct.

(vii) Evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of persons who have or have had the applicant under their supervision.

(viii) Evidence that all obligations for restitution, fines and penalties have been met.

CHAPTER 425a. LICENSED ENTITY REPRESENTATIVES

Sec.

425a.1. Registration.

§ 425a.1. Registration.

(a) A licensed entity representative shall file a completed Licensed Entity Representation Registration Form with the Bureau of Licensing, which includes the individual's name, employer or firm, address, telephone number and the licensed entity being represented.

(b) A licensed entity representative shall update its registration information on an ongoing basis.

(c) The Board will maintain a list of licensed entity representatives. The registration list will be available for public inspection at the offices of the Board and on the Board's web site.

CHAPTER 427a. MANUFACTURERS

Sec.

427a.1. Manufacturer general requirements.
427a.2. Manufacturer license applications and standards.
427a.3. Manufacturer license term and renewal.
427a.4. Alternative manufacturer licensing standards.
427a.5. Responsibilities of a manufacturer.
427a.6. Change of control of a manufacturer licensee.

§ 427a.1. Manufacturer general requirements.

(a) A manufacturer seeking to manufacture slot machines, table game devices and associated equipment for use in this Commonwealth shall apply to the Board for a manufacturer license.

(b) In accordance with section 1317.1 of the act (relating to manufacturer licenses), an applicant for or the holder of a manufacturer license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies may not apply for or hold a slot machine license or supplier license.

§ 427a.2. Manufacturer license applications and standards.

(a) An applicant for a manufacturer license shall submit:

(1) An original and one copy of the Manufacturer Application and Disclosure Information Form for the applicant and each of the applicant's principal affiliates.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under § 435a.2 (relating to key employee license) and principal under Chapter 433a (relating to principal licenses) as specified by the Manufacturer Application and Disclosure Information Form and other persons as determined by the Board.

(5) An affirmation that neither the applicant nor any of its affiliates, intermediaries, subsidiaries or holding companies is an applicant for or holder of a slot machine license, and that the applicant has neither applied for nor holds a supplier license.

(6) A sworn or affirmed statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy the safeguards and policies.

(b) In addition to the materials required under subsection (a), an applicant for a manufacturer license shall:

(1) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) Demonstrate that the applicant has the ability to manufacture, build, rebuild, repair, fabricate, assemble, produce, program, design or otherwise make modifications to slot machines, table game devices or associated equipment which meet one or more of the following criteria:

(i) Are specifically designed for use in the operation of a slot machine or table game device.

(ii) Are needed to conduct an authorized game.

(iii) Have the capacity to affect the outcome of the play of a game.

(iv) Have the capacity to affect the calculation, storage, collection or control of gross terminal revenue.

(c) In determining whether an applicant is suitable to be licensed as a manufacturer under this section, the Board will consider the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the applicant.

(2) If all principals of the applicant are eligible and suitable under the standards of section 1317.1 of the act (relating to manufacturer licenses).

(3) The integrity of all financial backers.

(4) The suitability of the applicant and the principals of the applicant based on the satisfactory results of:

(i) The background investigation of the principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

§ 427a.3. Manufacturer license term and renewal.

(a) The initial manufacturer license will be valid for 1 year from the date of approval of the license by the Board. Renewals of a manufacturer license will be valid for 3 years from the date of the approval of the renewal of the license by the Board.

(b) A Manufacturer License Renewal Application Form and renewal fee shall be filed at least 2 months prior to the expiration of the current license.

(c) A manufacturer license for which a completed renewal application and fee has been received by the Board will continue in effect for an additional 6 month period or until acted upon by the Board, whichever occurs first.

§ 427a.4. Alternative manufacturer licensing standards.

(a) If an applicant for a manufacturer license holds a similar license in another jurisdiction in the United States, the applicant may submit with its application required under § 427a.2(a) (relating to manufacturer license applications and standards) a request for the Board to adopt an abbreviated licensing process under section 1319 of the act (relating to alternative manufacturer licensing standards).

(b) The Board may use the abbreviated process if:

(1) The Board determines, after investigation, that the licensing standards in the jurisdiction in which the applicant is licensed are similarly comprehensive, thorough and provide equal, if not greater, safeguards as provided in the act and that granting the request is in the public interest.

(2) The applicant has provided a copy of its most recent application or renewal for the similar license in the other jurisdiction and a copy of the license or the order issued by the other jurisdiction granting the license.

(3) The applicant has no administrative or enforcement actions pending in another jurisdiction or the applicant has adequately disclosed and explained the action to the satisfaction of the Board.

(4) There are no pending or ongoing investigations of the applicant in another jurisdiction which may render the applicant unsuitable or the applicant has adequately disclosed and explained the investigation to the satisfaction of the Board.

(c) This section may not be construed to waive fees associated with obtaining a license through the application process in this Commonwealth.

§ 427a.5. Responsibilities of a manufacturer.

(a) A holder of a manufacturer license shall have a continuing duty to:

(1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) For publicly traded manufacturers, provide notification of all SEC filings or if the manufacturer is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(b) An employee of a licensed manufacturer who is a gaming or nongaming employee as defined in § 401a.3 (relating to definitions) shall obtain a permit under § 435a.3 (relating to occupation permit) or registration under § 435a.5 (relating to nongaming employee registration).

§ 427a.6. Change of control of a manufacturer licensee.

(a) For purposes of this section, a change of control of a manufacturer licensee will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of a manufacturer licensee's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the manufacturer licensee.

(3) Any other interest in a manufacturer licensee which allows the acquirer to control the manufacturer licensee.

(b) A manufacturer licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately upon becoming aware of any proposed or contemplated change of control of the manufacturer licensee.

(c) Prior to acquiring a controlling interest in a manufacturer licensee, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under Chapter 433a (relating to principal licenses) and key employees as required under § 435a.2 (relating to key employee license).

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee and that the acquirer has neither applied for nor holds a supplier license.

(d) A person or group of persons seeking to acquire a controlling interest in a manufacturer licensee shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (b).

(e) A person or group of persons may not acquire a controlling interest in a manufacturer licensee until the petition required under subsection (b) has been approved. A person or group of persons seeking to acquire a controlling interest in a manufacturer licensee and the manufacturer licensee may enter into an agreement of sale that is contingent on Board approval of the petition.

(f) The requirements of this section do not apply to the acquisition of a controlling interest in a manufacturer licensee when the following conditions are met:

(1) The acquirer is an existing licensed manufacturer.

(2) The existing licensed manufacturer has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

CHAPTER 429a. MANUFACTURER DESIGNEES

Sec.

429a.1. Manufacturer designee general requirements.
429a.2. Manufacturer designee license applications and standards.
429a.3. Additional manufacturer designee licenses.
429a.4. Manufacturer designee license term and renewal.
429a.5. Responsibilities of a manufacturer designee.
429a.6. Manufacturer designee as agent.
429a.7. Manufacturer designee agreements.
429a.8. Change of control of a manufacturer designee licensee.

§ 429a.1. Manufacturer designee general requirements.

(a) A manufacturer designee seeking to supply or repair slot machines, table game devices and associated equipment for use in this Commonwealth shall apply to the Board for a manufacturer designee license.

(b) In accordance with section 1317.1 of the act (relating to manufacturer licenses), an applicant for or the holder of a manufacturer designee license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies may not apply for or hold a slot machine license or supplier license.

(c) A licensed manufacturer designee may supply or repair slot machines, table game devices or associated equipment manufactured by a manufacturer with whom the manufacturer designee has an agreement or has executed a contract authorizing the manufacturer designee to do so.

§ 429a.2. Manufacturer designee license applications and standards.

(a) An applicant for a manufacturer designee license shall submit:

(1) An original and one copy of the Manufacturer Designee Application and Disclosure Information Form unless otherwise directed by the Board.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under § 435a.2 (relating to key employee license) and principal under Chapter 433a (relating to principal licenses) as specified by the Manufacturer Designee Application and Disclosure Information Form.

(5) An affirmation that neither the applicant nor any of its affiliates, intermediaries, subsidiaries or holding companies is an applicant for or a holder of a slot machine license.

(6) A sworn or affirmed statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy of the safeguards and policies.

(b) In addition to the materials required under subsection (a), an applicant for a manufacturer designee license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) In determining whether an applicant will be licensed as a manufacturer designee under this section, the Board will consider the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the applicant.

(2) If all principals of the applicant are individually eligible and suitable under the standards in section 1317.1 of the act (relating to manufacturer licenses).

(3) The integrity of all financial backers.

(4) The suitability of the applicant and all principals of the applicant based on the satisfactory results of:

(i) A background investigation of all principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

§ 429a.3. Additional manufacturer designee licenses.

(a) A licensed manufacturer designee whose license is in good standing may submit for an additional manufacturer designation for a different licensed manufacturer by submitting:

(1) An original and one copy of the Additional Manufacturer Designee Application and Disclosure Information Form unless otherwise directed by the Board.

(2) The nonrefundable designation fee posted on the Board's web site.

(b) A manufacturer designee that has requested an additional manufacturer designation shall also comply with § 429a.2(b) (relating to manufacturer designee license applications and standards).

§ 429a.4. Manufacturer designee license term and renewal.

(a) The initial manufacturer designee license will be valid for 1 year from the date of approval of the license by the Board. Renewals of a manufacturer designee license will be valid for 3 years from the date of the approval of the renewal of the license by the Board.

(b) A renewal application and renewal fee shall be filed at least 2 months prior to the expiration of the current license.

(c) A manufacturer designee license for which a completed renewal application and fee has been received by the Board will continue in effect for an additional 6-month period or until acted upon by the Board, whichever occurs first.

§ 429a.5. Responsibilities of a manufacturer designee.

(a) A holder of a manufacturer designee license shall have a continuing duty to:

(1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) For publicly traded manufacturer designees, provide notification of all SEC filings or if the manufacturer designee is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(b) An employee of a licensed manufacturer designee who is a gaming or nongaming employee as defined in § 401a.3 (relating to definitions) shall obtain a permit under § 435a.3 (relating to occupation permit) or registration under § 435a.5 (relating to nongaming employee registration).

§ 429a.6. Manufacturer designee as agent.

(a) Notwithstanding any provision to the contrary in a contract between a licensed manufacturer and a licensed manufacturer designee, the licensed manufacturer designee shall be

an agent of the licensed manufacturer for the purposes of imposing liability for any act or omission of the licensed manufacturer designee in violation of the act or this part.

(b) Notwithstanding any provision to the contrary in a contract between a licensed manufacturer and a licensed manufacturer designee, the licensed manufacturer may be jointly and severally liable for any act or omission by the licensed manufacturer designee in violation of the act or this part, regardless of actual knowledge by the licensed manufacturer of the act or omission.

§ 429a.7. Manufacturer designee agreements.

(a) Agreements, and any amendments thereto, between a licensed manufacturer and a licensed manufacturer designee shall be submitted to the Bureau of Licensing for review.

(b) Amendments to agreements between a licensed manufacturer and a licensed manufacturer designee shall be submitted to the Bureau of Licensing for review at least 30 days prior to the effective date of the proposed amendment.

(c) An agreement between a licensed manufacturer and a licensed manufacturer designee submitted for Bureau of Licensing review must enumerate with specificity the responsibilities of the licensed manufacturer and the licensed manufacturer designee.

(d) Agreements must contain a provision that describes with particularity any terms related to compensation of the licensed manufacturer or the licensed manufacturer designee.

§ 429a.8. Change of control of a manufacturer designee licensee.

(a) For purposes of this section, a change of control of a manufacturer designee licensee will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of a manufacturer designee licensee's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the manufacturer designee licensee.

(3) Any other interest in a manufacturer designee licensee which allows the acquirer to control the manufacturer designee licensee.

(b) A manufacturer designee licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately upon becoming aware of any proposed or contemplated change of control of the manufacturer designee licensee.

(c) Prior to acquiring a controlling interest in a manufacturer designee licensee, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under Chapter 433a (relating to principal licenses) and key employees as required under § 435a.2 (relating to key employee license).

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee and that the acquirer has neither applied for nor holds a supplier license.

(d) A person or group of persons seeking to acquire a controlling interest in a manufacturer designee licensee shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (b).

(e) A person or group of persons may not acquire a controlling interest in a manufacturer designee licensee until the petition, required under subsection (b), has been approved. A person or group of persons seeking to acquire a controlling interest in a manufacturer designee licensee and the manufacturer designee licensee may enter into a sales agreement that is contingent on Board approval of the petition.

(f) The requirements of this section do not apply to the acquisition of a controlling interest in a manufacturer designee licensee when the following conditions are met:

(1) The acquirer is an existing licensed manufacturer designee.

(2) The existing licensed manufacturer designee has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

CHAPTER 431a. SUPPLIER LICENSES

Sec.

431a.1. Supplier general requirements.
431a.2. Supplier license applications and standards.
431a.3. Supplier license term and renewal.
431a.4. Responsibilities of a supplier.
431a.5. Supplier log books.
431a.6. Change of control of a supplier licensee.

§ 431a.1. Supplier general requirements.

(a) A supplier seeking to sell, lease, offer or otherwise provide, distribute or service slot machines, table game devices or associated equipment to a slot machine licensee within this Commonwealth shall apply to the Board for a supplier license.

(b) In accordance with sections 1317 and 1317.1 of the act (relating to supplier licenses; and manufacturer licenses), an applicant for or the holder of a supplier license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies, may not apply for or hold a slot machine license or a manufacturer license.

§ 431a.2. Supplier license applications and standards.

(a) An applicant for a supplier license shall submit:

(1) An original and one copy of the Supplier Application and Disclosure Information Form for the applicant and each of the applicant's principal affiliates.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under § 435a.2 (relating to key employee license) and principal under Chapter 433a (relating to principal licenses) as specified by the Supplier Application and Disclosure Information Form and other persons as determined by the Board

(5) An affirmation that neither the applicant nor any of its affiliates, subsidiaries, intermediaries and holding companies is an applicant for or holder of a slot machine license.

(6) A sworn or affirmed statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy the safeguards and policies.

(b) In addition to the materials required under subsection (a), an applicant for a supplier license shall:

(1) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) Demonstrate that the applicant has or will establish a principal place of business in this Commonwealth.

(c) In determining whether an applicant is suitable to be licensed as a supplier under this section, the Board will consider the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the applicant.

(2) If all principals of the applicant are eligible and suitable under the standards of section 1317 of the act (relating to supplier licenses).

(3) The integrity of financial backers.

(4) The suitability of the applicant and principals of the applicant based on the satisfactory results of:

(i) A background investigation of principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

§ 431a.3. Supplier license term and renewal.

(a) The initial supplier license will be valid for 1 year from the date of approval of the license by the Board. Renewals of a supplier license will be valid for 3 years from the date of the approval of the renewal of the license by the Board.

(b) A Supplier License Renewal Application Form and renewal fee shall be filed at least 2 months prior to the expiration of the current license.

(c) A supplier license for which a completed renewal application and fee has been received by the Board will continue in effect for an additional 6-month period or until acted upon by the Board, whichever occurs first.

§ 431a.4. Responsibilities of a supplier.

(a) Within 1 year of the Board's issuance of a supplier license, the supplier shall establish and maintain a principal place of business in this Commonwealth. The principal place of business must be:

(1) Owned or leased by the supplier. If leased, the term of the lease must be at least as long as the term of the supplier's license.

(2) Where the supplier maintains all agreements, contracts and records, or copies thereof, pertaining to the supplier's business conducted in this Commonwealth.

(3) Large enough to accommodate all of the materials required under paragraph (2), the employees assigned to this office and the equipment required to carry out the employees' assigned duties.

(4) Equipped with a telephone.

(5) Staffed by at least one person during normal business hours.

(6) Open for inspection by Board personnel during normal business hours.

(b) A supplier shall submit to the Bureau of Licensing for review any agreements with a licensed manufacturer or with a slot machine licensee. The review may include, but not be limited to, financing arrangements, inventory requirements, warehouse requirements, warehouse space, technical competency, compensative agreements and other terms or conditions to ensure the financial independence of the licensed supplier from any licensed manufacturer or licensed gaming entity.

(c) A holder of a supplier license shall have a continuing duty to:

(1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) For publicly traded suppliers, provide notification of all SEC filings or, if the supplier is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(d) An employee of a licensed supplier who is a gaming or nongaming employee as defined in § 401a.3 (relating to definitions) shall obtain a permit under § 435a.3 (relating to occupation permit) or registration under § 435a.5 (relating to nongaming employee registration).

§ 431a.5. Supplier log books.

(a) A supplier licensee shall maintain a log book to register the individuals who enter the supplier licensee's principal place of business and each physical facility utilized by the supplier licensee to house inventory, replacement parts, supplies, transportation or delivery equipment.

(b) The supplier licensee shall record or cause to be recorded in the log book the following:

(1) The date, entrance time and departure time of each individual.

(2) The name of each individual entering the place of business or physical facility and who they represent.

(3) The signature of each individual.

(4) The purpose for the visit.

(5) For individuals who are not employees of the supplier, the individual's Board license, permit, certification or registration number, if applicable.

(c) Licensed, permitted or registered employees of a supplier are not required to register in the log book.

(d) Each log book required by this section shall be maintained at the entrance of the location to which it pertains and shall be made readily accessible for examination and inspection upon the demand of any agent, employee or representative of the Board, the Department of Revenue or the Pennsylvania State Police.

§ 431a.6. Change of control of a supplier licensee.

(a) For purposes of this section, a change of control of a supplier licensee will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of a supplier licensee's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the supplier licensee.

(3) Any other interest in a supplier licensee which allows the acquirer to control the supplier licensee.

(b) A supplier licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately upon becoming aware of any proposed or contemplated change of control of the supplier licensee.

(c) Prior to acquiring a controlling interest in a supplier licensee, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under Chapter 433a (relating to principal licenses) and key employees as required under § 435a.2 (relating to key employee license).

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee and that the acquirer has neither applied for nor holds a manufacturer license.

(d) A person or group of persons seeking to acquire a controlling interest in a supplier licensee shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (b).

(e) A person or group of persons may not acquire a controlling interest in a supplier licensee until the petition, required under subsection (b), has been approved. A person or group of persons seeking to acquire a controlling interest in a supplier licensee and the supplier licensee may enter into a sales agreement that is contingent on Board approval of the petition.

(f) The requirements of this section do not apply to the acquisition of a controlling interest in a supplier licensee when the following conditions are met:

(1) The acquirer is an existing licensed supplier.

(2) The existing licensed supplier has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

CHAPTER 433a. PRINCIPAL LICENSES

Sec.

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§ 433a.1. Definitions.

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

Applicant--A person that has submitted an application to the Board for a slot machine license, manufacturer license, manufacturer designee license, supplier license or management company license.

Director--A director of a corporation, member of an audit committee or any person performing similar functions with respect to an entity, whether incorporated or unincorporated.

Entity--A person, other than an individual.

Indirect ownership interest--An ownership interest in an entity that has a direct ownership interest in an applicant or licensee, or a direct ownership interest in an entity that has an ownership interest in an applicant or licensee through one or more intervening entities.

Individual--A natural person.

Lending institution--A person who has been issued a license to lend money by a state or Federal agency or a person who satisfies the definition of “qualified institutional buyer” under 17 CFR 230.144a (relating to private resales of securities to institutions).

Licensee--A person who has been issued a slot machine license, manufacturer license, manufacturer designee license, supplier license or management company license.

Officer--A president, chief executive officer, chief operating officer, secretary, treasurer, principal legal officer, principal compliance officer, principal financial officer, principal

accounting officer, chief engineer or technical officer of a manufacturer, senior surveillance and audit executives of a principal affiliate of a slot machine licensee and any person routinely performing corresponding functions with respect to an entity whether incorporated or unincorporated.

Principal affiliate--An intermediary or holding company of an applicant or licensee.

Principal entity--An entity that meets the definition of "principal" in section 1103 of the act (relating to definitions) or is otherwise required to be licensed as a principal and is not an intermediary or holding company of an applicant or licensee.

Private investment fund--An entity that meets the definition of "investment company" under section 3(a)(1) of the Investment Company Act of 1940 (15 U.S.C. § 80a-3(a)(1)), but is otherwise exempt from the definition of "investment company" under section 3(c)(7) of the Investment Company Act of 1940.

Registered investment adviser--An investment adviser registered with the SEC under the Investment Advisers Act of 1940 (15 U.S.C.A. §§ 80b-1--80b-21).

Registered investment company--An investment company registered with the SEC under the Investment Company Act of 1940 (15 U.S.C.A. §§ 80a-1--80a-64).

Voting security--A security or other interest which entitles the owner to vote for the election of:

(i) A director of a corporation.

(ii) A person performing functions similar to a director with respect to an organization, whether incorporated or unincorporated.

§ 433a.2. Officers and directors of licensees.

(a) Each officer and director of a licensee shall be licensed as a principal.

(b) Each officer and director of a principal affiliate shall be licensed as a principal.

(c) Each officer and director of a subsidiary of a slot machine licensee shall be licensed as a principal.

(d) Notwithstanding subsection (a) or (b), an outside director of a publicly traded corporation, who is neither a member of the audit committee nor chairperson of the board of directors of the publicity traded corporation shall not be required to be licensed as a principal unless the Board determines that the licensure of the individual is necessary to protect the integrity of gaming in this Commonwealth.

(e) Except as provided in subsection (f), an officer or director required to be licensed under this section shall submit a completed Multi-Jurisdictional Personal History Disclosure Form and the Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form within 30 days of performing any duties or exercising any powers as an officer or director unless the officer or director files a written request for an extension with the Bureau of Licensing and the extension is granted prior to the expiration of the 30-day filing deadline.

(f) An officer or director of a privately held slot machine licensee, privately held licensed management company or privately held principal affiliate of a slot machine licensee or licensed management company may not perform any duties or exercise any powers of an officer or director prior to being granted temporary authorization from the Bureau of Licensing. The Bureau of Licensing may grant temporary authorization to a new officer or director of a privately held entity if the individual has submitted a completed Multi-Jurisdictional Personal History Disclosure Form, a completed Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form, and fingerprints in a manner prescribed by the Bureau of Investigations and Enforcement.

§ 433a.3. Interests in licensees held by individuals.

(a) An individual shall apply for and obtain a principal license from the Board prior to possessing any of the following:

(1) A direct ownership interest in a slot machine or management company licensee.

(2) A 1% or greater indirect ownership interest in a slot machine or management company licensee. An ownership interest that is held indirectly by an individual through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right to receive a payment from a slot machine or management company licensee based or contingent upon a licensee's earnings, profits or receipts from the slot machines, table games and associated equipment for use or play in this Commonwealth.

(4) A right or ability to control or influence the management or policies of a slot machine or management company licensee.

(5) A general partnership interest in a limited partnership that is a slot machine or management company licensee.

(6) A general partnership interest in a limited partnership that is a principal affiliate of a slot machine or management company licensee.

(b) An individual shall notify the Board and submit a completed application in accordance with § 433a.8 (relating to principal applications) prior to possessing any of the following:

(1) A direct ownership interest of 1% or more in a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(2) A 1% or greater indirect ownership interest in a licensed manufacturer, licensed supplier or licensed manufacturer designee. An ownership interest that is held indirectly by an individual through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right or ability to control or influence the management or policies of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(4) A general partnership interest in a limited partnership that is a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(5) A general partnership interest in a limited partnership that is a principal affiliate of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(c) An individual who has acquired an interest or right set forth in subsection (b)(1)—(5) prior to being licensed, and whose application is denied or withdrawn, shall divest his interest or right within a period of time established by the Office of Enforcement Counsel.

(d) An individual seeking to acquire a direct or indirect ownership interest of 20% or greater in a licensed manufacturer, licensed supplier or licensed manufacturer designee shall comply with the requirements in § 427a.6, § 429a.8 or § 431a.6 (relating to change of control of a manufacturer licensee; change of control of a manufacturer designee licensee; and change of control of a supplier licensee).

(e) Notwithstanding subsections (a) and (b), an individual whose indirect ownership interest in a licensee consists of less than 5% of the voting securities of a publicly traded corporation will not be required to be licensed as a principal.

(f) Notwithstanding subsections (a) and (b), an individual who indirectly owns less than 5% of the voting securities of a publicly traded corporation through one or more privately held entities will not be required to be licensed as a principal.

(g) Notwithstanding subsections (a) and (b), an individual who indirectly owns less than 5% of the voting securities of a publicly traded corporation through a private investment fund that has been exempted from licensure under § 433a.4(g) (relating to interests in licensees held by entities) will not be required to be licensed as a principal.

(h) Notwithstanding any provision in this section, the Board may require any individual who has any financial interest in a licensee to be licensed as a principal.

§ 433a.4. Interests in licensees held by entities.

(a) An entity shall apply for and obtain a principal license prior to possessing any of the following:

(1) A direct ownership interest in a slot machine or management company licensee.

(2) A 1% or greater indirect ownership interest in a slot machine or management company licensee. An ownership interest that is held indirectly by an entity through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right to receive a payment from a slot machine or management company licensee based or contingent upon the earnings, profits or receipts from the slot machines, table games and associated equipment for use or play in this Commonwealth.

(4) A right or ability to control or influence the management or policies of a slot machine or management company licensee.

(5) A general partnership interest in a limited partnership that is a slot machine or management company licensee.

(6) A general partnership interest in a limited partnership that is a principal affiliate of a slot machine or management company licensee.

(b) An entity shall notify the Board and submit a completed application in accordance with § 433a.8 (relating to principal applications) prior to possessing any of the following:

(1) A direct ownership interest of 1% or more in a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(2) A 1% or greater indirect ownership interest in a licensed manufacturer, licensed supplier or licensed manufacturer designee. An ownership interest that is held indirectly by an entity through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right or ability to control or influence the management or policies of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(4) A general partnership interest in a limited partnership that is a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(5) A general partnership interest in a limited partnership that is a principal affiliate of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(c) An entity that has acquired an interest or right set forth in subsection (b)(1)—(5) prior to being licensed, and whose application is denied or withdrawn, shall divest its interest or right within a period of time established by the Office of Enforcement Counsel.

(d) An entity seeking to acquire a direct or indirect ownership interest of 20% or greater in a licensed manufacturer, licensed supplier or licensed manufacturer designee shall comply with the requirements in § 427a.6, § 429a.8 or § 431a.6 (relating to change of control of a manufacturer licensee; change of control of a manufacturer designee licensee; and change of control of a supplier licensee).

(e) Notwithstanding subsections (a) and (b), an entity whose indirect ownership interest in a licensee consists of less than 5% of the voting securities of a publicly traded corporation will not be required to be licensed as a principal.

(f) Notwithstanding subsections (a) and (b), an entity that indirectly owns less than 5% of the voting securities of a publicly traded corporation through one or more privately held entities will not be required to be licensed as a principal.

(g) Notwithstanding subsections (a) and (b), a private investment fund and its related management entities will not be required to be licensed as a principal if the following apply:

(1) The private investment fund has no voting rights in the licensee and does not possess any other right or ability to control or to influence the licensee.

(2) At least 20% of the investors in the private investment fund are “institutional investors” as defined in § 401a.3 (relating to definitions).

(3) Each individual who has an indirect ownership or beneficial interest of 5% or greater in the licensee through the private investment fund applies for and obtains a principal license.

(4) Each individual who has the ability to control or influence the management of the private investment fund applies for and obtains a principal license.

(5) The private investment fund agrees to provide the Board with information the Board deems necessary to evaluate the integrity of the private investment fund and its investors, and its compliance with this section. Information provided to the Board will be confidential.

(6) Each individual required to be licensed as a principal in paragraph (4) shall as part of his principal license application sign a notarized statement affirming, at a minimum, the following:

(i) The private investment fund's investment in the applicant or licensee will not violate applicable United States, Commonwealth or international laws and regulations, including anti-money laundering regulations or conventions, the Internal Revenue Code of 1986 (26 U.S.C.A.), the Employee Retirement Income Security Act of 1974 (Pub. L. No. 93-406, 88

Stat. 829), the Securities Act of 1933 (15 U.S.C.A. §§ 77a—77aa), the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78pp), the Investment Company Act of 1940 (15 U.S.C.A. §§ 80a-1—80a-64) and the Investment Advisers Act of 1940 (15 U.S.C.A. §§ 80b-1—80b-18c).

(ii) To his best knowledge, no investor in the private investment fund:

(A) Holds an interest in the private investment fund in contravention of any applicable United States, Commonwealth or international laws and regulations, including anti-money laundering regulations or conventions, the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940 and the Investment Advisers Act of 1940.

(B) Is directly or indirectly affiliated with a prohibited country, territory, individual or entity on the List of Specially Designated Nationals and Blocked Persons maintained by the United States Treasury Department's Office of Foreign Asset Control.

(C) Is currently charged with or is under indictment for any felony or gambling offense in any jurisdiction.

(D) Has been convicted of a felony when 15 years have not elapsed from the date of expiration of the sentence for the offense.

(h) The Board may require a subsidiary of a licensee to be licensed as a principal.

(i) Notwithstanding any provision to the contrary in this section, the Board may require any entity that has any financial interest in a licensee to be licensed as a principal.

§ 433a.5. Institutional investors.

(a) An institutional investor may file an Institutional Investor Notice of Ownership Form and Passive Investor Affirmation with the Bureau of Licensing instead of applying for principal licensure required under this chapter, if:

(1) The institutional investor owns or beneficially owns more than 5% but less than 20% of the outstanding voting securities of a publicly traded corporation that is a principal affiliate of a manufacturer, manufacturer designee, supplier licensee or applicant and has filed and remains eligible to file a statement of beneficial ownership on Schedule 13G with the SEC as a result of the institutional investor's ownership interest in the publicly traded corporation.

(2) The institutional investor owns or beneficially owns more than 5% but less than 10% of the outstanding voting securities of a publicly traded corporation that is a principal affiliate of a slot machine or management company licensee and has filed and remains eligible to file a statement of beneficial ownership on Schedule 13G with the SEC as a result of the institutional investor's ownership interest in the publicly traded corporation. In addition to filing an Institutional Investor Notice of Ownership Form and Passive Affirmation, if an institutional

investor seeks to own 10% or more but less than 20% of the outstanding voting securities of a publicly traded corporation that is a principal affiliate of a slot machine or management company licensee:

(i) The institutional investor seeking to acquire the interest shall promptly provide information requested by the Bureau relating to the institutional investor, its operations and sources of funds. The information provided to the Bureau will be deemed confidential when submitted.

(ii) Within 5 days of receipt of all requested information, the Bureau will issue a written response relating to the proposed acquisition. If the Bureau does not cite an objection, the transaction may thereafter be consummated. If the Bureau objects to the acquisition, the institutional investor shall file a petition with the Board in accordance with § 493a.4 (relating to petitions generally) for approval prior to acquiring the interest.

(b) If an institutional investor's purpose for holding an interest in a publicly traded corporation that is a principal affiliate of a slot machine, management company, manufacturer, manufacturer designee or supplier licensee changes from that of a passive investor, whereby the institutional investor files a Schedule 13D with the SEC indicating that its ownership interest is no longer passive, the institutional investor shall notify the Bureau of Licensing, in writing, within 2 days of filing the Schedule 13D with the SEC. The institutional investor shall then apply for licensure as a principal, in accordance with this chapter, within 30 days of filing the Schedule 13D with the SEC.

(c) Notwithstanding the requirements in subsections (a) and (b), if the institutional investor has an ownership interest in a publicly traded corporation, which is a principal affiliate of a licensee, that is listed on a foreign exchange in which a Schedule 13G is not filed, the institutional investor shall file a copy of the corresponding passive investor form filed with the securities regulator that has jurisdiction over the foreign publicly traded corporation.

(d) The institutional investor shall file the Institutional Investor Notice of Ownership Form with the Bureau of Licensing within 30 days of the institutional investor filing its Schedule 13G with the SEC or the corresponding passive investor form with the securities regulator that has jurisdiction over the foreign publicly traded corporation.

§ 433a.6. Lenders and underwriters.

(a) Each lender and underwriter of a slot machine, management company, manufacturer, manufacturer designee or supplier licensee shall be licensed as a principal.

(b) Notwithstanding subsection (a), a lender that is a bank or lending institution which makes a loan to a slot machine, management company, manufacturer, manufacturer designee or supplier licensee in the ordinary course of business will not be required to be licensed as a principal. The Board may require a bank or lending institution to provide information or other assurances to verify its eligibility for this exemption.

(c) A lender to a principal affiliate of a slot machine licensee or to a management company that is obtaining financing for the construction or operation of a slot machine licensee shall be required to be licensed as a principal unless the following apply:

(1) The lender is in the business of providing debt or equity capital to individuals or entities.

(2) The loan to the principal affiliate or management company of a slot machine licensee is in the ordinary course of the lender's business.

(3) The lender does not have the ability to control or otherwise influence the affairs of the principal affiliate or management company of a slot machine licensee or the slot machine licensee.

(d) A lender that is required to be licensed as a principal in accordance with subsection (c) may lend to a principal affiliate or to a management company of a slot machine licensee prior to licensure if the lender has filed a completed application in accordance with § 433a.8 (relating to principal applications) and has received lender authorization from the Bureau of Licensing.

(e) A person that acquires a debt instrument issued by a licensed supplier, manufacturer, manufacturer designee, management company, slot machine licensee or principal affiliate of a slot machine licensee in a secondary market will not be required to be licensed as a principal if:

(1) The person does not have any right or ability to control or influence the affairs of the licensee.

(2) The person's acquisition of the debt instrument is in the ordinary course of business and is not part of a plan or scheme to avoid the requirements of this section.

(f) Notwithstanding any provision to the contrary in this section, the Board may require the licensure of any person that holds a debt instrument issued by a licensee or any principal affiliate or subsidiary of a licensee if Board staff has reason to believe that the suitability of the person may be at issue.

§ 433a.7. Trusts.

(a) A trust or similar business entity shall apply for and obtain a principal license prior to possessing any of the following:

(1) A direct ownership interest in a slot machine or management company licensee.

(2) A 1% or greater indirect ownership interest in a slot machine or management company licensee. An ownership interest that is held indirectly by an individual through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right to receive a payment from a slot machine licensee based or contingent upon a licensee's earnings, profits or receipts from the slot machines, table games and associated equipment for use or play in this Commonwealth.

(4) A right or ability to control or influence the management or policies of a slot machine or management company licensee.

(5) A general partnership interest in a limited partnership that is a slot machine or management company licensee.

(6) A general partnership interest in a limited partnership that is a principal affiliate of a slot machine or management company licensee.

(b) A trust or similar business entity shall submit a completed application in accordance with § 433a.8 (relating to principal applications) prior to possessing any of the following:

(1) A direct ownership interest of 1% or more in a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(2) A 1% or greater indirect ownership interest in a licensed manufacturer, licensed supplier or licensed manufacturer designee. An ownership interest that is held indirectly by an individual through one or more intervening entities will be determined by successive multiplication of the ownership percentages for each link in the vertical chain.

(3) A right or ability to control or influence the management or policies of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(4) A general partnership interest in a limited partnership that is a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(5) A general partnership interest in a limited partnership that is a principal affiliate of a licensed manufacturer, licensed supplier or licensed manufacturer designee.

(c) If a trust is required to be licensed as a principal in accordance with this section, each trustee, grantor and beneficiary, including a minor child beneficiary, of the trust shall also be licensed as a principal.

(d) Notwithstanding subsections (a) and (b), a trust whose ownership interest in a licensee consists of less than 5% of the voting securities of a publicly traded company will not be required to be licensed as a principal.

(e) Notwithstanding any provision to the contrary in this section, the Board may require any trust that has any financial interest in a licensee to be licensed as a principal.

§ 433a.8. Principal applications.

(a) An individual required to be licensed as a principal, unless otherwise directed by the Board, shall file:

(1) An original and one copy of a completed Multi-Jurisdictional Personal History Disclosure Form.

(2) An original and one copy of a completed Principal/Key Employee Form—Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

(3) The nonrefundable application fee posted on the Board's web site.

(b) A principal entity required to be licensed as a principal shall file a completed Principal Entity Form and submit the applicable application fee posted on the Board's web site.

(c) A principal affiliate shall apply for a principal license as if the principal affiliate were applying for the slot machine license, manufacturer license, manufacturer designee license, supplier license or management company license.

(d) In addition to the materials required under subsection (a) or (b), an applicant for a principal license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

§ 433a.9. Principal license term and renewal.

(a) A principal license or renewal will be valid for 3 years from the date on which the license or renewal is approved by the Board.

(b) Notwithstanding subsection (a), a principal of a manufacturer or supplier which is eligible for its initial license shall be subject to an initial annual renewal for each slot machine or table game license held by the manufacturer or supplier. Principal renewals thereafter will be valid for 3 years from the date of the approval of the renewal of the license by the Board.

(c) A renewal application and renewal fee shall be filed at least 2 months prior to the expiration of the current license.

(d) A principal license for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the principal license that the Board has approved or denied the license.

CHAPTER 435a. KEY, GAMING AND NONGAMING EMPLOYEES; BOARD-ISSUED CREDENTIALS

Sec.

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§ 435a.1. General provisions.

(a) An individual seeking a key employee license, occupation permit or nongaming employee registration shall apply to the Board as required by this chapter.

(b) In addition to the materials required under §§ 435a.2, 435a.3 and 435a.5 (relating to key employee license; occupation permit; and nongaming employee registration), an applicant shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) The holder of a key employee license, occupation permit or nongaming employee registration shall provide an updated photograph at the request of Board staff.

(d) An applicant for an occupation permit or nongaming employee registration shall be at least 18 years of age.

(e) Slot machine licensees, manufacturers, manufacturer designees, suppliers, gaming service providers and gaming related gaming service providers that hire an individual who holds a key employee license, permit or registration issued by the Board shall contact the Bureau of Licensing to confirm that the individual's key employee license, permit or registration is in good standing prior to allowing the individual to work in the licensed facility.

§ 435a.2. Key employee license.

(a) An individual may not perform duties associated with a position that requires a key employee license prior to receiving a temporary or permanent credential unless otherwise authorized by the Board. An applicant for a key employee license shall submit:

(1) An original and one copy of a completed Multi-Jurisdictional Personal History Disclosure Form.

(2) An original and one copy of a completed Principal/Key Employee Form—Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

(3) The nonrefundable application fee posted on the Board's web site.

(b) In addition to the materials required under subsection (a), an applicant for a key employee license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) After reviewing the application and the results of the applicant's background investigation, the Board may issue a key employee license if the individual has proven that he is a person of good character, honesty and integrity and is eligible and suitable to be licensed as a key employee.

(d) A key employee license issued will be valid for employment with any licensed entity.

§ 435a.3. Occupation permit.

(a) An applicant for a gaming employee occupation permit shall submit:

(1) An original and one copy of the Gaming Employee Application and Disclosure Information Form or an electronic application using the SLOTS Link system. When an application for an occupation permit is filed using SLOTS Link, any additional documents required, including releases, shall be submitted to the Board:

(i) Within 5 days of the submission of the SLOTS Link application by an applicant for or holder of a slot machine license.

(ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or a gaming related gaming service provider certification or gaming service provider registration, certification or authorization.

(2) The nonrefundable application fee posted on the Board's web site.

(3) Verification of an offer of employment from a licensed entity.

(b) In addition to the materials required under subsection (a), an applicant for a gaming employee occupation permit shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) After reviewing the application and the results of the applicant's background investigation, the Board may issue a gaming employee occupation permit if the individual has proven that the individual is a person of good character, honesty and integrity and is eligible and suitable to hold an occupation permit.

(d) An individual who wishes to receive a gaming employee occupation permit under this chapter may authorize an applicant for or holder of a slot machine, management company, manufacturer, manufacturer designee or supplier license or gaming related gaming service provider certification or gaming service provider registration, certification or authorization to file an application on the individual's behalf.

(e) A gaming employee occupation permit issued under this section will be valid for employment with any licensed entity, any certified gaming related gaming service provider or any registered or certified gaming service provider.

§ 435a.4. Key employee license and occupation permit term and renewal.

(a) A key employee license or occupation permit issued under this chapter shall be valid for 3 years from the date of Board approval.

(b) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of a key employee license or occupation permit.

(c) A key employee license or occupation permit for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the key employee license or occupation permit that the Board has approved or denied the key employee license or occupation permit.

§ 435a.5. Nongaming employee registration.

(a) An applicant for a nongaming employee registration shall submit:

(1) An original and one copy of the Nongaming Employee Registration Form or an electronic application using the SLOTS Link system. When an application for a nongaming employee registration is filed using SLOTS Link, any additional documents required, including releases, shall be submitted to the Board:

(i) Within 5 days of the submission of the SLOTS Link application by an applicant for or holder of a slot machine license.

(ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or an applicant for or holder of a gaming service provider registration or certification.

(2) The nonrefundable application fee posted on the Board's web site.

(b) In addition to the materials required under subsection (a), an applicant for a nongaming employee registration shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) After review of the application, the Board may register the individual if the individual has proven that he is eligible and suitable to be registered under this section.

(d) An individual who wishes to receive a nongaming employee registration under this chapter may authorize an applicant for or holder of a slot machine, manufacturer, manufacturer designee or supplier license or a gaming service provider registration or certification to file an application on the individual's behalf.

(e) A registration issued under this section is valid for employment with any slot machine, manufacturer, manufacturer designee or supplier licensee or registered, certified or authorized gaming service provider.

(f) A registration issued under this section will be valid for 4 years from the date of Board approval.

(g) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of a registration credential.

(h) A registration for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the registration that the Board has approved or denied the renewal registration.

§ 435a.6. Board credentials.

(a) The following individuals shall obtain a Board credential:

(1) A principal whose duties are required to be performed at a licensed facility in excess of 12 days in a 12-month period.

(2) Key employees.

(3) Gaming employees.

(4) Nongaming employee registrants.

(5) State employees whose duties require the employee's presence at a licensed facility more frequently than once a month.

(b) The credential will contain the following information:

(1) The name, date of birth, sex, height, weight, hair color and eye color of the licensee, permittee or registrant.

(2) A photograph of the face of the individual to whom the credential has been issued which meets the standards of the Commonwealth Photograph Imaging Network.

(3) The inscription “Pennsylvania Gaming Control Board.”

(4) The seal of the Commonwealth.

(5) A license, permit or registration number.

(6) The type of license, permit or registration.

(7) An expiration date.

(8) The signature of the employee.

(9) Other security features as determined by the Board.

(c) A State employee required to obtain a Board credential shall carry the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility.

(d) An individual who is not a State employee, who is required to obtain a Board credential and whose duties:

(1) Do not require the individual to be on the gaming floor or in a restricted area, shall carry the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility.

(2) Require the individual to be on the gaming floor or in a restricted area, shall display the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility. A food and beverage employee of a slot machine licensee who is required to obtain a Board credential and whose duties require the individual to be on the gaming floor may carry, instead of display, the employee's Board credential if:

(i) The employee displays the access badge required under § 465a.12 (relating to access badges and temporary access credentials).

(ii) The access badge displays a unique identification number that has been assigned to that employee and which can be read by the slot machine licensee's surveillance system.

(e) Slot machine and management company licensees are prohibited from allowing a principal who is required to obtain a credential, a key employee, gaming employee or nongaming employee registrant to perform his duties on the premises of a licensed facility unless the employee is in possession of a Board-issued credential.

(f) An employee whose license, permit or registration has been suspended or revoked by the Board shall surrender the Board credential to Board staff.

§ 435a.7. Emergency credentials.

(a) A principal, key employee, gaming employee or nongaming employee of the slot machine licensee, manufacturer, manufacturer designee, supplier, gaming service provider, gaming related service provider or gaming junket enterprise who does not have the credential issued to him on his person, or whose credential has been stolen, lost or destroyed, may obtain an emergency credential from the Board to enable the employee to perform the employee's duties at the licensed facility.

(b) An employee seeking an emergency credential shall present himself to a casino compliance representative at the Board office at the licensed facility. Prior to issuing the emergency credential, the casino compliance representative will verify:

(1) The identity of the individual requesting the emergency credential.

(2) That the employee holds a valid license, permit or registration.

(3) That fewer than 12 emergency credentials have been issued to the employee in the past 12 months.

(c) The following provisions apply to emergency credentials:

(1) They will be valid for a time period not to exceed 72 hours.

(2) They shall be returned to the Board office at the licensed facility.

§ 435a.8. Temporary credentials.

(a) A temporary credential may be issued by the Board to a principal, key employee or gaming employee.

(b) A temporary credential issued to a principal, key employee or gaming employee is valid for up to 270 days from the date of its issuance.

(c) The Board may extend the expiration date of a temporary credential issued to a principal, key employee or gaming employee if the Board determines additional time is needed to complete an investigation for licensure.

(d) A temporary credential may be issued by the Bureau of Licensing to a nongaming employee if:

(1) The applicant has submitted all of the application materials required under § 435a.5 (relating to nongaming employee registration).

(2) The applicant has been fingerprinted and photographed by the Pennsylvania State Police.

(e) A temporary credential issued to a nongaming employee will be valid for 30 days.

(f) Board staff may impose conditions on the holders of temporary credentials.

§ 435a.9. (Reserved).

§ 435a.9a. Gaming service provider employee temporary access credentials.

(a) The Board's casino compliance representatives at a licensed facility may issue a Gaming Service Provider Employee Temporary Access Credential to an employee of a registered or certified gaming service provider that is a construction company that is completing work on the gaming floor or in a restricted area under the registered or certified gaming service provider's original contract, change orders or punch lists, or to complete periodic repairs or warranty work if:

(1) The employee's duties of employment do not require the employee to touch or have contact with a slot machine, table game device or associated equipment other than exterior contact that does not affect the play of the game.

(2) The employee signs in with the security department of the licensed facility and will be escorted and under the constant supervision of an employee of the slot machine licensee who is authorized to have access to the area where the work is being performed.

(3) The gaming service provider employee and the employee of the slot machine licensee who will escort and supervise both sign in with the Board's casino compliance representatives.

(b) To receive a Gaming Service Provider Employee Temporary Access Credential, the employee of the registered or certified gaming service provider that is a construction company shall surrender his driver's license or other photo identification.

(c) A Gaming Service Provider Employee Temporary Access Credential will not be issued to an employee of a registered or certified gaming service provider that is a construction

company for more than 12 days in a 12-month period. The time period may be extended for good cause as determined by the Bureau of Licensing.

(d) As provided in § 437a.10(c) (relating to emergency gaming service provider), an employee of an emergency gaming service provider shall obtain a temporary access credential in accordance with subsections (a) and (b) to enable the employee to perform emergency services at the licensed facility.

§ 435a.10. Loss, theft or destruction of credentials.

(a) As soon as possible, but no later than 24 hours following the loss, theft or destruction of a Board credential, emergency credential or temporary credential, the person to whom the credential was issued shall notify the Board's casino compliance representatives at the licensed facility.

(b) The slot machine licensee, on behalf of an employee whose Board-issued credential was lost, stolen or destroyed, may request a replacement Board credential by submitting a Request for Duplicate PGCB Credential Form and the fee established by the Board to the Bureau of Licensing.

CHAPTER 436a. HORSEMEN'S ORGANIZATIONS

Sec.

436a.1. Definitions.
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436a.4. Responsibilities of horsemen's organizations, representatives and fiduciaries.
436a.5. Fiduciaries.
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§ 436a.1. Definitions.

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

Fiduciary--A person who is entrusted by a horsemen's organization or its members to hold or manage funds received for horsemen under section 1406 of the act (relating to distributions from Pennsylvania Race Horse Development Fund) or who exercises control or discretionary authority over selection or management of a health or pension benefit plan, disposition of its assets or distribution of its funds.

Health benefits--A plan, fund or program which is maintained by a horsemen's organization and provides healthcare benefits to horsemen, their families and employees and others designated by the rules and eligibility requirements of the organization consistent with the act.

Horsemen--A thoroughbred or standardbred horse owner or trainer who enters and runs a horse at a licensed racing entity in the current or prior calendar year and meets the membership requirements of a horsemen's organization to participate in the receipt of benefits there from.

Horsemen's organization--A trade association which represents the majority of horsemen at a licensed racetrack and which exists for the purpose, in whole or in part, of negotiating a horsemen's contract and resolving grievances, disputes or other matters with management of a licensed racing entity.

Pension benefits--Any plan, fund or program which is maintained by a horsemen's organization and provides retirement income to horsemen, their families and employees, and any others designated by the rules and eligibility requirements of the organization consistent with the act.

Representative--

(i) A president, vice president, secretary, treasurer, director, governing body member or any individual routinely performing corresponding functions authorized to act on behalf of the horsemen's organization.

(ii) An individual, not otherwise specified in subparagraph (i), who is authorized to act on behalf of a horsemen's organization or members thereof in matters regarding horsemen's agreements with a licensed racing entity or who promotes, facilitates or otherwise influences the relations between a horsemen's organization and a licensed racing entity.

§ 436a.2. Horsemen's organization notification.

(a) A horsemen's organization or affiliate representing horsemen shall file a completed Horsemen's Organization Notification Form and supporting documentation with the Bureau of Licensing within 90 days of selection as a horsemen's organization or affiliate representing horsemen.

(b) A horsemen's organization or affiliate representing horsemen shall file an updated version of the Horsemen's Organization Notification Form and supporting documentation with the Bureau of Licensing within 30 days of a change in the information contained therein.

(c) Horsemen's organization notifications will be valid for 4 years from the date on which the notification is filed with the Bureau of Licensing.

(d) Renewals shall be filed no late than 60 days prior to the expiration of the current notification period.

§ 436a.3. Permitting of representatives and fiduciaries.

(a) Every representative or fiduciary shall be permitted in accordance with this section.

(b) Every representative or fiduciary shall file a completed Horsemen's Permit Application Form with the permit fee posted on the Board's website (www.pgcb.pa.gov).

(c) Applicants and permittees under this section shall be subject to the general application requirements of Chapters 421a and 423a (relating to general provisions; and applications).

(d) Permits issued under this section will be valid for 3 years from the date on which the permit is approved by the Board.

(e) Renewals will be valid for 3 years and shall be filed at least 60 days prior to the expiration of the current permit.

(f) A permit for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the permittee that the Board has approved or denied the renewal of the permit.

(g) If a representative or fiduciary is denied a permit required by this section, that representative or fiduciary shall be precluded from engaging in any activity involving gaming funds allocated to, received by or distributed from the horsemen's organization.

(h) A person who is a third-party provider of a health or pension benefit plan to a horsemen's organization shall be exempt from the requirements of this section.

§ 436a.4. Responsibilities of horsemen's organizations, representatives and fiduciaries.

(a) Horsemen's organizations representatives and fiduciaries shall ensure that the funds allocated to the horsemen and horsemen's organizations are used for the benefit of all horsemen of this Commonwealth.

(b) Funds allocated to horsemen's organizations for benevolent programs must be kept separate and apart from funds acquired from other sources and may not be used for the personal benefit of any representative or fiduciary of a horsemen's organization except to the extent that the representative or fiduciary is a participant in the benevolent programs on the same basis as other eligible program participants.

(c) Horsemen's organizations shall ensure that the funds allocated for thoroughbred jockeys and standard-bred drivers are paid in accordance with section 1406(a) of the act (relating to distributions from Pennsylvania Race Horse Development Fund) and that the distribution of these proceeds is reflected in the annual audit required under section 1406(e) of the act and Article XVII-O of The Fiscal Code (72 P.S. § 1701-O).

(d) Horsemen's organizations shall maintain adequate records of receipts and distributions of the funds allocated to them under the act.

(e) Horsemen's organizations shall file with the Board:

(1) A quarterly report, due by the 20th day of the month following the end of each calendar quarter, which shall account for:

(i) The amounts received from the Pennsylvania Race Horse Development Fund through the Category 1 licensee conducting live racing into the account established by and for the benefit of the horsemen under section 1406(a) of the act.

(ii) The amounts distributed for purse supplements from the account established by and for the benefit of the horsemen under section 1406(a) of the act.

(iii) The amounts received for health and pension benefits under section 1406(a) of the act.

(2) Two copies of the audited financial statements of the horsemen's organization and its affiliates, which comply with the requirements of section 1406(e) of the act and Article

XVII-O of The Fiscal Code. Audited financial statements shall be filed within 90 days after the end of the organization's fiscal year and reflect funds received from the Pennsylvania Race Horse Development Fund which are used or intended to be used for purse supplements and health and pension benefits under section 1406(a) of the act. These filings will be available for public inspection during the normal operating hours of the Board at its Harrisburg office.

§ 436a.5. Fiduciaries.

Fiduciaries shall:

(1) Ensure that the funds received for the benefit of the horsemen are distributed pursuant to the act.

(2) Manage all health and pension benefit plans for the exclusive benefit of participants and beneficiaries.

(3) Carry out their duties in a prudent manner and refrain from conflict-of-interest transactions.

(4) Comply with limitations on certain plans' investments in particular securities and properties.

(5) Fund benefits in accordance with applicable law and plan rules.

(6) Provide documents to the Board as may be requested in the conduct of investigations or to ensure compliance with the act and this chapter.

§ 436a.6. Health and pension benefit plans.

(a) Contracts for health and pension benefit plans established for the benefit of members of a horsemen's organization shall be submitted to the Board at least 30 days prior to the proposed effective date of the contract. Contracts are not effective until approved by the Board.

(b) Administrative and overhead costs incurred by the horsemen's organization for the administration of health and pension benefit plans must be reasonable. Administrative costs that do not exceed 15% of the statutory allocation are considered reasonable.

CHAPTER 437a. GAMING SERVICE PROVIDER CERTIFICATION AND REGISTRATION

Sec.

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§ 437a.1. General gaming service provider requirements.

(a) Except as provided in § 437a.10 (relating to emergency gaming service provider), a gaming service provider or person seeking to conduct business with a slot machine applicant or licensee shall apply to the Board for registration if:

(1) The total dollar amount of the goods or services to be provided to a single slot machine applicant or licensee or to multiple slot machine applicants or licensees will be or is anticipated to be equal to or greater than $100,000 but less than or equal to $500,000 within a consecutive 12-month period.

(2) The employees of the gaming service provider or person seeking to conduct business with a slot machine applicant or licensee will be working either:

(i) In a restricted area of the licensed facility.

(ii) On the gaming floor unless all of the following conditions are met:

(A) The employees will be on the gaming floor for less than 24 hours within a 72-hour period no more than once in any consecutive 3-month period.

(B) The employees sign-in with the security department at the licensed facility and the Board's casino compliance representatives prior to entering the gaming floor.

(C) The gaming service provider has received written approval from the Bureau of Licensing for the gaming service provider's employees to be on the gaming floor.

(b) Except as provided in § 437a.10, a gaming service provider or person seeking to conduct business with a slot machine applicant or licensee shall apply to the Board for certification if the total dollar amount of the goods or services to be provided to a single slot machine applicant or licensee or to multiple slot machine applicants or licensees will be or is anticipated to be greater than $500,000 within a consecutive 12-month period.

(c) A person that provides goods or services indirectly to a slot machine applicant or licensee through an intermediary, holding company or affiliate of the slot machine applicant or licensee shall be required to be registered or certified if the cost of the goods or services provided to the slot machine applicant or licensee exceeds the monetary thresholds in subsections (a) and (b).

(d) The following persons are exempt from the gaming service provider registration and certification requirements of this chapter:

(1) Public utilities which provide one or more of the following services to a slot machine applicant or licensee:

(i) Water.

(ii) Sewerage.

(iii) Electricity.

(iv) Natural gas.

(2) Insurance companies providing insurance to a slot machine applicant or licensee and its employees.

(3) Employee benefit and retirement plans including incorporated 401K plans and employee stock purchase programs.

(4) National, state or local professional associations that receive funds from the slot machine applicant or licensee for the cost of enrollment, activities and membership.

(5) State, Federal and municipal operated agencies.

(6) Manufacturers and suppliers of liquor, wine and beer regulated by the Liquor Control Board.

(7) State and Federally chartered banks or savings and loan associations where funds are deposited by slot machine licensees, notwithstanding those sources or transactions provided to a slot machine licensee which require Board approval.

(8) Providers of professional services including accountants, attorneys, engineers and architects, when acting in their respective professional capacities.

(9) Telecommunication service providers.

(10) Shipping services.

(11) Persons that engage in efforts to influence legislative action or administrative action on behalf of a principal for economic consideration.

(12) Schools regulated by the Department of Education.

(13) Professional entertainers, sports figures and other celebrities engaged by a slot machine licensee to appear at a slot machine licensee-sponsored special entertainment or promotional event.

(14) Newspapers, television stations, radio stations and providers of simulcast services that contract with slot machine applicants or licensees.

(15) Professional sports teams of Major League Baseball, the National Hockey League, the National Football League and the National Basketball Association.

(16) Any person not otherwise exempt under this subsection that is licensed by a Federal or state agency if the agency's licensing requirements are determined by the Bureau of Licensing to be substantially similar to those of the Board.

(e) The Board may request information or assurances from any person listed in subsection (d) to determine the validity of the person's exempt status.

(f) Subsection (d) does not relieve a slot machine applicant or licensee of reporting obligations required under §§ 441a.12 and 441a.14 (relating to maintaining agreements; filing of agreements; and master purchasing and disbursement report).

(g) Notwithstanding subsections (a) and (b), a publicly traded corporation or subsidiary thereof will not be required to be registered or certified as a gaming service provider if the publicly traded corporation or subsidiary thereof submits a completed Publicly Traded Gaming Service Provider Form to the Bureau of Licensing accompanied by the filing fee posted on the Board's web site and is authorized. A publicly traded corporation or subsidiary thereof that is authorized to provide goods and services under this subsection shall be required to:

(1) Comply with § 437a.7 (relating to registered, certified and authorized gaming service provider responsibilities).

(2) Immediately notify the Bureau of Licensing if the publicly traded corporation or subsidiary thereof ceases to meet the definition of a publicly traded corporation.

(h) A slot machine applicant or licensee shall complete and submit to the Bureau of Licensing a Notification of Material Gaming Service Provider Form prior to compensating a gaming service provider $15,000 or more within a consecutive 12-month period. A slot machine applicant or licensee will not be required to submit a Notification of Material Gaming Service Provider Form to the Bureau of Licensing if either of the following apply to the gaming service provider to be compensated:

(1) The gaming service provider is exempt under subsection (d).

(2) The gaming service provider is listed on the Board's authorized gaming service provider list.

(i) A gaming service provider of a slot machine applicant or licensee whose compensation does not exceed the monetary thresholds contained in this section or who is otherwise not required to be registered or certified under subsection (d) or (g) may be required to be registered or certified if the Board determines that registration or certification is necessary to protect the integrity of gaming.

§ 437a.2. Gaming service provider registration applications.

(a) A gaming service provider seeking registration shall do one of the following:

(1) If the gaming service provider has or will be entering into an agreement to provide goods or services to a specific slot machine applicant or licensee, the gaming service provider shall complete an original and one copy of a Gaming Service Provider Registration Form—Sponsored. The original copy and the fee toward the cost of the investigation of the applicant posted on the Board's web site shall be submitted to the Bureau of Licensing by the slot machine applicant or licensee for whom the gaming service provider will provide goods or services unless otherwise directed by the Bureau of Licensing.

(2) If a gaming service provider does not have an agreement to provide goods or services to a specific slot machine applicant or licensee but is seeking to conduct business with slot machine applicants or licensees, the gaming service provider shall complete an original and one copy of a Gaming Service Provider Registration Form—Unsponsored. The original, copy and the fee toward the cost of the investigation of the applicant, as posted on the Board's web site, shall be submitted to the Bureau of Licensing by the gaming service provider unless otherwise directed by the Bureau of Licensing.

(b) In addition to the materials required under subsection (a), an applicant for a gaming service provider registration shall:

(1) Submit the nonrefundable application fee posted on the Board's web site.

(2) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(3) Submit fingerprints of the following individuals in a manner prescribed by the Bureau:

(i) Each officer and director of the registered gaming service provider applicant. For purposes of this subparagraph, “officer” means a president, chief executive officer, a chief financial officer and a chief operating officer, and any person routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(ii) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the registered gaming service provider applicant.

(iii) Each salesperson of a registered gaming service provider applicant who solicits business from, or has regular contact with, any representatives of a slot machine applicant or licensee or any employee of a registered gaming service provider applicant who will be engaging in that conduct.

(c) A person who holds any direct or indirect ownership or beneficial interest in a registered gaming service provider or applicant for gaming service provider registration, or has the right to any profits or distributions directly or indirectly, from the registered gaming service provider or applicant for gaming service provider registration may be required to submit fingerprints if the Bureau determines that the submission of fingerprints of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth.

(d) Each of the individuals required to submit fingerprints under subsection (b)(3) must be found qualified by the Board. An individual who is found qualified and is also a gaming or nongaming employee as defined in § 401a.3 (relating to definitions) shall obtain a gaming employee occupation permit in accordance with § 435a.3 (relating to occupation permit) or a nongaming employee registration in accordance with § 435a.5 (relating to nongaming employee registration).

(e) An applicant for a gaming service provider registration shall reimburse the Board for costs incurred in conducting the investigation of the applicant.

(f) A gaming service provider registration will not be issued until all fees and costs have been paid.

§ 437a.3. Gaming service provider certification applications.

(a) A gaming service provider seeking certification shall complete and the slot machine applicant or licensee for whom the gaming service provider will provide goods or services shall submit:

(1) An original and one copy of a Gaming Service Provider Certification Application and Disclosure Information Form unless otherwise directed.

(2) The nonrefundable application fee posted on the Board's web site.

(3) Applications and release authorizations for each individual required to be qualified under § 437a.4 (relating to qualification of individuals and entities).

(b) In addition to the requirements of subsection (a), an applicant for a gaming service provider certification shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) An applicant for a gaming service provider certification shall reimburse the Board for costs incurred in conducting the investigation of the applicant.

(d) A gaming service provider certification will not be issued until all fees and costs have been paid.

§ 437a.3a. Single transaction waiver.

(a) A gaming service provider required to be registered or certified under this chapter may request that the Board waive its obligation to be registered or certified by filing a Single Transactional Waiver Form. To be eligible to receive a waiver, the gaming service provider shall demonstrate that it is proposing to engage in a single transaction and satisfies the following requirements:

(1) The gaming service provider's required performance under the contract with the slot machine licensee does not require the gaming service provider's employees to be on the gaming floor or in a restricted area.

(2) The gaming service provider has not filed a Single Transactional Waiver Form within 2 years of the current waiver request.

(3) The gaming service provider will not have a continuing business relationship with the slot machine licensee or have a continuing onsite presence at the licensed facility.

(b) The Board may, in response to misrepresentations or a change in circumstances, revoke a waiver granted under this section and require the recipient of the waiver to comply with the gaming service provider registration or certification requirements of this chapter.

(c) A gaming service provider that has requested a waiver under this section may not provide goods or services to a slot machine applicant or licensee prior to Board approval of the gaming service provider's waiver request.

§ 437a.4. Qualification of individuals and entities.

(a) The following individuals shall be required to submit a Pennsylvania Personal History Disclosure Form and be found qualified by the Board:

(1) Each officer and director of a certified gaming service provider or applicant for gaming service provider certification. For the purposes of this paragraph, “officer” means a president, chief executive officer, a chief financial officer and a chief operating officer and any person routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(2) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the certified gaming service provider or applicant for gaming service provider certification. A certified gaming service provider or applicant for gaming service provider certification shall provide information or documentation requested by the Board necessary to determine compliance with this paragraph.

(3) Each salesperson of a certified gaming service provider or applicant for gaming service provider certification who solicits business from, or has regular contact with, any representatives of a slot machine applicant or licensee or any employee of a certified gaming service provider or applicant for gaming service provider certification who will be engaging in that conduct.

(b) Each entity that directly owns 20% or more of the voting securities of a certified gaming service provider or person applying for gaming service provider certification shall file a Gaming Service Provider Certification Form—Private Holding Company with the Bureau of Licensing and be found qualified by the Board.

(c) The following persons may be required to submit a Gaming Service Provider Certification Form—Private Holding Company or a Pennsylvania Personal History Disclosure Form and be found qualified by the Board if the Bureau of Licensing determines that the qualification of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth:

(1) An intermediary or holding company of a certified gaming service provider or applicant for gaming service provider certification not otherwise required to be qualified.

(2) An officer or director of an intermediary or holding company of a certified gaming service provider or applicant for gaming service provider certification.

(3) An employee of a certified gaming service provider or applicant for gaming service provider certification.

(4) A person who holds any direct or indirect ownership or beneficial interest in a certified gaming service provider or applicant for gaming service provider certification, or has the right to any profits or distribution, directly or indirectly, from the certified gaming service provider or applicant for gaming service provider certification.

(5) A trustee of a trust that is required to be found qualified under this section.

(d) The Bureau of Licensing may issue a temporary credential to an individual who is required to be qualified by the Board under this section if:

(1) The individual's presence in the licensed facility is needed.

(2) The company with which the individual is associated is on the authorized gaming service provider list.

(e) Upon request, the Bureau of Licensing will issue a credential to an individual who has been found qualified under this section if the gaming service provider has been certified.

§ 437a.5. Construction subcontractors.

(a) Instead of filing for registration or certification, a construction subcontractor that is otherwise required to be certified or registered may elect to file an On-site Subordinate Pre-Opening Construction Notification Form with the Bureau of Licensing if:

(1) The subcontractor is not providing goods or services through an agreement with a slot machine applicant or licensee.

(2) The subcontractor is not a first-tier subcontractor providing goods or services to the general contractor that has entered into a contract with a slot machine applicant or licensee for the construction of a licensed facility.

(b) The On-site Subordinate Gaming Service Provider Notification Form will be valid for the construction of only one licensed facility, and will expire upon completion of the contract.

(c) A subcontractor that elects to file an On-site Subordinate Gaming Service Provider Notification Form as outlined in subsection (a) shall be prohibited from:

(1) Employing any person to work in a restricted area of a licensed facility or on the gaming floor after onsite Board staff designates the area as a gaming floor.

(2) Providing, directly or indirectly, goods or service to any other slot machine applicant or licensee other than the slot machine applicant or licensee identified in the On-site Subordinate Gaming Service Provider Notification Form.

§ 437a.6. Registration and certification term and renewal.

(a) Gaming service provider certifications, registrations and renewals issued under this chapter will be valid for 4 years from the date of Board approval.

(b) Publicly traded gaming service provider authorizations approved under § 437a.1(g) (relating to general gaming service provider requirements) will be valid for 4 years from the date of authorization.

(c) Registered, certified and authorized publicly traded gaming service providers shall submit to the Board a completed renewal application or form and renewal fee at least 60 days prior to the expiration of a certification, registration or authorization.

(d) A certification or registration for which a completed renewal application and fee has been received by the Bureau of Licensing will continue to be in effect until the Board sends written notification to the holder of the certification or registration that the Board has approved or denied the certification or registration.

(e) A publicly traded gaming service provider authorization for which a completed renewal form and fee has been received by the Bureau of Licensing will continue in effect unless the Bureau of Licensing sends written notification to the publicly traded gaming service provider that the authorization has been rescinded.

§ 437a.7. Registered, certified and authorized gaming service provider responsibilities.

(a) A holder of a gaming service provider certification, registration or authorization shall have a continuing duty to comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(b) An employee of a gaming service provider shall be required to obtain an occupation permit under § 435a.3 (relating to occupation permit) if:

(1) The employee is the onsite supervisor of other gaming employees, as defined in § 401a.3 (relating to definitions), of the gaming service provider.

(2) The employee is a gaming employee as defined in § 401a.3.

(c) An employee of a gaming service provider who is not required to obtain an occupation permit under subsection (b) shall be required to obtain a nongaming employee registration under § 435a.5 (relating to nongaming employee registration) if:

(1) The employee is the onsite supervisor of:

(i) Other nongaming employees as defined in § 401a.3.

(ii) Employees of the gaming service provider who are involved in the construction of the licensed facility.

(2) The employee is a nongaming employee as defined in § 401a.3.

(d) Employees of a gaming service provider who are not required to obtain an occupation permit or a nongaming employee registration under subsection (b) or (c) may be required to obtain an occupation permit or nongaming employee registration if the Board determines, after a review of the work being performed, that obtaining a permit or registration is necessary for the protection of the integrity of gaming.

(e) Workers employed by a gaming service provider that is a construction company, who are completing work on the gaming floor or in a restricted area under their original contract, change orders, punch lists, periodic repairs or warranty work, will not be required to comply with the requirements in subsection (b) or (c) if the conditions in § 435a.9a(a) and (b) (relating to gaming service provider employee temporary access credentials) are met.

(f) A certified, registered or authorized gaming service provider operating within a licensed facility that cashes personal checks shall comply with § 465a.20 (relating to personal check cashing).

§ 437a.8. Authorized gaming service providers list; prohibited gaming service providers.

(a) The Board will maintain a list of authorized gaming service providers and a list of prohibited gaming service providers. The authorized list will contain the names of persons who:

(1) Have been registered or certified.

(2) Are eligible to file and have filed a completed publicly traded gaming service provider form under § 437a.1(g) (relating to general gaming service provider requirements).

(3) Have been authorized to conduct business with a slot machine licensee or applicant under § 437a.9 (relating to permission to conduct business prior to certification or registration).

(b) Except as permitted under § 437a.1(a)(2), (d) and (g) and § 437a.10 (relating to emergency gaming service provider), a slot machine licensee or applicant may not purchase goods or services from a gaming service provider, when the employees of the gaming service provider will be working on the gaming floor or in a restricted area or compensate a gaming service provider $100,000 or more within a consecutive 12-month period, unless the gaming service provider is on the authorized gaming service provider list. A slot machine licensee or applicant or any affiliate, intermediary, subsidiary or holding company thereof acting on behalf of the slot machine licensee or applicant may not enter into an agreement or continue to do business with a gaming service provider on the prohibited gaming service providers list.

(c) The Board may place a person on the prohibited gaming service providers list if:

(1) The gaming service provider has failed to comply with this chapter.

(2) The gaming service provider has failed to cooperate with Board staff in its review and investigation of the gaming service provider's application.

(3) The gaming service provider's application for certification or registration has been denied or withdrawn with prejudice or the gaming service provider has had its gaming service provider certification or registration suspended or revoked.

(4) The gaming service provider has failed to provide information to a slot machine applicant or licensee that is necessary for the slot machine applicant or licensee to comply with this chapter.

(d) A person seeking to be removed from the list of prohibited gaming service providers shall file a petition for removal in accordance with § 493a.4 (relating to petitions generally) and shall be responsible for all costs associated with the person's petition for removal from the list of prohibited gaming service providers. The petition must state the specific grounds believed by the petitioner to constitute good cause for removal from the prohibited gaming service providers list and how the gaming service provider has cured any deficiencies that led to the gaming service provider being placed on the prohibited gaming service providers list.

(e) The Board may impose a monetary penalty or other appropriate sanction in connection with the removal of a person from the list of prohibited gaming service providers, or attach any reasonable condition to the removal of a person from the list of prohibited gaming service providers.

§ 437a.9. Permission to conduct business prior to certification or registration.

(a) Notwithstanding § 437a.1 (relating to general gaming service provider requirements), the Bureau of Licensing may authorize an applicant for a gaming service provider certification or registration to conduct business with a slot machine applicant or licensee prior to the certification or registration of the gaming service provider applicant if the following criteria are met:

(1) A completed Gaming Service Provider Registration Form—Unsponsored has been filed by the gaming service provider, a completed Gaming Service Provider Registration Form—Sponsored has been filed by the slot machine applicant or licensee or a completed Gaming Service Provider Certification Application and Disclosure Information Form has been filed by the slot machine applicant or licensee in accordance with § 437a.2 or § 437a.3 (relating to gaming service provider registration applications; and gaming service provider certification applications).

(2) The slot machine applicant or licensee certifies that it has performed due diligence on the gaming service provider.

(3) The applicant for gaming service provider registration or certification agrees, in writing, that the grant of permission to conduct business prior to registration or certification does not create a right to continue to conduct business and that the Bureau of Licensing may rescind, at any time, the authorization granted pursuant to this section, with or without prior notice to the applicant, if the Bureau of Licensing is informed that the suitability of the applicant may be at issue or the applicant fails to cooperate in the application or investigatory process.

(b) If the Office of Enforcement Counsel issues a Notice of Recommendation for Denial to an applicant for certification or registration, the Bureau of Licensing may rescind the permission granted to the applicant for certification or registration to conduct business with a slot machine applicant or licensee under subsection (a). If the permission is rescinded, the applicant for certification or registration shall cease conducting business with the slot machine applicant or licensee by the date specified in the notice of the rescission by the Bureau of Licensing under subsection (c).

(c) The Bureau of Licensing will notify the applicant for certification or registration and the slot machine applicant or licensee by registered mail that permission for the applicant for certification or registration to conduct business with the slot machine applicant or licensee under subsection (a) has been rescinded and that the slot machine applicant or licensee shall cease conducting business with the applicant for certification or registration by the date specified in the notice.

§ 437a.10. Emergency gaming service provider.

(a) A slot machine licensee may utilize a gaming service provider that is not registered, certified or authorized to conduct business in accordance with § 437a.8 (relating to authorized gaming service providers list; prohibited gaming service providers) when a threat to public health, welfare or safety of the building or its occupants exists or circumstances outside the control of the slot machine licensee create an urgency of need which does not permit the delay involved in using the formal method of gaming service provider certification or registration. A slot machine licensee may not use a gaming service provider on the prohibited list.

(b) When using a gaming service provider that is not registered, certified or authorized to conduct business to respond to an emergency, the slot machine licensee shall:

(1) Immediately notify the onsite casino compliance representatives in the licensed facility of the emergency and the gaming service provider that was selected to provide emergency services.

(2) File a Gaming Service Provider Emergency Notification Form with the Bureau of Licensing within 72 hours after commencement of the gaming service provider's services and a written explanation of the basis for the procurement of the emergency gaming service provider.

(c) An employee of the emergency gaming service provider who is providing emergency services in the licensed facility shall obtain a temporary access credential in accordance with §

435a.9a(d) (relating to gaming service provider employee temporary access credentials) prior to performing any work.

(d) If the slot machine licensee continues to utilize the gaming service provider after the emergency circumstances have passed or if the Bureau of Licensing determines that the circumstances did not necessitate the use of an emergency gaming service provider that was not registered, certified or on the authorized list, the slot machine license and gaming service provider shall comply with the requirements in this chapter.

§ 437a.11. Slot machine applicants' and licensees' duty to investigate.

(a) An applicant for or holder of a slot machine license shall investigate the background and qualifications of the applicants for gaming service provider registration or certification with whom it intends to have a contractual relationship or enter into an agreement.

(b) An applicant for or holder of a slot machine license shall have an affirmative duty to avoid agreements or relationships with persons applying for gaming service provider registration or certification whose background or associations are injurious to the public health, safety, morals, good order and general welfare of the people of this Commonwealth, or who threaten the integrity of gaming in this Commonwealth.

(c) An applicant for or holder of a slot machine license shall have a duty to inform the Board of an action by an applicant for or holder of a gaming service provider registration or certification or a gaming service provider that is eligible to file and has filed a completed publicly traded gaming service provider form under § 437a.1(g) (relating to general gaming service provider requirements), which the applicant for or holder of a slot machine license believes would constitute a violation of the act or this part.

CHAPTER 438a. LABOR ORGANIZATIONS

Sec.

438a.1. Definitions.
438a.2. Labor organization notification.
438a.3. Registration of labor organization officers, agents and management employees.

§ 438a.1. Definitions.

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

Labor organization--An organization, union, agency, employee representation committee, group, association or plan in which employees who are required to obtain a license, permit or registration from the Board participate which exists for the purpose, in whole or in part, of dealing with a slot machine licensee or licensed management company concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, including any conference, general committee, joint or systems board or international labor organization.

Labor organization agent--A person, compensated or not, who is authorized to represent a labor organization in an employment matter relating to employees who are employed by a slot machine licensee or licensed management company, or who undertakes on behalf of the labor organization to promote, facilitate or otherwise influence the relations between the labor organization and a slot machine licensee or licensed management company.

Labor organization officer--An officer or person authorized to perform the functions of an officer who exercises authority, discretion or influence with regard to matters relating to employees who are employed at a licensed facility.

Labor organization management employee--An employee of a labor organization who serves in a management, supervisory or policy making position, who exercises authority, discretion or influence with regard to matters relating to employees who are employed at a licensed facility.

§ 438a.2. Labor organization notification.

(a) Each labor organization shall file a completed Labor Organization Notification Form with the Bureau of Licensing.

(b) Labor organizations shall file an updated version of the Labor Organization Notification Form with the Bureau of Licensing within 30 days of a change in the information contained on the form.

§ 438a.3. Registration of labor organization officers, agents and management employees.

(a) Every labor organization officer, agent and management employee shall be registered in accordance with this section.

(b) Every labor organization officer, agent and management employee shall file an original and one copy of a completed Labor Organization Registration Application Form with the registration fee posted on the Board's website (pgcb.state.pa.us).

(c) Applicants and registrants under this section shall be subject to the general application requirements of Chapters 421a and 423a (relating to general provisions; and applications).

(d) Registrations issued under this section will be valid for as long as the individual holds the position which required the individual to seek registration.

CHAPTER 439a. GAMING JUNKET ENTERPRISES

Sec.

439a.1. Definitions.
439a.2. Gaming junket enterprise general requirements; participation in a gaming junket.
439a.3. Gaming junket enterprise license applications.
439a.4. (Reserved).
439a.4a. Individual and entity applications.
439a.5. Gaming junket representative general requirements.
439a.6. (Reserved).
439a.6a. Gaming junket enterprise license and occupation permit term and renewal.
439a.6b. Conditional licenses.
439a.7. Gaming junket schedules.
439a.8. Gaming junket arrival reports.
439a.9. Gaming junket final reports.
439a.10. Monthly gaming junket reports.
439a.11. Purchase of patron lists.
439a.12. Gaming junket enterprise and representative prohibitions.

§ 439a.1. Definitions.

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

Gaming junket—A gaming arrangement made by a gaming junket enterprise or a gaming junket representative for an individual who:

(i) Is selected or approved for participation in the arrangement based on the individual's ability to satisfy specific financial qualifications and the likelihood that the individual will participate in playing slot machines or table games and patronize a licensed facility for the purpose of gaming.

(ii) Receives complimentary services or gifts from a slot machine licensee for participation in the arrangement including the costs of transportation, food, lodging or entertainment.

Gaming junket enterprise--A person, other than a slot machine licensee, that employs or otherwise engages the services of a gaming junket representative to arrange gaming junkets to a licensed facility, regardless of whether the activities or the person or the gaming junket representative occur within this Commonwealth.

Gaming junket representative—An individual, other than an employee of a slot machine licensee, who arranges and negotiates the terms of a gaming junket or selects individuals to participate in a gaming junket to a licensed facility, regardless of whether the activities of the individual occur within this Commonwealth.

§ 439a.2. Gaming junket enterprise general requirements; participation in a gaming junket.

(a) A gaming junket enterprise seeking to conduct business with a slot machine licensee shall file a Gaming Junket Enterprise License Application and Disclosure Information Form with the Board.

(b) Prior to organizing a gaming junket to a licensed facility or receiving compensation from any person as a result of the conduct of a gaming junket, the gaming junket enterprise shall be licensed by the Board. A slot machine licensee may not engage the services of any gaming junket enterprise which has not been licensed. An agreement between a slot machine licensee and a gaming junket enterprise must contain a provision stating that the gaming junket enterprise shall obtain a Gaming Junket Enterprise License prior to organizing a gaming junket to a licensed facility or receiving compensation from any person as a result of the conduct of a gaming junket.

(c) A gaming junket enterprise may not employ or otherwise engage the services of a gaming junket representative except in accordance with § 439a.5 (relating to gaming junket representative general requirements).

(d) An individual may be selected or approved to participate in a gaming junket on the basis of one or more of the following:

(1) The ability to satisfy a financial qualification related to the individual's ability or willingness to gamble, which shall be deemed to occur whenever an individual, as an element of the arrangement is required to perform one or more of the following:

(i) Establish a customer deposit with a slot machine licensee.

(ii) Demonstrate to a slot machine licensee the availability of a specified amount of cash or cash equivalent.

(iii) Gamble to a predetermined level at the licensed facility.

(iv) Comply with any similar obligation.

(2) The individual's propensity to gamble, which shall be deemed to occur when an individual has been selected or approved on the basis of one or more of the following:

(i) The previous satisfaction of a financial qualification in accordance with the provisions of paragraph (1).

(ii) An evaluation that the individual has a tendency to participate in gambling activities as the result of:

(A) An inquiry concerning the individual's tendency to gamble.

(B) Use of other means of determining that the individual has a tendency to participate in gambling activities.

(e) A rebuttable presumption that an individual has been selected or approved for participation in a gaming junket based on the individual's propensity to gamble shall be created when the individual is provided, as part of the arrangement, one or more of the following:

(1) Complimentary accommodations.

(2) Complimentary food, entertainment or transportation which has a value of $200 or more.

§ 439a.3. Gaming junket enterprise license applications.

(a) An applicant for a gaming junket enterprise license shall submit to the Bureau of Licensing an original, one paper copy and one compact disc containing the Gaming Junket Enterprise License Application and Disclosure Information Form and additional applications as required under §439a.4a (relating to individual and entity applications).

(b) In addition to the materials required under subsection (a), an applicant for a gaming junket enterprise license shall:

(1) Submit the nonrefundable application fee posted on the Board's web site (pgcb.state.pa.us).

(2) Promptly provide information requested by the Board and cooperate with the Board in investigations, hearings, enforcement and disciplinary actions.

(3) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications).

(c) An applicant for a gaming junket enterprise license shall be required to reimburse the Board for any additional costs, based on the actual expenses incurred by the Board, in conducting the background investigation.

(d) Prior to engaging the services of a gaming junket enterprise, the slot machine licensee shall submit to the Bureau of Licensing a Verification and Due Diligence Form certifying that the slot machine licensee has entered into an agreement or contract with, and has investigated the background and qualifications of, the gaming junket enterprise. The agreement or contract must contain a provision stating that the gaming junket enterprise shall obtain a license prior to

organizing a gaming junket to a licensed facility or receiving compensation from any person as a result of the conduct of a gaming junket.

§ 439a.4. (Reserved).

§ 439a.4a. Individual and entity applications.

(a) The following individuals shall be required to submit a Pennsylvania Personal History Disclosure Information Form—Gaming Junket Enterprise and be found qualified by the Board:

(1) Each officer and director of a gaming junket enterprise applicant or licensee. The term “officer” means a president, chief executive officer, chief financial officer, chief operating officer and any individual routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(2) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the gaming junket enterprise. An applicant for a gaming junket enterprise license shall provide information or documentation requested by the Board necessary to determine compliance with this paragraph.

(b) Each entity or trust that directly owns 20% or more of the voting securities of a gaming junket enterprise applicant or licensee shall be required to submit a Gaming Junket Enterprise Form—Private Holding Company and be found qualified by the Board.

(c) A gaming junket representative is required to submit an electronic application, using the SLOTS Link system, and be found suitable to hold an occupation permit. An individual who wishes to receive an occupation permit under this chapter may provide the gaming junket enterprise with written authorization to file an application on the individual's behalf. When an application for an occupation permit is filed using SLOTS Link, the additional documents required, including releases, shall be submitted to the Board within 10 days of the submission of the SLOTS Link application by an applicant for or a holder of a gaming junket enterprise license.

(d) The following persons may be required to submit a Gaming Junket Enterprise Form—Private Holding Company or a Pennsylvania Personal History Disclosure Form and be found qualified by the Board if the Board determines that the qualification of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth:

(1) An intermediary or holding company of a gaming junket enterprise applicant or licensee not otherwise required to be qualified.

(2) An officer or director of an intermediary or holding company of a gaming junket enterprise applicant or licensee.

(3) An employee of a gaming junket enterprise applicant or licensee who is not otherwise required to be qualified or permitted.

(4) A person that holds any direct or indirect ownership or beneficial interest in a gaming junket enterprise applicant or licensee, or has the right to any profits or distributions, directly or indirectly, from the gaming junket enterprise applicant or licensee.

(5) A trustee of a trust that is required to be found qualified under this section.

(e) Individuals who are required to submit applications in accordance with subsections (a), (c) and (d) shall submit fingerprints to the Board in a manner prescribed by the Bureau of Investigations and Enforcement.

(f) An applicant for an occupation permit and individuals, entities or trusts that are required to be found qualified shall be required to reimburse the Board for additional costs, based on the actual expenses incurred by the Board, in conducting the background investigation.

§ 439a.5. Gaming junket representative general requirements.

(a) An individual may not act as a gaming junket representative in connection with a gaming junket to a licensed facility unless the individual has obtained an occupation permit under § 435a.3 (relating to occupation permit) and is employed by a gaming junket enterprise that is licensed by the Board.

(b) A gaming junket representative may be employed by only one gaming junket enterprise at a time. For the purposes of this section, to qualify as an employee of a gaming junket enterprise, a gaming junket representative shall:

(1) Receive all compensation for services as a gaming junket representative within this Commonwealth through the payroll account of the gaming junket enterprise.

(2) Exhibit other appropriate indicia of genuine employment, including Federal and State taxation withholdings.

§ 439a.6. (Reserved).

§ 439a.6a. Gaming junket enterprise license and occupation permit term and renewal.

(a) A gaming junket enterprise license and gaming junket representative occupation permit issued under this chapter will be valid for 3 years from the date of Board approval.

(b) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of the license or occupation permit.

(c) A license or occupation permit for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the gaming junket enterprise license or occupation permit that the Board has approved or denied the license or occupation permit.

(d) The gaming junket enterprise license and the gaming junket representative occupation permit are nontransferable.

§ 439a.6b. Conditional licenses.

(a) The Board may grant an applicant for a gaming junket enterprise license a conditional license to conduct junkets in this Commonwealth. To be eligible to obtain a conditional gaming junket enterprise license, the applicant shall:

(1) Submit completed gaming junket enterprise applications, including the nonrefundable application fees, as posted on the Board's web site, and pass a preliminary review.

(2) Submit agreements entered into between the slot machine licensee and the gaming junket enterprise or representative.

(3) Be licensed or credentialed, in good standing, to arrange or negotiate the terms of a gaming junket in a jurisdiction in the United States or Canada that the Board has determined has licensing standards that are as comprehensive and thorough and provide similar adequate safeguards as those required under the act.

(4) Pass a preliminary review of the applicant's criminal history.

(5) Agree, in writing, that the grant of permission to conduct business with a conditional license does not create a right to continue to conduct business and that the Bureau of Licensing may rescind, at any time, the conditional licensure granted to the applicant, with or without prior notice to the applicant, if the Bureau of Licensing is notified that the suitability of the applicant is at issue or the applicant fails to cooperate in the application process.

(b) If the Office of Enforcement Counsel issues a Notice of Recommendation for Denial to an applicant that has received a conditional gaming junket enterprise license, the Bureau of Licensing may rescind the conditional license. If the conditional license is rescinded, the gaming junket enterprise shall cease conducting business by the date specified in the notice of the rescission sent to the conditional licensee.

(c) If the conditional license is rescinded, the Bureau of Licensing will notify the holder of the conditional license and the slot machine licensee by registered mail that:

(1) Permission for the conditional licensee to conduct business has been rescinded.

(2) The slot machine licensee shall cease conducting business with the gaming junket enterprise by the date specified in the notice.

(d) Pending a hearing on the Notice of Recommendation for Denial, the conditional licensee may not seek or conduct new business in this Commonwealth.

(e) The slot machine licensee shall investigate the background and qualifications of the applicant for a gaming junket enterprise license with whom the slot machine licensee intends to have a relationship or enter into a contractual agreement.

(f) The slot machine licensee has an affirmative duty to avoid agreements or relationships with persons applying for a gaming junket enterprise license whose background or association is injurious to the public health, safety, morals, good order and general welfare of the people of this Commonwealth or who threaten the integrity of gaming in this Commonwealth.

(g) The slot machine licensee has a duty to inform Board staff of an action by an applicant for or holder of a gaming junket enterprise license which the slot machine licensee believes would constitute a violation of the act or this part.

§ 439a.7. Gaming junket schedules.

(a) A slot machine licensee shall prepare a gaming junket schedule for each gaming junket that is arranged through a gaming junket enterprise or its gaming junket representative.

(b) A slot machine licensee shall file a gaming junket schedule with the Bureau of Gaming Operations by the 15th day of the month preceding the month in which the gaming junket is scheduled. If a gaming junket is arranged after the 15th day of the month preceding the arrival of the gaming junket, the slot machine licensee shall file an amended gaming junket schedule with the Bureau of Gaming Operations by the close of the next business day.

(c) An employee of the slot machine licensee shall certify the gaming junket schedules which includes the following:

(1) The origin of the gaming junket.

(2) The number of participants in the gaming junket.

(3) The arrival time and date of the gaming junket.

(4) The departure time and date of the gaming junket.

(5) The name and registration number of all gaming junket representatives and the name and license number of the gaming junket enterprises involved in the gaming junket.

(d) Changes in the information which occur after the filing of a gaming junket schedule or amended gaming junket schedule shall be reported in writing to the Bureau of Gaming

Operations by the slot machine licensee by the close of the next business day. These changes, plus any other material change in the information provided in a gaming junket schedule, shall also be noted on the arrival report.

§ 439a.8. Gaming junket arrival reports.

(a) A slot machine licensee shall prepare a gaming junket arrival report for each gaming junket arranged through a gaming junket enterprise or its gaming junket representative with whom the slot machine licensee does business.

(b) Gaming junket arrival reports must:

(1) Include a gaming junket guest manifest listing the names and addresses of the gaming junket participants.

(2) Include information required under § 439a.7 (relating to gaming junket schedules) that has not been previously provided to the Bureau of Gaming Operations in a gaming junket schedule pertaining to the particular gaming junket, or an amendment thereto.

(3) Be certified by an employee of the slot machine licensee.

(c) A slot machine licensee shall prepare gaming junket arrival reports in compliance with the following:

(1) A gaming junket arrival report involving complimentary accommodations shall be prepared within 12 hours of the arrival of the gaming junket participant.

(2) A gaming junket arrival report involving complementary services that does not involve complementary accommodations shall be prepared by 5 p.m. of the next business day following arrival. A gaming junket arrival which occurs after 12 a.m. but before the end of the gaming day shall be deemed to have occurred on the preceding calendar day.

(3) Gaming junket arrival reports shall be maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to the Board upon request.

§ 439a.9. Gaming junket final reports.

(a) A slot machine licensee shall prepare a gaming junket report for each gaming junket for which the slot machine licensee was required to prepare either a gaming junket schedule or a gaming junket arrival report.

(b) A gaming junket final report must include the actual amount of complimentary services provided to each gaming junket participant.

(c) A gaming junket final report shall be:

(1) Prepared within 7 days of the completion of the gaming junket.

(2) Maintained on the premises of its licensed facility for a minimum of 5 years and shall be made available to the Board upon request.

§ 439a.10. Monthly gaming junket reports.

(a) Each slot machine licensee shall, on or before the 15th day of the month, prepare and file with the Bureau of Gaming Operations a monthly gaming junket report listing the name and gaming identification number of each individual who performed the services of a gaming junket representative during the preceding month.

(b) Copies of the monthly gaming junket reports shall be maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to the Board upon request.

§ 439a.11. Purchase of patron lists.

(a) Each slot machine licensee, gaming junket representative and gaming junket enterprise shall prepare and maintain a report with respect to each list of names of gaming junket patrons or potential gaming junket patrons purchased from or for which compensation was provided to any source whatsoever.

(b) The report required by subsection (a) must include:

(1) The name and address of the person or enterprise selling the list.

(2) The purchase price paid for the list or any other terms of compensation related to the transaction.

(3) The date of purchase of the list.

(4) The zip codes of all participants or potential participants.

(c) The report required by subsection (a) shall be filed with the Bureau of Gaming Operations, no later than 7 days after the receipt of the list by the purchaser.

§ 439a.12. Gaming junket enterprise and representative prohibitions.

(a) Gaming junket representatives and qualifiers of a gaming junket enterprise shall comply with the wagering restrictions in § 435a.1 (relating to general provisions).

(b) A gaming junket enterprise or gaming junket representative may not:

(1) Engage in efforts to collect on any check provided by a gaming junket participant that has been returned by a financial institution.

(2) Exercise approval authority over the authorization or issuance of credit under section 13A27 of the act (relating to other financial transactions).

(3) Receive or retain a fee from an individual for the privilege of participating in a gaming junket.

(4) Pay for any service, including transportation, or other thing of value provided to a participant participating in a gaming junket except as authorized by this part.

CHAPTER 440a. MANAGEMENT COMPANIES

Sec.

440a.1. General requirements.
440a.2. Applications.
440a.3. Management company license term and renewal.
440a.4. Management company responsibilities.
440a.5. Management contracts.
440a.6. Change in ownership control of a management company licensee.

§ 440a.1. General requirements.

(a) A management company shall obtain a management company license from the Board prior to the commencement of gaming operations. If a slot machine licensee has already started gaming operations, a management company may not provide services to the slot machine licensee prior to obtaining a license from the Board.

(b) An applicant for or holder of a management company license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies may not apply for or hold a manufacturer or supplier license.

§ 440a.2. Applications.

(a) An applicant for a management company license shall file:

(1) A completed application and disclosure form.

(2) The nonrefundable application fee posted on the Board's web site.

(b) In addition to the application required under subsection (a), an applicant for a management company license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

§ 440a.3. Management company license term and renewal.

(a) A management company license or renewal will be valid for 3 years from the date on which the initial license is issued or the renewal is approved by the Board. The management company license will not be issued or renewed until all fees and costs have been paid.

(b) A renewal application shall be submitted to the Bureau of Licensing at least 60 days prior to the expiration of a management company license.

(c) A management company license for which a completed renewal application and fee has been received by the Bureau of Licensing will continue in effect until the Board sends written notification to the holder of the management company license that the Board has approved or denied the management company license.

(d) A management company license issued by the Board is nontransferable.

§ 440a.4. Management company responsibilities.

(a) Notwithstanding any provision to the contrary in a management contract, a management company will be deemed to be an agent of the slot machine licensee for purposes of imposing liability for any act or omission of the management company in violation of the act or this part.

(b) Notwithstanding any provision to the contrary in a management contract, a management company may be jointly and severally liable for any act or omission by the slot machine licensee in violation of the act or this part regardless of actual knowledge by the management company of the act or omission.

§ 440a.5. Management contracts.

(a) A management contract between a slot machine applicant or licensee and management company licensee will not become effective until the Board has approved the management contract.

(b) A management company licensee shall submit any amendment to a management contract 30 days prior to the effective date of the proposed amendment. The amendment will not become effective until a petition is submitted and the Board has approved the amendment.

(c) A management contract or amendment will not be approved by the Board unless the management company proves by clear and convincing evidence that the approval of the contract would not create a monopoly on the control of licensed gaming facilities in this Commonwealth.

(d) A management company that requests Board approval of a management contract shall disclose its financial interests in the slot machine applicant or licensee and, if applicable, any exercisable option that may constitute a change in ownership or control of a slot machine licensee as described in § 441a.17 (relating to change in ownership or control of slot machine licensee and multiple slot machine license prohibition).

(e) A management contract, submitted to the Board for approval, must contain the following:

(1) A provision that provides the grounds and mechanisms for modifying or terminating the contract.

(2) A provision that states that the contract will not be effective unless it is approved by the Board.

(3) A provision that describes with particularity the method of compensating and reimbursing the management company.

(4) Provisions that contain a mechanism to resolve patron disputes and disputes between the slot machine licensee and the management company.

(5) A provision that indicates whether and to what extent contract assignments and subcontracting are permissible.

(6) A provision that specifies the duration of the management contract. A management contract may not contain a provision that provides for the automatic renewal of the management contract.

(f) A management contract submitted for approval must specify the terms and conditions of the management contract and the responsibilities of the slot machine applicant or licensee and management company. At a minimum, the terms should address whether, and to what extent, the management company is involved in the following:

(1) Operation of the following departments:

(i) Information technology.

(ii) Internal audit.

(iii) Slot accounting.

(iv) Slot management.

(v) Security.

(vi) Surveillance.

(vii) Table games.

(2) Design, construction, improvement and maintenance of the licensed facility.

(3) Sources of operating capital and financing for the development of the licensed facility.

(4) Payment of the slot machine license fee and the table games operation certificate fee, if applicable.

(5) Purchase or lease of slot machines, table games, table game devices or associated equipment.

(6) Design, implementation and amendment of the system of internal controls required under section 1322 of the act (relating to slot machine accounting controls and audits) and this part including the financial reporting requirements.

(7) Hiring, terminating, training and promoting of employees and the employment practices attendant thereto.

(8) The payment of local, State and Federal taxes and slot machine license deposit required under the act and this part and any penalties imposed by the Board for violations thereof.

(9) Advertising, player incentive or marketing programs.

(10) Compliance with section 1325(b)(1) of the act (relating to license or permit issuance).

(11) Obtaining and maintaining insurance coverage, including coverage of public liability and property loss or damage.

(12) Procurement of gaming service providers and gaming junket enterprises.

(13) Selection of the licensed facility's independent auditor.

(g) Notwithstanding subsections (a)—(f), a slot machine licensee and licensed management company may not contract for the delegation of any benefits, duties or obligations specifically granted to or imposed upon the slot machine licensee by the act.

§ 440a.6. Change in ownership or control of a management company licensee.

(a) A management company licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form prior to or immediately upon becoming aware of a proposed or contemplated change in ownership or control of the management company licensee by a person or group of persons acting in concert which involves any of the following:

(1) More than 5% of a management company licensee's securities or other ownership interests.

(2) More than 5% of the securities or other ownership interests of a corporation or other form of business entity that owns, directly or indirectly, at least 20% of the voting or other securities or other ownership interest of the management company licensee.

(3) Any other interest in a management company licensee which allows the acquirer to control the management company license.

(b) A transaction in subsection (a) may not be consummated without:

(1) Obtaining the prior approval of the Board.

(2) Each principal involved in the transaction obtaining a license in accordance with Chapter 433a (relating to principal licenses).

(c) A request for approval required under subsection (b)(1) shall be made by filing a petition with the Board in accordance with § 493a.4 (relating to petitions generally).

(d) Notwithstanding the requirement in subsection (b)(2), the Board may approve a transaction under subsection (a) prior to the licensure of the person or group of persons acting in concert if all of the following apply:

(1) The person or group of persons acting in concert are proposing to acquire 20% or less of the voting securities of a publicly traded holding company of a management company licensee.

(2) The person or group of persons acting in concert affirm that the person or group of persons will not control or influence the affairs of or benefit from the management company or slot machine licensee prior to being licensed as principals in accordance with Chapter 433a.

(3) The person or group of persons have filed applications with the Board for licensure as principals in accordance with Chapter 433a.

(4) The approval of the transaction is expressly conditioned upon the person or group of persons being licensed as principals in accordance with Chapter 433a.

(e) The Board will not approve a transaction under subsection (a) which involves a change in control unless the person or group of persons acting in concert demonstrates by clear and convincing evidence that the slot machine licensee's gaming facility will remain or become a financially successful, suitable and efficient business operation.

(f) The following transactions are not be subject to subsections (a)—(c):

(1) A transaction through which an underwriter will possess a security for less than 90 days.

(2) A transaction through which an institutional investor acquires less than 20% of the securities of a management company licensee's holding company, provided that the securities were acquired for investment purposes only and the institutional investor complies with § 433a.5 (relating to institutional investors).

Subpart C. SLOT MACHINE LICENSING

CHAPTER 441a. SLOT MACHINE LICENSES

Sec.

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§ 441a.1. Definitions.

For purposes of this subpart, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

Amenities—Ancillary activities, services or facilities in which a registered guest or the transient public, in return for non-de minimis consideration, may participate at a resort hotel, including, but not limited to:

(i) Sports and recreational activities and facilities such as a golf course, golf driving range, tennis court or swimming pool.

(ii) Health spa.

(iii) Convention, meeting and banquet facilities.

(iv) Entertainment facilities.

(v) Restaurant facilities.

Applicant—A person who applies to the Board to receive a slot machine license as defined in this section.

Developer—A person engaged by a slot machine applicant or licensee to construct a proposed licensed facility or to otherwise make land or buildings suitable for use as a licensed facility.

Guest rooms under common ownership—A room or group of rooms, including timeshare units, that are owned by a well-established resort hotel and that are available for rental.

Initial plan of development—The slot machine licensee's financing, construction schedule, comprehensive design plan and projected expenditure for the licensed facility as described by the licensee in its application and presented at the licensee's initial suitability hearing before the Board.

Licensing hearing—A hearing before the Board in which an applicant for a slot machine license will have an opportunity to present to the Board:

(i) Evidence concerning its eligibility for a license.

(ii) Evidence concerning its suitability for a license.

(iii) Evidence of how its proposed facility and operation addresses the criteria identified in section 1325(c) of the act (relating to license or permit issuance).

(iv) For applicants seeking licensure under section 1304 of the act (relating to Category 2 slot machine license), evidence which sets forth a comparison between the applicant and other applicants within the same category of licensure on the standards and criteria in the act.

Modified plan of development—An alteration to a slot machine licensee's initial plan of development.

Non-de minimis consideration—A payment of fair market value of at least $10 per patron paid to the resort hotel for use of one or more amenities.

Organization—Legal business entities that are under common ownership or control, including, but not limited to, affiliates, subsidiaries, intermediaries and holding companies.

Patron of amenities—An individual who is a registered attendee of a convention, meeting or banquet event or a participant in a sport or recreational event or any other social, cultural or business event held at a resort hotel or who participates in one or more of the amenities provided to registered guests of the resort hotel.

Slot machine license—A Category 1 slot machine license under section 1302 of the act (relating to Category 1 slot machine license), a Conditional Category 1 slot machine license under section 1315 of the act (relating to conditional Category 1 licenses), a Category 2 slot machine license under section 1304 of the act (relating to Category 2 slot machine license) and a Category 3 slot machine license under section 1305 of the act (relating to Category 3 slot machine license).

Well-established resort hotel—A resort hotel having at least 275 guest rooms under common ownership at the time of application for a Category 3 slot machine license and having substantial year-round recreational guest amenities.

§ 441a.2. Slot machine application deadlines.

The Board will initiate the formal procedure for the acceptance, consideration and final resolution of applications for slot machine licenses by setting a filing period for filing of Category 1, 2 or 3 slot machine license applications. The filing period set by the Board will be posted on the Board's web site.

§ 441a.3. Slot machine license application.

(a) An applicant for a slot machine license shall submit an application which includes the following:

(1) An original and one copy of the Category 1, Category 2, or Category 3 Application and Disclosure Information Form.

(2) The nonrefundable application fee posted on the Board's web site.

(3) An application for each principal under Chapter 433a (relating to principal licenses).

(4) Fingerprints for each principal.

(5) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity), which shall be signed by the chief executive officer of the applicant or authorized designee.

(6) If a temporary land-based facility is to be licensed, a plan for how the licensee will transition to a permanent facility, including a date for completion of the permanent facility. A permanent facility shall be the facility proposed by the applicant, which is designated, identified and made part of the evidentiary record by the applicant at the applicant's licensing hearing. Modifications to the approved permanent facility following the applicant's licensing hearing require approval of the Board in accordance with § 441a.20a (relating to changes to a slot machine licensee's initial or modified plan of development).

(7) A sworn or affirmed statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence).

(8) A statement demonstrating compliance with the geographical requirements of section 1302, 1304 or 1305 of the act (relating to Category 1 slot machine license; Category 2 slot machine license; and Category 3 slot machine license).

(b) Failure to provide the information required in subsection (a) may result in the application being deemed incomplete.

(c) In addition to the materials required under subsection (a), an applicant for a slot machine license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(d) A copy of the local impact report required as part of the application shall be provided to the political subdivisions in which the licensed facility will be located at the same time as the filing of the application for a slot machine license. The applicant shall file a proof of service with the Bureau of Licensing within 5 business days after filing the application for a slot machine license.

§ 441a.4. Alternative Category 1 licensing standards.

(a) If an applicant for a Category 1 license, or its affiliate, intermediary, subsidiary or holding company holds a similar license in another jurisdiction in the United States or Canada, the applicant may submit a written request with its application required under § 441a.3 (relating to slot machine license application) for the Board to adopt an abbreviated licensing process under section 1314(b) of the act (relating to alternative Category 1 licensing standards).

(b) The Board may use the abbreviated process if:

(1) The Board determines, after investigation, that the licensing standards in the other jurisdiction in which the applicant or its affiliate, intermediary, subsidiary or holding

company is licensed is similarly comprehensive and thorough and provides safeguards that are equal to or greater than those provided in the act and granting the request would be in the public interest.

(2) A completed application for a Category 1 license has been filed with the Bureau of Licensing which includes the name and address of the regulatory agency in the other jurisdiction.

(3) The Bureau of Licensing has received a copy of the completed application, renewal applications and accompanying documents filed in the other jurisdiction.

(4) The applicant has provided current, updated information to the Bureau of Licensing and the Bureau regarding the license in the other jurisdiction and information relating to its financial viability and suitability and good character.

(5) The applicant has no administrative or enforcement actions pending in other jurisdictions that could render the applicant ineligible or unsuitable for licensure or the applicant has disclosed and explained these actions to the satisfaction of the Board.

(6) There are no pending or ongoing investigations of possible violations by the applicant in other jurisdictions that could render the applicant ineligible or unsuitable for licensure or the applicant has disclosed and explained these investigations to the satisfaction of the Board.

(c) The abbreviated process does not waive fees associated with obtaining a Category 1 license.

(d) The Board may determine to use an abbreviated process requiring only that information determined by the Board to be necessary to consider the issuance of the license, including the financial viability of the applicant.

(e) Following the issuance of a Category 1 license under this section, the Bureau will initiate a complete review of the information submitted under this subpart. If the applicant does not meet the requirements of the act or this part, the Board may revoke, suspend or condition the license until the applicant meets the requirements of the act.

§ 441a.5. License fee payment bond or letter of credit requirements.

(a) An application for a slot machine license shall at all times throughout the period in which the application is on file with the Board include original payment bonds or original irrevocable letters of credit, or some combination thereof, that include draw instructions guaranteeing the applicant's payment of the slot machine license fee required by sections 1209(a) and 1305(d) of the act (relating to slot machine license fee; and Category 3 slot machine license) if the license is approved and issued.

(1) Payment bonds or irrevocable letters of credit shall be submitted to the Bureau of Licensing for review before an application may be accepted for filing. The review of the payment bond or irrevocable letter of credit will include an assessment of both the proposed terms and the surety or financial institution that will issue the payment bond or irrevocable letter of credit. An application will be deemed incomplete if at any time during the period the application is on file with the Board payment bonds or letters of credit in the amounts required in paragraph (2) are not in full force and effect.

(2) Payment bonds or irrevocable letters of credit must aggregate to the following amounts:

(i) $50,000,000 for each application for a Category 1 or Category 2 license.

(ii) $5,000,000 for each application for a Category 3 license.

(b) Unless otherwise permitted by the Board, a payment bond provided under this section must be issued by a surety company that is both licensed by the Insurance Department and assigned a credit rating within the three highest categories, without regard to numerics or other modifiers, by Moody's or Standard & Poor's, or upon the discontinuance of Moody's or Standard & Poor's, by another Nationally-recognized rating service. Proof that the surety is licensed by the Insurance Department and has been assigned the required credit rating must accompany any payment bond submitted under this section.

(c) Unless otherwise required by the Board, a letter of credit must be issued by a bank, trust company, National banking association or corporation which is both subject to regulation by the Federal Reserve System under the Bank Holding Company Act of 1956 (12 U.S.C.A. §§ 1841—1852) and assigned a credit rating within the three highest rating categories, without regard to numerics or other modifiers, by Moody's or Standard & Poor's, or upon the discontinuance of Moody's or Standard & Poor's, by another Nationally-recognized rating service. Proof that the bank, trust company, National banking association or corporation is subject to regulation by the Federal Reserve System under the Bank Holding Company Act of 1956 and that the issuer has been assigned the required credit rating must accompany any letter of credit submitted under this section.

(d) The payment bond or irrevocable letter of credit provided under this section must state that it is payable to the “Commonwealth of Pennsylvania” as the obligee.

(e) The payment bond or irrevocable letter of credit provided under this section must provide that if the slot machine license has been approved by the Board and the license fee has not been paid in full within 5 business days following the deadline for payment set by the Board or Board staff, the Commonwealth will have the right to request immediate payment under the payment bond or irrevocable letter of credit for payment of the slot machine license fee.

(f) The payment bond or irrevocable letter of credit provided under this section must state that it will expire upon the earlier to occur of the following:

(1) A specified expiry date or any automatically extended expiry date.

(2) Receipt by the issuer of the Board's signed statement that:

(i) The application has been denied.

(ii) The slot machine license has been issued and 10 business days have elapsed following the issuance of the license.

(iii) The license fee has been paid.

(iv) The applicant has been permitted by the Board to withdraw its application under § 423a.5 (relating to application withdrawal and surrender).

(g) An expiry date applicable to a payment bond or letter of credit provided under this section must be at least 12 months from the date of issuance of the payment bond or letter or credit. Any provision automatically renewing or extending a payment bond or letter of credit must do so at intervals of at least 3 months. Notice provisions to the Board in a payment bond or letter of credit applicable to an election by an issuer not to renew or extend a then current expiry date must provide that the Board will receive at least 60 days written notice, by registered mail or overnight courier service, of an election not to renew or extend.

(h) This section does not preclude a slot machine license applicant from substituting or replacing a payment bond or letter of credit during the period the application is on file with the Board provided the replacement payment bond or letter of credit is reviewed by the Bureau of Licensing.

§ 441a.6. Public input.

(a) Prior to granting a slot machine license, the Board will conduct at least one public input hearing.

(b) Public input hearings relating to an application for a slot machine license shall be held in the municipality where the licensed facility will be located. The public input hearings will be organized in cooperation with the municipality.

(c) The Board will develop and post the procedures that will be used to conduct public input hearings on the Board's web site.

(d) The Board will make public a list of all witnesses scheduled to testify at a public input hearing at least 7 days prior to the hearing. The list of witnesses will be updated at least 3 days prior to the hearing. Additional witnesses will be posted on the Board's web site as they are added to the witness list.

§ 441a.7. Licensing hearings for slot machine licenses.

(a) A schedule of licensing hearings for all slot machine license applicants will be posted on the Board's web site.

(b) The Board may schedule prehearing conferences under § 491a.9 (relating to prehearing and other conferences) to address issues related to licensing hearings.

(c) The Board will allot each applicant a specified time for its presentation. The length of the presentations, which shall be the same for each applicant within each category, will be established by the Board.

(d) At a licensing hearing, an applicant shall appear before the Board and at all times have the burden to establish and demonstrate, by clear and convincing evidence, its eligibility and suitability for licensure and to address the criteria identified in section 1325(c) of the act (relating to license or permit issuance).

(e) For the purposes of this section, an applicant's demonstration of eligibility must include a showing of compliance with:

(1) Section 1302, 1303, 1304 or 1305 of the act, as applicable.

(2) The application requirements in § 441a.3 (relating to slot machine license application).

(3) The license fee payment bond or letter of credit requirements in § 441a.5 (relating to license fee payment bond or letter of credit requirements).

(4) The diversity requirements in Chapter 481a (relating to diversity) and section 1325(b) of the act.

(f) For the purposes of this section, an applicant's demonstration of suitability must include a showing of:

(1) Good character, honesty and integrity in compliance with section 1310 of the act (relating to slot machine license application character requirements).

(2) Financial fitness in compliance with section 1313 of the act (relating to slot machine license application financial fitness requirements).

(3) Operational viability, including:

(i) The quality of the proposed licensed facility, and temporary land-based facility, if applicable, including the number of slot machines and table games proposed and the ability of the proposed licensed facility to comply with statutory, regulatory and technical standards applicable to the design of the proposed licensed facility and the conduct of slot machine and table game operations therein.

(ii) The projected date of the start of operations of the proposed licensed facility and any accessory uses such as hotel, convention, retail and restaurant space proposed in conjunction therewith. Applicants shall provide the Board with a time line on the deliverability of proposed temporary land-based or phased permanent licensed facilities and the accessory uses proposed in conjunction therewith.

(iii) The ability of the applicant's proposed licensed facility to generate and sustain an acceptable level of growth of revenue.

(g) For the purposes of this section, an applicant's demonstration of how it addresses the criteria identified in section 1325(c) of the act must include:

(1) The location and quality of the proposed facility, including, but not limited to, road and transit access, parking and the facility's proximity to its anticipated market service area.

(2) The potential for new job creation and economic development which are expected to result from granting a license to an applicant.

(3) The applicant's good faith plan to recruit, train and enhance diversity in all employment classifications in the facility.

(4) The applicant's good faith plan for enhancing the representation of diverse groups in the operation of its facility through the ownership and operation of business enterprises associated with or utilized by its facility or through the provision of goods or services utilized by its facility and through the participation in the ownership of the applicant.

(5) The applicant's good faith effort to assure that all persons are accorded equality of opportunity in employment and contracting by it and any contractors, subcontractors, assignees, lessees, agents, gaming service providers and suppliers the applicant may employ directly or indirectly.

(6) The potential for enhancing tourism which is expected to result from granting a license to the applicant.

(7) The history and success of the applicant in developing tourism facilities ancillary to gaming development in other locations if applicable to the applicant.

(8) The degree to which the applicant presents a plan for the project which will likely lead to the creation of quality, living-wage jobs and full-time permanent jobs for residents of this Commonwealth generally and for residents of the host political subdivision in particular.

(9) The record of the applicant and its developer in meeting commitments to local agencies, community-based organizations and employees in other locations.

(10) The degree to which potential adverse effects which might result from the project, including costs of meeting the increased demand for public health care and treatment of

problem gamblers and their families, child care, public transportation, affordable housing and social services, will be mitigated.

(11) The record of the applicant and its developer regarding compliance with:

(i) Federal, State and local discrimination, wage and hour, disability and occupational and environmental health and safety laws.

(ii) State and local labor relations and employment laws.

(12) The record of the applicant in dealing with its employees and their representatives at other locations.

(13) The applicant's business probity, experience and ability.

(14) Areas of deficiency in the applicant's application previously identified by the Bureau or the Bureau of Licensing that have not been resolved.

(h) The applicant's demonstration of how it addresses section 1325(c) of the act and subsection (g) may include information relating to its affiliates, intermediaries, subsidiaries or holding companies.

(i) No later than 30 days before the first scheduled licensing hearing in the category of license for which the applicant has filed an application, the applicant shall file with the Board a memorandum identifying all evidence it intends to use in support of its presentation before the Board. At the same time, Category 1 and Category 3 applicants shall serve the memorandum on the other applicants in the same category. At the same time, Category 2 applicants shall serve the memorandum on all other applicants whose proposed facility meets the same location criteria as the applicant's proposed facility as specified in subsection (n)(1)(i)—(iii). The memorandum must include the following:

(1) The name of the applicant and docket number of the applicant's application to which the evidence will relate.

(2) Identification of each standard and criterion in subsections (d)—(f) to which the evidence will relate.

(3) As to each criterion identified, whether the evidence will be presented through oral testimony or the proffer of documents, or both. If any portion of the evidence will be presented through oral testimony, the notice must include the name, address and telephone number of each testifying witness, the identified criteria about which the witness will testify and a detailed summary of the witness' testimony. If any portion of the evidence will be presented through the proffer of documents, including reports and exhibits, the memorandum must include a copy of each document to be proffered and the name, address and telephone number of the persons who prepared the document.

(4) If any person identified in paragraph (3) will testify as an expert, the person's qualifications, including the person's education, experience and training, and a listing of the other jurisdictions where the person has been qualified as an expert witness within the last 5 years, shall be attached to the notice. A copy of the results or reports of any tests, experiments, examinations, studies or documents prepared or conducted by the expert or about which the expert will testify or which will be relied upon by the expert to render an opinion shall be attached to the notice.

(5) Documents required under paragraphs (3) and (4) that have already been submitted to the Board and made part of the public record may be referenced instead of being included with the memorandum identifying all evidence an applicant intends to use in support of its presentation before the Board.

(j) The Board will serve on all applicants within that category any expert reports developed for and requested by the Board that pertain to the applicants.

(k) Applicants, at the time of filing, shall provide the Board with an electronic version, in a format prescribed by the Board, of the reports and exhibits provided in paper form.

(l) If an applicant designates any submitted report or exhibit as confidential under § 401a.3 (relating to definitions) or section 1206(f) of the act (relating to Board minutes and records), the applicant shall:

(1) Clearly and conspicuously indicate that the report or exhibit is confidential in both the paper and electronic format and provide these exhibits separately from the nonconfidential exhibits.

(2) Request that the confidential information be presented to the Board in an executive session in accordance with 65 Pa.C.S. § 708(a)(5) (relating to executive sessions) and provide an explanation of the need for the designation of confidentiality and presentation during an executive session or authorize the release of the report or exhibit in compliance with section 1206(f)(5) of the act.

(m) Applicants are prohibited from relying upon or introducing new evidence, including witnesses' testimony, reports or exhibits, not identified under subsection (i) or (n), except in the following circumstances:

(1) Applicants may update or supplement evidence, including witnesses' testimony, reports or exhibits to respond to requests from the Board or Board staff.

(2) Applicants may update or supplement evidence, including witnesses' testimony, reports or exhibits to respond to issues raised subsequent to the filing of the memorandum required by subsection (i) at a prehearing conference if the issues could not have been reasonably anticipated by the applicant.

(n) For Category 2 and Category 3 applicants only, in addition to the applicant's presentation of evidence to the Board relative to its eligibility and suitability for a license, an applicant may, during its licensing hearing, present evidence which sets forth a comparison between the applicant and other applicants within the same category with respect to the standards and criteria in subsections (e)—(h).

(1) Comparisons must be limited to:

(i) For applicants seeking to locate a licensed facility in a city of the first class, other applicants for a licensed facility in a city of the first class.

(ii) For applicants seeking to locate a licensed facility in a city of the second class, other applicants for a licensed facility in a city of the second class.

(iii) For applicants seeking to locate a licensed facility in a revenue-enhanced or tourism-enhanced location, other applicants for a licensed facility in a revenue-enhanced or tourism-enhanced location.

(iv) For applicants seeking to locate a licensed facility in a well-established resort hotel, other applicants for a licensed facility in a well-established resort hotel.

(2) If an applicant desires to present comparative evidence under this subsection, the applicant shall, no later than 20 days prior to the commencement of the first scheduled licensing hearing in the category of license for which the applicant has filed an application, file with the Board Clerk a separate written notice evidencing the intent identifying each other applicant about whom the applicant desires to present evidence. A copy of the notice shall be served on the applicants about whom the evidence will be presented and on the Chief Enforcement Counsel. The notice must include:

(i) The name of the applicant and docket number of the applicant's application to which the evidence will relate.

(ii) Identification of the standards and criteria in subsections (e)—(h) to which the evidence will relate.

(iii) As to each criterion identified, a copy of any document or evidence that will be used to support the comparison to be presented in compliance with subsection (i).

(3) An applicant served with notice under paragraph (2) may present, during its licensing hearing, comparative evidence concerning it and the applicant from who notice was received with respect to the standards and criteria in subsections (e)—(h). The applicant so served shall have 10 days following services to file a reply notice with the Board which contains the information required by paragraph (2). A complete copy of the reply notice shall be served on the applicant who initially served notice under paragraph (2) and on the Chief Enforcement Counsel.

(4) If the applicant plans to present evidence to the Board concerning another applicant in an executive session, the applicant shall provide notice to the other applicant and provide any report or exhibit relied upon to the other applicant. The other applicant may be represented in the executive session.

(o) At the discretion of the Board, an applicant's presentation may include:

(1) Oral presentation.

(2) Documentary evidence submissions, including reports, photographs, audiovisual presentations, exhibits or testimony of witnesses.

(p) The Board, its designee and Chief Enforcement Counsel may:

(1) Examine or question the applicant and witnesses called by the applicant or the Board regarding their testimony and any aspect of the applicant's application and relevant background.

(2) Recall the applicant and other witnesses called by the applicant or the Board during the licensing hearing for further questioning.

(q) A person who testifies at the licensing hearing shall be sworn and testify under oath.

(r) Information obtained by the Bureau during an applicant’s background investigation based upon public record or upon information otherwise in the public domain will be heard by the Board during the licensing hearing. Information submitted by an applicant under section 1310(a) of the act or obtained by the Board or Bureau as part of a background investigation from any source not in the public domain is considered confidential. The Board may not require an applicant to waive any confidentiality provided for in section 1206(f) of the act as a condition for the approval of a slot machine license or any other action of the Board. The Board may request that an applicant respond to inquiries related to confidential information during a licensing hearing to promote transparency in the regulation of gaming in this Commonwealth. An applicant who does not waive the right to confidentiality shall:

(1) Invoke the protection afforded the applicant under 4 Pa.C.S. § 1206(f) and have the matter heard in executive session.

(2) Provide the reason on the record explaining the basis for the invocation of confidentiality under § 407a.3(a) (relating to confidential information).

(s) At its discretion, the Board may terminate, recess, reconvene and continue the licensing hearing.

(t) An applicant may raise an objection to the conduct of the hearing, procedure, process or rulings of the Board as it relates to its own hearing or to the hearing of a competitive applicant as follows:

(1) An objection may be raised orally by stating the objection during the hearing of an applicant and the objection shall be stenographically recorded upon the record. The Board may request written briefing of the basis of the objection prior to issuing a ruling.

(2) An objection relating to the hearing of an applicant or to a hearing of a competitive applicant may be raised by means of written objection filed with the Clerk no later than 2 business days after the action or event giving rise to the objection. A written objection must clearly and concisely set forth the factual basis for the objection and be accompanied by a legal brief addressing the legal basis supporting the objection.

(3) If an applicant objects to an action or event in the hearing of another applicant, the caption of the objection must include the docket numbers of both proceedings conspicuously displayed and shall be served upon counsel for the other applicant by electronic means.

(4) In the event an objection is filed to the hearing of another applicant, counsel for that applicant may file a responsive brief within 2 business days of electronic service.

(5) An objection not raised as provided in paragraphs (1)—(3) will be deemed waived.

(u) Each Category 1 and Category 3 applicant may file a brief up to 25 pages in length within 10 days of the completion of the hearing with respect to all applications within its category. Each Category 2 applicant may file a brief up to 25 pages in length within 10 days of the completion of the hearing with respect to all applications that meet the same location criteria as the applicant as specified in subsection (n)(1)(i)—(iii). At the prehearing conferences, applicants in any category may waive the opportunity to file briefs.

(v) At the conclusion of the presentation of all testimony and evidence, the Board will cause the record to be transcribed. The transcript and evidence shall become part of the evidentiary record for the Board's consideration. For good cause shown, the Board may seal portions of the record.

(w) Following submission of the applicants' briefs, all applicants will have an opportunity to make final remarks in the form of oral argument before the Board in a manner and time prescribed by the Board. At the prehearing conferences, applicants in any category may waive the opportunity for oral argument.

(x) Upon the conclusion of the licensing hearings and upon review of the evidentiary record in its entirety, the Board will consider, approve, condition or deny the slot machine license applications. A final order, accompanied by the Board's written decision, will be served on the applicants for slot machine licenses.

(y) An applicant may appeal the denial of a slot machine license to the Pennsylvania Supreme Court as provided in the act.

(z) This subsection pertains exclusively to intervention in a licensing hearing for a slot machine license under this section and is not applicable to other hearings before the Board. The right to intervene in a hearing under this section is within the sole discretion of the Board.

(1) A person wishing to intervene in a licensing hearing for a slot machine license shall file a petition in accordance with this subsection.

(2) A person may file a petition to intervene under this subsection if the person has an interest in the proceeding which is substantial, direct and immediate and if the interest is not adequately represented in a licensing hearing.

(3) Petitions to intervene in a licensing hearing may be filed no later than 45 days prior to the commencement of the first scheduled licensing hearing, in the category of license for which the applicant, in whose hearing the petitioner seeks to intervene, has filed an application unless, in extraordinary circumstances for good cause shown, the Board authorizes a late filing. At the same time the petitioner files its petition with the Board, a complete copy of the petition to intervene shall be served on the Chief Enforcement Counsel and the applicant in whose licensing hearing the petitioner seeks to intervene.

(4) Petitions to intervene must set out clearly and concisely the facts demonstrating the nature of the alleged right or interest of the petitioner, the grounds of the proposed intervention, the position of the petitioner in the proceeding and a copy of the written statement to be offered under paragraph (6). The petitioner shall fully and completely advise the applicant and the Board of the specific issues of fact or law to be raised or controverted and cite provisions or other authority relied on.

(5) The applicant may file an answer to a petition to intervene, and in default thereof, will be deemed to have waived any objection to the granting of the petition. If made, answers shall be filed within 10 days after the date the petition is filed with the Board, unless for cause the Board prescribes a different time. A complete copy of the answer to the petition to intervene shall be served on the Chief Enforcement Counsel and the petitioner who seeks to intervene.

(6) Except when the Board determines that it is necessary to develop a comprehensive evidentiary record, the participation of a person granted the right to intervene in a licensing hearing will be limited to the presentation of evidence through the submission of written statements attested to under oath. The written statements shall be part of the evidentiary record.

(aa) This section supersedes any conflicting provisions of Subpart H (relating to practice and procedure) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

§ 441a.8. Divestiture.

(a) If the Board determines that a slot machine license application cannot be approved because the applicant, its principal or other person who holds a direct or indirect interest in the applicant or in an affiliate, intermediary, subsidiary or holding company of the applicant, does not meet a character or other eligibility criteria required under section 1310 of the act (relating to slot machine license application character requirements), or has an ownership or financial interest that is prohibited under by section 1330 of the act (relating to multiple slot machine license prohibition), the Board may grant the person up to 120 days following the determination to completely divest his interest in the applicant or its affiliate, intermediary, subsidiary or holding company.

(b) The person shall notify the Board of his intention to divest within 30 days of notice from the Board of the opportunity to divest. The Board may extend this time period at its discretion.

(c) Failure to divest within 120 days, or within the time period prescribed by the Board, constitutes a per se disqualification of the applicant to receive a slot machine license.

(d) The terms of divestiture will be approved by the Board.

(e) The Board will not approve a divestiture if the compensation received for the divested interest exceeds the value of the interest.

(f) Following divestiture, the Board will reconsider the applicant's suitability for licensure in an expedited procedure.

§ 441a.9. Approval of a slot machine license.

(a) An applicant for a slot machine license shall prove by clear and convincing evidence:

(1) The financial stability and integrity of the applicant and its affiliates, intermediaries, subsidiaries and holding companies in accordance with section 1313 of the act (relating to slot machine license application financial fitness requirements).

(2) The good character, honesty and integrity of the applicant and its affiliates, intermediaries, subsidiaries, holding companies and principals in accordance with section 1310 of the act (relating to slot machine license application character requirements).

(b) For Category 1 slot machine applications, the State Horse Racing Commission or the State Harness Racing Commission may submit information if it believes the information will assist the Board in making a determination relating to the operational, financial or character fitness of the applicant.

(c) The Board may issue a slot machine license under this chapter if it determines that the applicant:

(1) Has demonstrated that the applicant will establish and is likely to maintain a financially successful, viable and efficient business operation and will likely be able to maintain a steady level of growth of revenue to the Commonwealth.

(2) Is of good character, honesty and integrity.

§ 441a.10. Notification of anticipated or actual changes in principals or key employees.

Each slot machine applicant or licensee shall notify the Bureau of Licensing, in writing, as soon as it becomes aware, of the proposed appointment, appointment, proposed nomination, nomination, election, hiring, promotion, intended resignation, resignation, removal, firing, incapacitation or death of any person required to be licensed as a principal or key employee under Chapter 433a and § 435a.2 (relating to principal licenses; and key employee license). The notice must be addressed to the Bureau of Licensing.

§ 441a.11. Notification of new financial sources.

Each slot machine applicant or licensee shall notify the Board, in writing, as soon as it becomes aware that it intends to enter into a transaction which may result in any new financial backers. The notice shall be sent to the Bureau of Licensing and the Bureau of Corporate Compliance and Internal Controls.

§ 441a.11a. Duty to maintain financial suitability.

A slot machine licensee and its intermediaries, subsidiaries and holding companies shall, at all times, remain financially suitable. In determining whether a licensee is financially suitable, the Board will consider the following factors:

(1) The ability to develop and maintain the proposed or licensed project.

(2) The ability to obtain financing and meet its financial obligations.

(3) The ability to maintain a steady level of growth of revenue.

(4) The historical financial suitability and financial wherewithal of the slot machine licensee, its intermediaries, subsidiaries and holding companies.

§ 441a.12. Maintaining agreements; filing of agreements.

(a) *Maintaining agreements.* Each approved slot machine licensee shall maintain the following:

(1) A copy of every executed agreement with licensed manufacturers, manufacturer designees, suppliers, tenant businesses or franchises located within the licensed facility, and persons required to file a notification or be registered or certified with the Board in

accordance with § 437a.1(a), (b) or (h) (relating to general gaming service provider requirements) or Chapter 613a (relating to gaming related gaming service providers). Agreements relating to slot machines, table games, table game devices and associated equipment must be in writing.

(2) Records associated with an oral agreement with licensed manufacturers, manufacturer designees, suppliers, tenant businesses or franchises located within the licensed facility and persons required to file a notification or other request for authorization with the Board in accordance with § 437a.1(a), (b), (g) or (h) or Chapter 613a.

(3) A copy of all executed land and real estate agreements relating to racing or gaming operations.

(4) A copy of all amendments to agreements listed in paragraphs (1) - (3).

(b) *Filing agreements.* Each approved slot machine licensee shall file with the Board:

(1) Agreements with manufacturers, suppliers, manufacturer designees or gaming related gaming service providers relating to slot machines, table games, table game devices and associated equipment.

(2) Corporate overhead assessment agreements, shared service agreements, centralized service agreements or an agreement under which an affiliate, intermediary, subsidiary or holding company of an approved slot machine licensee provides goods or services to the approved slot machine licensee.

(3) Agreements that provide for the management of all or part of the gaming operations of a licensed facility.

(4) Agreements under which a person's right to receive payment is based or contingent upon a licensee's earnings, profits or receipts from the slot machines, table games or associated equipment.

(5) Amendments to agreements described in paragraphs (1) - (4).

(c) *Content of filings.* In addition to the agreements in subsection (b)(1) - (4), the Board may require an approved slot machine licensee to submit a copy of a written agreement or documents reflecting or relating to any oral agreement. Documentation of an oral agreement submitted to the Board must include the following:

(1) A description of the goods or services to be provided and the person that will provide the goods or services to the approved slot machine licensee.

(2) The name and business address of the parties to the agreement.

(3) The duration of the agreement or the expected date or dates of performance.

(4) The financial terms of the agreement.

(d) *Changes or amendments to filed agreements*. Slot machine applicants and licensees shall file all changes or amendments to the terms of the agreements subject to subsection (c).

(e) *Additional agreements*. Notwithstanding the requirements of subsections (c) and (d), slot machine applicants or licensees may be required to submit a copy of any other written agreement, change or amendment or a precise written description of any other oral agreement, change or amendment as requested by the Board.

(f) *Oral agreements*. A written description submitted under this section must provide, at a minimum, the following:

(1) The nature of the goods or services to be provided to or by the slot machine licensee or applicant.

(2) The full name and business address of the nonslot machine licensee or applicant party to the agreement.

(3) The duration of the agreement, or if provided in the agreement, the specific date or dates of performance.

(4) The financial terms of the agreement.

(5) A description of the goods or services provided, including the expected duration and compensation.

§ 441a.13. Board approval of agreements.

(a) An approved slot machine licensee shall receive Board approval prior to executing, relying upon or taking an action under the following:

(1) Corporate overhead assessment agreements, shared service agreements, centralized service agreements or an agreement under which an affiliate, intermediary, subsidiary or holding company of an approved slot machine licensee provides goods or services to the approved slot machine licensee.

(2) Agreements that provide for the management of all or part of the gaming operations of a licensed facility.

(3) Agreements under which a person's right to receive payment is based or contingent upon a licensee's earnings, profits or receipts from the slot machines, table games or associated equipment.

(4) Amendments to agreements described in paragraphs (1) - (3).

(b) If the Board finds that an agreement is not in the public interest or is inimical to the interest of gaming in this Commonwealth, the Board may deny approval, require the termination of the agreement, the divestiture of any person associated with the agreement, or may pursue any remedy or combination of remedies provided for in the act or this part. If the agreement or association is not promptly terminated in accordance with the Board's order, the Board may pursue any remedy or combination of remedies provided for in the act or this part.

(c) An agreement maintained or filed under § 441a.12 (relating to maintaining agreements; filing of agreements) or this section must include a provision for its termination without liability on the part of the slot machine licensee, or any party to the agreement or any related agreement, if the Board orders the termination of the agreement in accordance with subsection (b).

(d) Each agreement maintained or filed under § 441a.12 or this section must include a provision requiring that the person who has contracted with the slot machine licensee comply with the act and this part, including obtaining required licenses, permits, certifications and registrations.

§ 441a.14. Master purchasing and disbursement report.

(a) Each approved slot machine licensee shall generate a monthly Master Purchasing and Disbursement Report for expenditures. The report shall be submitted to the Bureau of Licensing no later than the 22nd calendar day of the following month and include the following information:

(1) A register listing alphabetically by payee expenditures paid by the approved slot machine licensee, including transfers of funds or credits to payees, and the following information next to the name of each payee:

(i) The description code as set forth by the Bureau of Licensing.

(ii) The amount of the individual disbursement or credit.

(iii) The date of the individual disbursement or credit.

(iv) The subtotal of disbursements or credits by payee.

(2) A register listing alphabetically by payee expenditures paid by any affiliate, intermediary, subsidiary, holding company, management company or agent of the approved slot machine licensee for goods or services that benefit the approved slot machine licensee, including transfers of funds or credits to payees, and the following information next to the name of each payee:

(i) The description code as set forth by the Bureau of Licensing.

(ii) The amount of the individual disbursement or credit.

(iii) The date of the individual disbursement or credit.

(iv) The subtotal of disbursements or credits by payee.

(b) The reports shall be transmitted to the Bureau of Licensing by means of electronic data transmission in a format prescribed by the Board.

§ 441a.15. Slot machine license issuance bond requirement.

(a) Upon the issuance of a slot machine license, a slot machine licensee shall post an original payment bond in the amount of $1,000,000.

(b) Unless otherwise required by the Board, the payment bond must comply with the following:

(1) The payment bond must be issued by a surety company that is both licensed by the Insurance Department and assigned a credit rating within the three highest categories, without regard to numerics or other modifiers, by Moody's or Standard & Poor's, or upon the discontinuance of Moody's or Standard & Poor's, by another Nationally recognized rating service. Proof that the surety is licensed by the Insurance Department and has been assigned the required credit rating must accompany any payment bond submitted under this section.

(2) A slot machine licensee shall submit its proposed payment bond to the Board prior to the issuance of a slot machine license.

(3) The payment bond must state that it is payable to the “Commonwealth of Pennsylvania” as the obligee for immediate payment of the slot machine licensee's financial obligations to the Commonwealth under the act and as security to guarantee that the slot machine licensee faithfully makes the payments, keeps its books and records, makes reports and conducts its operations in conformity with the act, this part and the rules and orders promulgated by the Board.

(4) A payment bond issued in accordance with this section will remain in full force and effect throughout the period of time that the slot machine license is in effect. If a bond is canceled and the slot machine licensee fails to file a new bond with the Bureau of Licensing in the required amount on or before the effective date of the cancellation, the slot machine licensee's license will be revoked or suspended.

(5) Any notice provision in a payment bond applicable to an election by a surety to cancel a then current payment bond must provide that the Board will receive at least 30 days written notice, by registered mail or overnight courier service, of the surety's election to cancel.

(c) The Board may demand that the slot machine licensee post a new payment bond upon the occurrence of any of the following:

(1) Liability on the existing payment bond is discharged or reduced by judgment rendered, payment made or similar occurrence.

(2) The Board determines that the surety is no longer satisfactory.

(3) The slot machine licensee requests the right to post a new payment bond.

(4) The Board receives notice that the payment bond will be cancelled.

§ 441a.16. Slot machine license term and renewal.

(a) The slot machine license will be valid for 3 years from the date on which the initial license is issued or the renewal is approved by the Board.

(b) A Category 1, Category 2 or Category 3 Slot Machine Renewal Application Form shall be submitted to the Board at least 60 days prior to the expiration of a slot machine license.

(c) A slot machine license for which a completed renewal application has been received by the Board will continue in effect until the Board sends written notification to the holder of the slot machine license that the Board has approved or denied the slot machine license renewal application.

§ 441a.17. Change in ownership or control of slot machine licensee and multiple slot machine license prohibition.

(a) A slot machine licensee shall notify the Bureau and the Bureau of Licensing by filing a Slot Machine Licensee's Notification of Proposed Transfer of Interest Form prior to or immediately upon becoming aware of any proposed or contemplated change in ownership of the slot machine licensee by a person or group of persons acting in concert which involves any of the following:

(1) More than 5% of a slot machine licensee's securities or other ownership interests.

(2) More than 5% of the securities or other ownership interests of a corporation or other form of business entity that owns, directly or indirectly, at least 20% of the voting or other securities or other ownership interest of the slot machine licensee.

(3) The sale of a slot machine licensee's assets, other than in the ordinary course of business.

(4) Other transactions or occurrences deemed by the Board to be relevant to license qualification.

(b) A transaction set forth in subsection (a) may not be consummated without:

(1) Obtaining the prior approval of the Board.

(2) Each principal involved in the transaction obtaining a license in accordance with Chapter 433a (relating to principal licenses).

(c) A request for approval required under subsection (b)(1) shall be made by filing a petition with the Board in accordance with § 493a.4 (relating to petitions generally).

(d) Notwithstanding the requirement in subsection (b)(2), the Board may approve a transaction under subsection (a) prior to the licensure of the person or group of persons acting in concert if all of the following apply:

(1) The person or group of persons acting in concert are proposing to acquire 20% or less of the voting securities of a publicly traded holding company of a slot machine licensee.

(2) The person or group of persons acting in concert affirm that the person or group of persons will not control or influence the affairs of or benefit from the slot machine licensee prior to being licensed as principals in accordance with Chapter 433a.

(3) The person or group of persons have filed applications with the Board for licensure as principals in accordance with Chapter 433a.

(4) The approval of the transaction is expressly conditioned upon the person or group of persons being licensed as principals in accordance with Chapter 433a.

(e) The Board will not approve a transaction under subsection (a) which involves a change in control unless the person or group of persons:

(1) Acting in concert demonstrates by clear and convincing evidence that the slot machine licensee's gaming facility will remain or become a financially successful, suitable and efficient business operation.

(2) Acquiring the interest pay a new slot machine license fee as determined by the Board. The Board may condition its approval of the transaction on the payment of the fee.

(f) The following transactions are not be subject to subsections (a)—(c):

(1) A transaction through which an underwriter will possess a security for less than 90 days.

(2) A transaction through which an institutional investor acquires less than 20% of the securities of a slot machine licensee's holding company, provided that the securities were acquired for investment purposes only and the institutional investor complies with § 433a.5 (relating to institutional investors).

(g) In accordance with section 1330 of the act (relating to multiple slot machine license prohibition), a slot machine licensee, its affiliates, intermediaries, subsidiaries and holding companies may not possess an ownership or financial interest in any other slot machine licensee or in any other person eligible to apply for a Category 1 slot machine license or its affiliates, intermediaries, subsidiaries or holding companies that exceeds 33.3%.

(h) Nothing in subsection (g) prevents a slot machine licensee from possessing ownership or financial interests of 33.3% or less, in multiple slot machine licensees or in persons eligible to apply for a Category 1 slot machine license or its affiliates, intermediaries, subsidiaries or holding companies.

(i) If a slot machine licensee, its affiliates, intermediaries, subsidiaries or holding companies has an ownership or financial interest in another slot machine licensee that is in violation of subsection (g), the slot machine licensee will be required to divest that interest which is in excess of 33.3% in compliance with section 1330 of the act.

(j) Nothing in this section concerning ownership or financial interests applies to contractual interests including those in the nature of management contracts, options to purchase exercisable after a license has been issued or leases.

§ 441a.18. Employee status report.

(a) A slot machine licensee shall maintain a complete, accurate and current record of each employee that includes the information in subsection (b)(1).

(b) Each month each slot machine licensee shall generate a monthly employee status report of the slot machine licensee's and management company's employees. The report shall be submitted to the Bureau of Licensing no later than the 15th calendar day of the following month. The report must include the following information:

(1) An alphabetical listing of the individuals currently employed by the slot machine licensee and the management company and the following information with respect to each employee listed:

(i) The name of the employee.

(ii) The address of record of the employee on file with the slot machine licensee.

(iii) The employee's license, permit or registration number and expiration date, if applicable.

(iv) The employee's title or position.

(v) Whether the employee is full-time or part-time.

(vi) The date of hire of the employee.

(vii) The access code, if any, assigned to the employee which designates the restricted areas that the employee is permitted to enter and remain in for the purposes of performing his normal duties.

(2) The total number of persons employed by the slot machine licensee and management company during the preceding month.

(3) An alphabetical listing of all employees who have discontinued or terminated employment with the slot machine licensee or management company during the preceding month and the following information with respect to each employee listed:

(i) The information listed in paragraph (1)(i)—(vii).

(ii) The date on which the employee discontinued or terminated employment with the slot machine licensee or management company.

(4) The total number of employees who have discontinued or terminated employment with the slot machine licensee and management company during the preceding month.

(5) The date on which the information provided in the report was compiled.

(c) The reports shall be transmitted to the Bureau of Licensing by means of electronic data transmission or in a form prescribed by the Bureau of Licensing.

(d) The Board may request interim employee status reports from a slot machine licensee or management company.

§ 441a.19. Notice of employee misconduct and offenses and employee resignations.

(a) A slot machine licensee or management company shall submit a weekly report to the Bureau of Licensing of the terminations of any employees.

(b) The weekly report must include the following information:

(1) The employee's name.

(2) The address of record of the employee on file with the slot machine licensee.

(3) The employee's license, permit or registration number.

(4) The employee's title or position.

(5) A summary of the incident or misconduct by the employee, including violations of this part or the act.

(6) The date of termination of the employee.

(7) The access code, if any, assigned to the employee, which designates the restricted areas that the employee was permitted to enter and remain in for the purposes of performing his normal duties.

(c) Notwithstanding subsection (a), a slot machine licensee shall, within 24 hours, notify the Bureau upon learning of the arrest, charging, indictment or conviction of any of its affiliates, intermediaries, subsidiaries, holding companies, principals, key employees, permittees or registrants for any of the following:

(1) An offense or violation under the act or this part.

(2) The willful and knowing violation or attempt to violate an order of the Board by an employee.

(3) An offense or violation of another applicable law which would otherwise disqualify the person from holding a license, permit or registration.

(4) An offense or violation of a criminal law or ordinance of the United States or the Commonwealth or a comparable offense or violation in other states or foreign jurisdictions.

(d) A slot machine licensee or management company shall notify the Bureau of Licensing within 5 days of the receipt of a resignation of any employee who holds a key employee license.

§ 441a.20. (Reserved).

§ 441a.20a. Changes to a slot machine licensee's initial or modified plan of development.

(a) A slot machine licensee shall obtain Board approval prior to implementing any change to the slot machine licensee's approved initial or modified plan of development as defined in § 441a.1 (relating to definitions).

(b) A request for approval of a change to a slot machine licensee's initial or modified plan of development shall be made by filing a petition with the Board in accordance with § 493a.4 (relating to petitions generally).

(c) The licensee shall demonstrate that the contemplated change in the development plan is substantially similar to the currently approved plan of development or show good cause as to why a contemplated plan of development that is different from the licensee's currently approved plan should be approved.

§ 441a.21. Liability for management companies.

Notwithstanding any provision to the contrary in the management contract, each slot machine licensee may be jointly and severally liable for any act or omission by its management company in violation of the act or this part, regardless of actual knowledge by the slot machine licensee of the act or omission.

§ 441a.22. Category 1 slot machine licensees.

(a) A Category 1 license, including a Conditional Category 1 license, may be issued to any qualifying legal business entity within an organization, if a legal business entity within the organization has been approved or issued a license from either the State Horse Racing Commission or the State Harness Racing Commission to conduct thoroughbred or harness race meetings. If a Category 1 license is issued to a legal business entity within an organization, the requirements, duties and obligations imposed by this part or the act on the licensed racing entity or a licensed racetrack shall be deemed to be requirements imposed on any legal business entity within the organization that has been approved or issued a Category 1 license. If more than one licensed racing entity, on July 5, 2004, was conducting a racing meet at the same licensed racetrack where an organization has been issued a Category 1 slot machine license, section 1303 of the act (relating to additional category 1 slot machine license requirements) applies to each licensed racing entity at the licensed racetrack.

(b) If a Category 1 license is issued to a legal business entity in an organization, any legal business entity within the organization that has been approved or issued a Category 1 license shall be responsible for, in particular, but not limited to, complying with:

(1) Section 1404 of the act (relating to distributions from licensee's revenue receipts).

(2) Section 1405 of the act (relating to Pennsylvania Race Horse Development Fund).

(3) Distribution allocations received from the Pennsylvania Race Horse Development Fund under section 1406 of the act (relating to distributions from Pennsylvania Race Horse Development Fund).

(i) Funds designated for purses under section 1406(a)(1)(i) of the act shall be deposited into an account established by and for the benefit of the horsemen by the close of the next business day following the receipt of the funds from the Commonwealth.

(ii) Funds designated for health and pension benefits under section 1406(a)(1)(iii) of the act shall be deposited into an account established under the rules and regulations of the horsemen's organization by the close of the next business day following the receipt of the funds from the Commonwealth.

(c) A Category 1 slot machine licensee or management company shall file with the Board no later than the 20th day of the month following the end of each calendar quarter, the following reports:

(1) Quarterly Report of Funds Received from the Pennsylvania Racehorse Development Fund.

(2) Quarterly Report of Funds Distributed for Purses under section 4 Pa.C.S. § 1406(a)(1)(i) of the act.

(3) Quarterly Report of Funds Distributed for Health and Pension Benefits under section 1406(a)(1)(iii) of the act.

(4) Quarterly Report of Expenditures for Backside Improvements.

(d) A Category 1 slot machine licensee or management company shall file a report of planned future improvements to the licensed racetrack backside area with the Board no later than the 30 days following the end of each calendar year. The report must include:

(1) A list of the improvements to be undertaken over the next 3 years.

(2) The projected start date and completion date of each improvement.

(3) The estimated cost of each improvement.

(e) The Board may request interim versions of the reports in subsections (c) and (d) from a Category 1 slot machine licensee or management company.

§ 441a.23. Category 3 slot machine licensees.

(a) To qualify as a well-established resort hotel with substantial year-round recreational guest amenities, the resort hotel must offer at the resort hotel a complement of amenities characteristic of a well-established resort hotel, including but not limited to the following:

(1) Sports and recreational activities and facilities such as a golf course or golf driving range.

(2) Tennis courts

(3) Swimming pools or a water park.

(4) A health spa.

(5) Meeting and banquet facilities.

(6) Entertainment facilities.

(7) Restaurant facilities.

(8) Downhill or cross-country skiing facilities.

(9) Bowling lanes.

(10) Movie theaters.

(b) A Category 3 slot machine applicant shall submit, as part of its application and its internal controls required under Chapter 465 (relating to accounting and internal controls), a plan detailing how the applicant will monitor the gaming area to ensure compliance with Chapters 503a, 511a and 513a (relating to self-exclusion; persons required to be excluded; and underage gaming) and that only the following persons are permitted to enter the gaming area:

(1) Registered overnight guests.

(2) Patrons of one or more amenities.

(3) Authorized employees.

(4) Other persons authorized by the Board.

(c) Individuals holding a valid seasonal or year-round membership, which has been approved by the Board and entitles the individual to use one or more of the amenities at the well-established resort hotel holding the Category 3 slot machine license, may be allowed on the gaming floor at any time. The Board will base its approval of a membership on the duration of the membership, the amenity or amenities covered by the membership and whether the fee charged for the membership represents the fair market value for the use of the amenity or amenities.

(d) A patron of an amenity at a well-established resort hotel holding a Category 3 slot machine license may be permitted unlimited access to the gaming floor for one 24-hour period within 72 hours of the use of the amenity.

CHAPTER 443a. TRUSTEESHIP

Sec.

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443a.10. Disposition of net earnings during the period of trusteeship.
443a.11. Payments following a bulk sale.
443a.12. Discontinuation of trusteeship.

§ 443a.1. Definitions.

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

Trustee--A fiduciary appointed by the Board for the purpose of preserving the viability of a licensed gaming entity, and the integrity of gaming in this Commonwealth.

Trusteeship action--An action brought before the Board for the appointment of a trustee.

§ 443a.2. Appointment of trustees.

(a) Upon the revocation or suspension of a slot machine license or a principal license of an individual who the Board has determined controls a slot machine licensee, the Board may appoint a trustee to assure compliance with the act, this part, and any conditions imposed upon the slot machine license under § 423a.6 (relating to license, permit, registration and certification issuance and statement of conditions).

(b) Upon the failure to renew a slot machine license or a principal license of an individual who the Board has determined controls a slot machine licensee, the Board may appoint a trustee who shall have all of the power and duties granted by the Board until the discontinuation of trusteeship as provided in § 443a.12 (relating to discontinuation of trusteeship).

(c) The Board will have the power to appoint and remove one or more trustees as necessary.

§ 443a.3. Qualifications of trustees.

(a) A trustee shall be required to file an application for and obtain a principal license.

(b) The Board may appoint a trustee and award the trustee a temporary principal credential under § 435a.8 (relating to temporary credentials) when necessary.

§ 443a.4. Bonding of trustees.

(a) Before assuming duties, a trustee shall execute and file a bond for the faithful performance of the trustee's duties.

(b) The bond required under subsection (a) must be payable to the Board with sureties and in the amount and form as required by Board order.

(c) The cost of the bond required under subsection (a) shall be paid by the former or suspended licensee.

§ 443a.5. Effect of the trusteeship on slot machine and principal licensees.

After the adoption of a trusteeship action, the former or suspended slot machine or principal licensee may not exercise any of its privileges, collect or receive any debts and pay out, sell, assign or transfer any of its property to anyone without prior approval of the Board.

§ 443a.6. Powers and duties of trustees.

(a) The Board's order appointing a trustee will set forth the powers, duties and responsibilities of the trustee. The trustee shall exercise only those powers and perform those duties expressly conferred on the trustee by the Board or this chapter.

(b) A trustee shall have the duty to conserve and preserve the assets of the slot machine licensee.

(c) Subject to the direct supervision of the Board, the written order of the Board described in subsection (a) may vest a trustee with the following powers:

(1) Maintaining and operating the licensed facility in a manner that complies with the act, this part, the slot machine licensee's statement of conditions and the Board's order appointing the trustee.

(2) Maintaining and operating the licensed facility consistent with the measures generally taken in the ordinary course of business including:

(i) Entering into contracts.

(ii) Borrowing money.

(iii) Pledging, mortgaging or otherwise encumbering the slot machine licensee's property; provided that power shall be subject to any provisions and restrictions in any existing credit documents.

(iv) Hiring, firing and disciplining employees.

(v) Settling or compromising with any debtor or creditor of the former or suspended licensee, including any taxing authority.

(3) Exercising the rights and obligations of the former or suspended licensee.

(4) Taking possession of all of the property of the former or suspended licensee, including its books, records and papers.

(5) Establishing accounts with financial institutions, which are not affiliated, owned or otherwise influenced by the former or suspended licensee, to carry out the business of the former or suspended licensee.

(6) Meeting with the former or suspended licensee.

(7) Meeting with principals and key employees at the licensed facility.

(8) Meeting with the independent audit committee, if there is one.

(9) Meeting with the Board's Executive Director and keeping the Board's Executive Director apprised of actions taken and the trustee's plans and goals for the future.

(10) Hiring legal counsel, accountants or other consultants or assistants, with approval of the Board, as necessary to carry out the trustee's duties and responsibilities.

(11) Reviewing outstanding agreements to which the former or suspended licensee is a party and advising the Board as to which, if any, of the agreements should be the subject of scrutiny, examination or investigation by the Board.

(12) Obtaining Board approval prior to any sale, change of ownership, change of control, financial status, restructuring, transfer of assets, execution of a contract or any other action taken outside of the ordinary course of business.

(13) Obtaining Board approval for any payments outside of those in the ordinary course of business.

§ 443a.7. Compensation of trustees and payment of costs associated with the trusteeship.

(a) The Board will establish the compensation of the trustee.

(b) The Board will review and approve reasonable costs and expenses of the trustee, the legal counsel, accountants, or other consultants or assistants hired by the trustee under § 443a.6(a)(10) (relating to powers and duties of trustees) and other persons the Board may appoint in connection with the trusteeship action.

(c) The costs in subsections (a) and (b) shall be paid by the former or suspended licensee.

§ 443a.8. Required reports of the trustees.

(a) A trustee shall file reports with regard to the administration of the trusteeship with the Board in the form and at intervals as the Board orders.

(b) The Board may direct that copies or portions of the trustee's reports be mailed to creditors or other parties in interest and make summaries of the reports available to the public and post them on the Board's web site www.pgcb.state.pa.us.

§ 443a.9. Review of actions of the trustees.

(a) A creditor or party in interest aggrieved by any alleged breach of a delegated power or duty of a trustee in the discharge of the trustee's duties may request a review of the trustee's action or inaction by filing a petition in accordance with § 493a.4 (relating to petitions generally).

(b) The petition must set forth in detail the pertinent facts and the reasons why the facts constitute the alleged breach.

(c) The Board will review any petition filed under this section and take whatever action, if any, it deems appropriate.

§ 443a.10. Disposition of net earnings during the period of trusteeship.

(a) During the period of trusteeship, net earnings, if any, shall be deposited in an escrow account maintained for that purpose.

(b) Distributions of net earnings during the period of trusteeship may not be made by the trustee without the prior approval of the Board.

(c) A suspended or former principal or slot machine licensee may request a distribution of all or a portion of the net earnings during the period of trusteeship by filing a petition in accordance with § 493a.4 (relating to petitions generally). The suspended or former principal or slot machine licensee shall have the burden of demonstrating good cause for the distribution of the net earnings requested.

§ 443a.11. Payments following a bulk sale.

Following the sale, assignment, conveyance or other disposition in bulk of all the property subject to a trusteeship and the payment of all obligations to the Commonwealth and political subdivisions and other funds set forth in the act, the Board will conduct a hearing to determine the distribution of the remaining assets.

§ 443a.12. Discontinuation of trusteeship.

(a) The Board may direct the discontinuation of a trusteeship when:

(1) The Board determines that the cause for which the trusteeship action was instituted no longer exists.

(2) The trustee has, with the prior approval of the Board, consummated the sale, assignment, conveyance or other disposition in bulk of all the property of the former principal or slot machine licensee relating to the slot machine license.

(b) Upon the discontinuation of the trusteeship and with the approval of the Board, the trustee shall take steps as may be necessary to affect an orderly transfer of the property of the former or suspended principal or slot machine licensee.

Subpart D. RECORDKEEPING

CHAPTER 451a. RECORDKEEPING REQUIREMENTS

Sec.

451a.1. Recordkeeping generally.

§ 451a.1. Recordkeeping generally.

(a) Manufacturer, gaming junket enterprise, and management company licensees and all registered and certified gaming service providers shall maintain adequate records of business operations which shall be made available to the Board upon request. These records include:

(1) Correspondence with the Board and other local, Commonwealth and Federal governmental agencies.

(2) Correspondence concerning gaming equipment with a manufacturer, supplier, management company or slot machine licensee.

(3) Copies of all promotional material and advertising.

(4) A personnel file on each current and former employee.

(5) Financial records of all transactions concerning slot machines and associated equipment with a manufacturer, supplier, management company or slot machine licensee.

(6) Copies of all tax returns, reports and other tax documents filed with a taxing entity of the Federal government, the Commonwealth or local taxing entity within this Commonwealth for 7 years or a longer period as prescribed by the taxing entity.

(7) Copies of all general accounting records.

(b) Except as provided in subsection (a)(6) regarding tax documents, the records listed in subsection (a) shall be maintained for at least 5 years.

(c) The record required to be maintained under subsection (a) shall be kept in a location secure from theft, loss or destruction.

Subpart E. SLOT MACHINE, TABLE GAME AND ASSOCIATED EQUIPEMENT TESTING AND CONTROL; ACCOUNTING AND INTERNAL CONTROLS

CHAPTER 461a. SLOT MACHINE AND TABLE GAME DEVICE TESTING AND CONTROL

Sec.

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461a.26. Testing and software installation on the live gaming floor.
461a.27. RAM clear.

§ 461a.1. Definitions.

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

Asset number--A unique number assigned to a slot machine or piece of associated equipment by a slot machine licensee for the purpose of tracking the slot machine or piece of associated equipment while owned by the slot machine licensee.

Automated jackpot payout machine--The collective hardware, software, communications technology and other ancillary equipment used to facilitate the payment of a jackpot that is not totally and automatically paid directly from a slot machine.

Bill validator--An electronic device designed to interface with a slot machine for the purpose of accepting and validating any combination of United States currency, gaming vouchers, coupons or other instruments authorized by the Board for incrementing credits on a slot machine.

Bonus award--An award of cash or credits to a randomly selected player that is not generated by the slot machine.

Cash equivalents--Instruments with a value equal to United States currency or coin including value chips and plaques, Counter Checks, personal checks, certified checks, cashier's checks, travelers' checks, money orders, gaming vouchers or other representations of value that the Board deems a cash equivalent.

Cashless funds transfer system--The collective hardware, software, communications technology and other ancillary equipment used to facilitate the electronic transfer of cashable or noncashable credits to a patron at a slot machine.

Casino management system--The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, report and audit data with regard to activity at slot machines, inclusive of slot machine level accounting transactions, player tracking and productivity analysis.

Common carrier--An entity that transports persons or goods, and offers its services to the general public.

Conversion--A change or alteration to a slot machine that does not affect the manner or mode of play or operation of the slot machine.

Count team--The group of employees of a slot machine licensee who are responsible for counting the contents of slot cash storage boxes and table game drop boxes.

Coupon--An instrument issued by a slot machine licensee under which cashable or noncashable slot machine credits are provided directly or indirectly to a patron with or without regard to the identity of the patron or the patron's level of gaming activity.

Coupon system--The collective hardware, software, communications technology and other ancillary equipment used to facilitate the issuance of coupons, the acceptance of a coupon by a slot machine or its redemption at an automated coupon redemption machine, cashiers' cage or other locations.

Currency cassette--A container that holds banknotes that are available for dispensing.

Double-up--An optional wager on a slot machine in which the player has a mathematically equal probability of winning or losing the wager.

Drop team--The group of employees of a slot machine licensee who are responsible for collecting and transporting slot cash storage boxes and table game drop boxes.

Educational institution--A facility that teaches and certifies students in slot machine design, operation, repair or servicing.

External bonusing system--The collective hardware, software, communications technology and other ancillary equipment used in conjunction with slot machines to deliver randomly selected player incentives (bonus awards) to active slot machine players and to effect the accurate metering of the bonus award event on the slot machine.

Fill--The distribution of gaming chips, coins and plaques to a gaming table to replenish the table inventory.

Finance department--The department that is responsible for the management of the financial and accounting activities relating to slot machines and table games being utilized in a licensed facility.

Gaming day--A period of time not to exceed 24 hours corresponding to the beginning and ending times of gaming activities for the purpose of accounting reports and determination of gross terminal and gross table game revenue.

Gaming voucher--An instrument that upon insertion into a bill validator entitles the patron inserting the gaming voucher to cashable or noncashable credits on a slot machine and cashable credits on an electronic gaming table corresponding to the value printed on the gaming voucher. A gaming voucher that contains noncashable credits may be used only for the purpose of slot machine gaming.

Gaming voucher system--The collective hardware, software, communications technology and other ancillary equipment used to facilitate the issuance of gaming vouchers and the redemption of gaming vouchers by slot machines, automated gaming voucher redemption machines, the cashiers' cage or in other locations.

Hand pay--The payment of credits that are not totally and automatically paid directly from a slot machine.

Machine displayed payout percentage--The selectable payout percentage that is set by the slot machine licensee during the initial configuration or a subsequent reconfiguration of a slot machine and is displayed in the slot machine's service menu during normal operation.

Manufacturer's par sheet--A document supplied by the manufacturer that shows payable information including, but not limited to, theoretical payout percentage, winning combinations, awards and reel strips.

Merchandise jackpot--A slot machine jackpot in the form of:

(i) A cash payout and a payout of merchandise or a thing of value.

(ii) An option to choose between a cash payout and a payout of merchandise or a thing of value.

Minimum payout percentage--The lowest aggregate awards expected to be paid out over one cycle of the game divided by the total number of combinations in the cycle of the game.

Modification--A change or alteration in a slot machine or associated equipment that affects the manner or mode of play or operation of the slot machine or associated equipment.

(i) The term includes a change to control or graphics programs and to the theoretical hold percentage.

(ii) In the case of slot machines, the term does not include:

(A) A conversion.

(B) Replacement of one approved component with an identical component.

(iii) In the case of a wide area progressive system, the term includes a change in:

(A) A system name or theme.

(B) The odds to win the progressive payout.

(C) The reset amount.

(D) The rate at which a progressive award increases.

(E) The wager necessary to win the progressive payout.

Paytable--A selectable part of a slot machine program that contains slot machine characteristics including, but not limited to, the theoretical payback percentage, reel strips and awards.

Player rating--A score or ranking assigned to a player based on an evaluation of the amount and frequency of play by the person.

Player rating system--A computerized system by which a player is assigned a score or ranking based upon an evaluation of the amount and frequency of play by the person.

Player tracking system--The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, authorize, report and audit data with regard to player activity generally or on an individual basis at slot machines.

Progressive awards--The award to be paid out when the event in the progressive game that triggered the award occurs.

Progressive controller--A program or computer system, other than an approved program that controls the operation of the slot machine, which controls, adjusts and displays the amount of the progressive jackpot.

Progressive payout--A slot machine payout that increases in a monetary amount based on the amounts wagered in a progressive system.

Progressive slot machine--A slot machine that offers a jackpot that may increase in value based upon the slot machine wagers placed.

Pseudo random number generator--Software or hardware, or both, that ensures the randomness of slot machine outcomes.

RAM--Random access memory.

RAM clear--A process initiated by a service technician that results in the zeroing out of any meter information, configuration information, or data stored in the slot machine's memory.

Randomness--The observed unpredictability and absence of pattern in a set of elements or events that have definite probabilities of occurrence.

Reel strips--Components of a slot machine which display symbols.

Related systems--Systems which interface with slot machines or slot monitoring systems.

Remote system access--Connectivity to casino systems from outside the slot machine licensee's network.

Reset amount--The award value that a progressive award will revert to after the progressive award is paid out.

Server supported slot system – One or more slot machines connected to a slot machine server and an associated computer network.

Skill--The application of intelligence and specific knowledge to achieve the best result when a slot machine offers a choice of options during game play.

Slot machine bill validator--A component, made up of software and hardware that accepts and reads instruments such as bills, vouchers and coupons, into gaming devices such as slot machines and automated gaming voucher and coupon redemption machines.

Slot machine server – A computer configured to receive, store, authenticate and download to slot machines, Board-approved slot machines game themes and other approved software.

Slot monitoring system--The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, authorize, report and audit data with regard to activity at slot machines, inclusive of slot machine meter readings, error conditions, slot machine security, accounting, player tracking and productivity analysis.

Slot operations department--The department that is responsible for all operations in any area of the licensed facility where slot machines are kept.

Slot system operator--The persons designated in a slot system agreement as being responsible for the operation and administration of a wide area progressive system.

Strategy choice--A particular play option on a slot machine that requires the use of skill to consistently achieve the best result.

Theme--A concept, subject matter and methodology of design of a slot machine.

Theoretical payout percentage--The aggregate awards expected to be paid out over one cycle of the game divided by the total number of combinations in the cycle of the game.

Trolley--A wheeled apparatus used for the secured transport of slot cash storage boxes and drop boxes.

Unredeemed gaming voucher -- A gaming voucher that has not been presented to a slot machine licensee for redemption or a gaming voucher that has been found and returned to a slot machine licensee.

Wager--Placing at risk in a slot machine a coin, bill, ticket, gaming voucher, coupon or similar object or, upon payment of any consideration, including the use of cashless funds transfer systems and external bonusing systems.

Wide area progressive system--Linked progressive slot machines which are located at two or more licensed facilities.

§ 461a.2. Protocol requirements.

In accordance with section 1324 of the act (relating to protocol information), manufacturer licensees, manufacturer designee licensees and supplier licensees shall be required to enable all slot machines to communicate with the Department's central control computer for the purpose of transmitting auditing program information and activating and disabling slot machines.

§ 461a.3. Testing and approval generally.

(a) In accordance with sections 1320 and 13A41 of the act (relating to slot machine testing and certification standards; and table game device and associated equipment testing and certification standards), slot machines, table game devices and associated equipment operated in this Commonwealth must be tested and approved in accordance with § 461a.4(g) (relating to submission for testing and approval).

(b) The general cost of establishment and operation of the Board's testing facility shall be paid by each manufacturer licensee and gaming related gaming service provider on a quarterly basis based upon each manufacturer's or gaming related gaming service provider's proportion of the total number of products reviewed.

(c) The Board will require payment of all costs for the testing and approval of slot machines, table game devices and associated equipment submitted by manufacturers or gaming related gaming service providers or installed at a licensed facility based on the actual direct costs incurred by the Board.

(d) The Board will require a manufacturer licensee or gaming related gaming service provider seeking approval of a slot machine, table game device or associated equipment to pay all costs of transportation, inspection and testing.

§ 461a.4. Submission for testing and approval.

(a) A slot machine, table game device or associated equipment identified in subsection (c) (collectively referred to as “products” or “equipment, device or software”), or a modification thereto, may not be offered for sale, lease or distribution for ultimate use by a slot machine licensee in this Commonwealth unless a prototype identical in all mechanical, electrical, electronic and other respects has been tested by the Bureau of Gaming Laboratory Operations and approved by the Board's Executive Director.

(b) When an applicant for, or holder of, a slot machine license develops software or a system that is functionally equivalent to any of the slot systems or table game systems enumerated in subsection (c), that software or system shall be subject to the testing and approval process of this subpart to the same extent as if the software or system were developed by an applicant for, or holder of, a manufacturer license. Any reference in this subpart to the responsibilities of a manufacturer applies to an applicant for, or holder of, a slot machine license developing software or systems subject to testing and approval under this subpart.

(c) For the purposes of this section, slot machines, table game devices and associated equipment that shall be submitted for testing and approval include:

(1) Slot machines, including bill validators and printers.

(2) Slot monitoring systems, to the extent the systems interface with slot machines and related systems.

(3) Casino management systems, to the extent the systems interface with slot machines and related systems.

(4) Player tracking systems, to the extent the systems interface with slot machines and related systems.

(5) Progressive systems, including wide area progressive systems.

(6) Gaming voucher systems.

(7) External bonusing systems.

(8) Cashless funds transfer systems.

(9) Machines performing gaming voucher, coupon or jackpot payout transactions.

(10) Coupon systems, to the extent the systems interface with slot machines and related systems.

(11) Other related systems.

(12) Table game devices including:

(i) Electronic gaming tables as described in § 605a.4 (relating to electronic gaming tables).

(ii) Fully automated electronic gaming tables as described in § 605a.5 (relating to fully automated electronic gaming tables).

(iii) Progressive table game systems as described in § 605a.7 (relating to progressive table games).

(iv) Automated card shuffling devices as described in § 603a.17 (relating to dealing shoes; automated card shuffling devices).

(v) Electronic dealing shoes as described in § 603a.17.

(vi) Electronic wagering systems as described in § 605a.2 (relating to electronic wagering systems).

(d) Slot machine prototypes, table game device prototypes and associated equipment prototypes, and modifications thereto, which are subject to testing and approval under this section will be evaluated by the Bureau of Gaming Laboratory Operations for overall operational integrity and compliance with the act, this subpart and technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site. In addition, with regard to any slot machine, fully automated electronic gaming table or modification thereto, the Bureau of Gaming Laboratory Operations will test for compatibility and compliance with the central control computer and protocol specifications approved by the Department including the ability to communicate with the central control computer for the purpose of transmitting auditing program information, real time information retrieval and activation and disabling of slot machines.

(e) The Bureau of Gaming Laboratory Operations may prescribe a standard product submission checklist, together with supplemental product specific submission checklists for completion by an applicant for, or holder of, a manufacturer license, to facilitate the examination and analysis of a prototype or modification.

(f) The Board may require the chief engineer of the applicant for, or holder of, a manufacturer license or the engineer in charge of the division of the manufacturer responsible for producing the product submitted to attest that the product was properly and completely tested by the manufacturer prior to its submission to the Bureau of Gaming Laboratory Operations.

(g) When an applicant for, or holder of, a manufacturer license seeks Board approval of a slot machine prototype, table game device prototype, as described in subsection (c)(12), associated equipment prototype, or any modification thereto, the manufacturer shall submit to the Bureau of Gaming Laboratory Operations the following:

(1) A prototype of the equipment, device or software accompanied by a written request for testing and approval. The manufacturer shall transport the equipment, device or software at its own expense and deliver it to the Bureau of Gaming Laboratory Operations in accordance with instructions provided.

(2) Certifications required under subsection (f) providing assurances from the manufacturer that the product was properly and completely tested and emulated by the manufacturer prior to its submission to the Bureau of Gaming Laboratory Operations and that the product, device or software complies with the act, this subpart and technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site, including applicable requirements related to the central control computer.

(3) An executed copy of a current product submission checklist, and any product specific supplemental submission checklists applicable to the submitted equipment, device or software.

(4) A complete, comprehensive and technically accurate description of the equipment, device or software, accompanied by applicable diagrams, schematics and specifications, together with documentation with regard to the manner in which the product was tested and emulated by the manufacturer prior to its submission to the Bureau of Gaming Laboratory Operations.

(5) Any hardware, software and other equipment, inclusive of technical support and maintenance applicable thereto, required by the Bureau of Gaming Laboratory Operations to conduct the testing and approval process contemplated by the act, this subpart and technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site. The testing equipment and services required by this paragraph shall be provided at no cost to the Board.

(6) In the case of a slot machine prototype or table game device prototype, the following additional information:

(i) A copy of all executable software, including data and graphics information, on electronically readable, unalterable media.

(ii) A copy of all source code for programs that cannot be reasonably demonstrated to have any use other than in a slot machine or electronic gaming table, on electronically readable, unalterable media.

(iii) A copy of all graphical images displayed on the slot machine or table game device, including reel strips, rules, instructions and paytables.

(iv) A mathematical explanation of the theoretical return to the player, listing all assumptions, all steps in the formula from the first principles through to the final results of all calculations including bonus pays and, when a game requires or permits player skill in the theoretical derivations of the payout return, the source of strategy.

(v) Hardware block diagrams of the major subsystems.

(vi) A complete set of schematics for all subsystems.

(vii) A wiring harness connection diagram.

(viii) A technical and an operator manual.

(ix) A description of security methodologies incorporated into the design of the slot machine table game device, including, when applicable, encryption methodology for all alterable media, auto-authentication of software and recovery capability of the slot machine or table game device for power interruption.

(x) For meters required by this subpart or technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site, a cross reference of product meters to the required meters, if necessary.

(xi) A description of tower light functions indicating the corresponding condition.

(xii) A description of error conditions and the corresponding action required by the operator.

(xiii) A description of the use and function of available dip switch settings or configurable options.

(xiv) A description of the pseudo random number generator or generators used to determine game outcome, including a detailed explanation of operational methodology, and a description of the manner by which the pseudo random number generator and random number selection process is impervious to outside influences, interference from electro-magnetic, electrostatic and radio frequencies, and influence from ancillary equipment by means of data communications. Test results in support of representations shall be submitted. For the purposes of this section, “game outcome” means the results of a wager.

(xv) Specialized hardware, software or testing equipment, inclusive of technical support and maintenance, needed to complete the evaluation, which may include an emulator for a specified microprocessor, PCs, extender cables for CPU boards, target reel strips and door defeats. The testing equipment and services required by this paragraph shall be provided at no cost to the Board.

(xvi) A compiler, or reasonable access to a compiler, for the purpose of building applicable code modules.

(xvii) Program storage media including EPROMs, EEPROMs and any type of alterable media for slot machine or table game device software.

(xviii) Technical specifications for any microprocessor or microcontroller.

(xix) A complete, comprehensive and technically accurate description of the manner in which the slot machine or fully automated electronic gaming table was tested for compatibility and compliance with the central control computer and protocol specifications approved by the Department including the ability to communicate with the central control computer for the purpose of transmitting auditing program information, real time information retrieval and activation and disabling of slot machines or fully automated electronic gaming tables.

(xx) Additional documentation requested by the Bureau of Gaming Laboratory Operations relating to the slot machine or table game device.

(7) In the case of a modification to a slot machine or table game device prototype, including a change in theme, the following additional information:

(i) A complete, comprehensive and technically accurate description of the proposed modification to the slot machine or table game device prototype, accompanied by applicable diagrams, schematics and specifications.

(ii) When a change in theme is involved, a copy of the graphical images displayed on the slot machine or table game device including reel strips, rules, instructions and paytables.

(iii) When a change in the manner in which the theoretical payout percentage is achieved is involved, a mathematical explanation of the theoretical return to the player, listing all assumptions, all steps in the formula from the first principles through to the final results of all calculations including bonus pays and, when a game requires or permits player skill in the theoretical derivations of the payout return, the source of strategy.

(iv) A complete, comprehensive and technically accurate description of the manner in which the slot machine or fully automated electronic gaming table was tested for compatibility and compliance with the central control computer and protocol specifications approved by the Department including the ability to communicate with the central control computer for the purpose of transmitting auditing program information, real time information retrieval and activation and disabling of slot machines or fully automated electronic gaming tables.

(v) Additional documentation requested by the Bureau of Gaming Laboratory Operations relating to the modification of the slot machine or table game device.

(8) In the case of a slot monitoring system, casino management system, player tracking system, wide area progressive system, gaming voucher system, external bonusing system, cashless funds transfer system, automated gaming voucher, coupon redemption or jackpot payout machine, coupon system, table game device or any other equipment or system required to be tested and approved under subsection (c):

(i) A technical and an operator manual.

(ii) A description of security methodologies incorporated into the design of the system to include, when applicable, password protection, encryption methodology and its application, auto-authentication, network redundancy, back-up and recovery procedures.

(iii) A complete schematic or network diagram of the system's major components accompanied by a description of each component's functionality and a software object report. The description must disclose the functions performed by each component.

(iv) A description of the data flow, in narrative and in schematic form, including specifics with regard to data cabling and, when appropriate, communications methodology for multisite applications.

(v) A list of computer operating systems and third party software incorporated into the system together with a description of their interoperability.

(vi) System software and hardware installation procedures.

(vii) A list of available system reports.

(viii) When applicable, features for each system which may include patron and employee card functions, promotions, reconciliation procedures and patron services.

(ix) A description of the interoperability testing including test results for each submitted system's connection to, as applicable, slot machines, voucher, coupon redemption and jackpot payout machines, computerized systems for counting money, vouchers and coupons. This list must identify the tested products by manufacturer, model and software identification and version number.

(x) A narrative describing the method used to authenticate software.

(xi) All source code.

(xii) A complete, comprehensive and accurate description, accompanied by applicable diagrams, schematics and specifications, of the creation of a voucher and the redemption options available.

(xiii) A complete, comprehensive and technically accurate description, accompanied by applicable diagrams, schematics and specifications, of the creation of a coupon and the redemption options available.

(xiv) Any specialized hardware, software or other equipment, inclusive of technical support and maintenance applicable thereto, required by the Bureau of Gaming Laboratory Operations to conduct the testing and approval process contemplated by the act, this subpart and technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site. The testing equipment and services required by this paragraph shall be provided at no cost to the Board.

(xv) Additional documentation requested by the Board related to the equipment or system being tested.

(9) In the case of a modification to any of the systems identified in paragraph (8), the following additional information:

(i) A complete, comprehensive and technically accurate description of the proposed modification to the system, accompanied by applicable diagrams, schematics and specifications.

(ii) A brief narrative disclosing the purpose for the modification.

(iii) Additional documentation requested by the Bureau of Gaming Laboratory Operations relating to the modification.

(10) In the case of gaming related services, as described in § 613a.1 (relating to definitions; general requirements), which are submitted by an applicant for or holder of a manufacturer license or gaming related gaming service provider certification:

(i) A mathematical explanation of the theoretical return to the player, listing all assumptions, all steps in the formula from the first principles through to the final results of all calculations including bonus pays and, when a game requires or permits player skill in the theoretical derivations of the payout return, the source of the strategy.

(ii) A detailed description of the gaming related service including the rules of play and wagering that would be used for the new table game or feature.

(iii) The true odds, the payout odds and the house advantage for each wager.

(iv) A sketch or picture of the game layout, if any.

(v) Sketches or pictures of the equipment used to play the game.

(h) At the conclusion of testing of a prototype or modification by the Bureau of Gaming Laboratory Operations, but prior to a decision to approve a prototype or modification, the Board's Executive Director may require a trial period of scope and duration as he deems appropriate to assess the operation of the prototype or modification in a live gaming environment. The conduct of the trial period shall be subject to compliance by the licensed manufacturer, licensed manufacturer designee, applicable licensed suppliers, gaming related gaming service provider and the slot machine licensee with specific terms and conditions as may be required by the Board's Executive Director, which may include development and implementation of product specific accounting and internal controls, periodic data reporting to the Board's Executive Director and compliance with technical standards on trial periods or the prototype or modification adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site. The Board's Executive Director may authorize the receipt of compensation by a licensed manufacturer, licensed manufacturer designee, licensed supplier or gaming related gaming service provider during the trial period. The Board's Executive Director may order termination of the trial period if it determines that the licensed manufacturer, licensed manufacturer designee, applicable licensed suppliers, gaming related gaming service provider or the slot machine licensee conducting the trial period has not complied with the terms and

conditions required by the Board's Executive Director or that the product is not performing as expected.

(i) At the conclusion of testing of a prototype or modification, the Bureau of Gaming Laboratory Operations will report to the Board's Executive Director the results of its testing. Upon receipt of the Bureau of Gaming Laboratory Operations' report, the Board's Executive Director will:

(1) Approve, approve with conditions or reject the submitted prototype or modification.

(2) Require additional testing or a trial period under subsection (h).

(j) The Board's Executive Director approval of a prototype or modification does not constitute a guarantee of the prototype's or modification's safety.

(k) A slot machine licensee is prohibited from installing in its licensed facility a slot machine, table game device or associated equipment, or modification thereto, that is required to be tested unless the equipment, device or software has been approved by the Board's Executive Director. A slot machine licensee may not modify, alter or tamper with an approved slot machine, table game device or associated equipment. A slot machine, table game device or associated equipment installed in a licensed facility in contravention of this requirement will be subject to seizure by the Board.

(l) Notwithstanding subsection (k), the Board's Executive Director may authorize installation of a modification to a slot machine prototype, table game device prototype or associated equipment prototype on an emergency basis to prevent cheating or malfunction, upon the written request of a licensed manufacturer. The request must expressly detail the name and employer of any persons to be involved in the installation of the modification and the manner in which it is to be effected. Within 15 days of receipt of any authorization to install an emergency modification, the manufacturer shall submit the modification for full testing and approval in accordance with this subpart.

(m) A slot machine licensee shall immediately notify the Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility of any known or suspected defect or malfunction in any slot machine, table game device or associated equipment installed in its licensed facility. The slot machine licensee shall comply with instructions issued by the Bureau of Gaming Laboratory Operations with regard to the continued operation of the slot machine, table game device or associated equipment.

(n) Concurrent with the initial receipt of slot machines, a slot machine license shall file a slot machine master list as required by § 463a.5 (relating to slot machine and fully automated electronic gaming table master lists).

(o) The testing of equipment, devices or software under this subpart may require the dismantling of the product and testing that may result in damage to, or destruction of, one or

more systems or components. Once submitted for testing, equipment, devices or software will not be returned to the manufacturer.

§ 461a.5. Slot machine conversions.

A slot machine licensee shall:

(1) Maintain complete and accurate records of all conversions.

(2) Give prior notice of a slot machine conversion to the Bureau of Gaming Laboratory Operations in writing.

(3) Notice the Department in accordance with § 463a.4 (relating to notice and connection to the central control computer system).

§ 461a.6. Revocations and additional conditions.

The Board may revoke the approval of or impose additional conditions on a slot machine prototype, associated equipment prototype, or modification thereto, if the equipment, device or software meets either of the following criteria:

(1) The equipment, device or software is not in compliance with the act, this subpart or technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(2) The slot machine, or modification thereto, is not compatible with, or compliant with the central control computer and protocol specifications approved by the Department or is unable to communicate with the central control computer for the purpose of transmitting auditing program information, real time information retrieval and activation and disabling of slot machines.

§ 461a.7. Slot machine minimum design standards.

(a) A slot machine may not be set to pay out less than the theoretical payout percentage, which may not be less than 85%, calculated using the lowest possible wager that could be played for any single play, or equal or exceed 100%, calculated using the highest eligible wager available. The theoretical payout percentage for the total value of slot machine wagers will be calculated using the following:

(1) The defined set of all symbols that will be displayed using spinning reels or video displays, or both.

(2) The finite set of all possible combinations which shall be known as the cycle of the game. All possible combinations in a slot machine cycle shall be independent of each other and of all possible combinations from cycles in other slot machines.

(3) The value of each winning combination that corresponds with the set from paragraph (2) which, whether by reason of skill or application of the element of chance or both, may deliver or entitle the person or persons playing the slot machine to a jackpot.

(4) A payout of merchandise or anything of value provided a cash equivalent award for the merchandise is offered. The value of the cash equivalent will contribute to the calculation of the theoretical payout percentage.

(5) A payout in the form of an annuity will contribute to the calculation of the theoretical payout percentage by dividing the initial or reset amount of the jackpot payout by the number of years over which the jackpot will be paid.

(6) The odds of any winning combination may not exceed 50 million to 1.

(b) The calculation of the theoretical payout percentage will not include:

(1) The amount of any progressive jackpot in excess of the initial or reset amount.

(2) A cash or noncash complimentary issued under § 465.8 (relating to complimentary services or items).

(c) A play offered by a slot machine may not have a theoretical payout percentage which is less than, when calculated to one hundredth of a percentage point, the theoretical payout percentage for any other play offered by that slot machine which is activated by a slot machine wager in a lesser amount than the slot machine wager required for that play. Notwithstanding the foregoing, the theoretical payout percentage of one or more particular plays may be less than the theoretical payout percentage of one or more plays which require a lesser wager provided that:

(1) The aggregate total of the decreases in the theoretical payout percentage for plays offered by the slot machine is not more than 1/2 of 1%.

(2) The theoretical payout percentage for every play offered by the slot machine is equal to or greater than the theoretical payout percentage for the play that requires the lowest possible wager that will activate the slot machine.

(d) The selection from the set of all possible combinations of symbols shall be made applying a pseudo random number generator. At a minimum, a pseudo random number generator must adhere to the following criteria:

(1) The random selection process must meet a 95% confidence interval.

(2) A random number generator must pass a standard chi-squared test for goodness of fit.

(3) Each possible slot machine combination which produces winning or losing slot machine outcomes must be available for random selection at the initiation of each play.

(4) A slot machine payout percentage that may be affected by reason of skill must meet the theoretical payout requirements of this subpart when evaluated by the Board using a method of play that will provide the greatest return to the player.

(5) Once a random selection process has occurred, the slot machine must:

(i) Display an accurate representation of the randomly selected outcome.

(ii) Not make a secondary decision which affects the result shown to the person playing the slot machine.

(e) A slot machine is prohibited from automatically altering any function of the slot machine based on internal computation of the hold percentage.

(f) The available winning combinations and applicable rules of play for a slot machine shall be available at all times the slot machine is idle to the patron playing the slot machine. The award schedule of available winning combinations may not include possible aggregate awards achievable from free plays. A slot machine that includes a strategy choice must provide mathematically sufficient information for a patron to use optimal skill. Information regarding a strategy choice need not be made available for any strategy decisions whenever the patron is not required, in addition to the initial wager, to make an additional wager and, when as a result of playing a strategy choice, the patron cannot lose any credits earned thus far during that game play.

(g) Slot machines approved for use in a licensed facility must be equipped with the following meters that comply with the technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website:

(1) *Coin in*. A meter that accumulates the total value of all wagers, whether the wager results from the insertion of currency, gaming vouchers, coupons, downloaded credits, credits won or any other means. This meter must:

(i) Not include subsequent wagers of intermediate winnings accumulated during game play sequence such as those acquired from “double up” games.

(ii) For multigame and multidenomination/multigame slot machines, monitor the information necessary, on a per paytable basis, to calculate a weighted average actual payout percentage.

(2) *Coin out*. A meter that accumulates the total value of all amounts directly paid by the slot machine as a result of winning wagers, whether the payout is made directly from the printer by issuance of a gaming voucher, directly to a credit meter or by any other means. This

meter may not record amounts awarded as the result of an external bonusing system or a progressive payout.

(3) *Attendant paid jackpots*. A meter that accumulates the total value of credits paid by an attendant resulting from a single winning alignment or combination, the amount of which is not capable of being paid by the slot machine itself. This meter may not record amounts awarded as the result of an external bonusing system or a progressive payout. This meter is to record only amounts specifically listed in the manufacturer's par sheet.

(4) *Attendant paid cancelled credits*. A meter that accumulates the total value of all amounts paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the slot machine.

(5) *Bill in*. A meter that accumulates the total value of currency accepted. The slot machine must also have a specific meter for each denomination of currency accepted that records the number of bills accepted for each denomination.

(6) *Voucher in--cashable/value*. A meter that accumulates the total value of cashable gaming vouchers accepted by the slot machine.

(7) *Voucher in--cashable/count*. A meter that accumulates the total number of cashable gaming vouchers accepted by a slot machine.

(8) *Voucher out--cashable/value*. A meter that accumulates the total value of cashable gaming vouchers issued by the slot machine.

(9) *Voucher out--cashable/count*. A meter that records the total number of cashable gaming vouchers issued by a slot machine.

(10) *Voucher out--noncashable/value*. A meter that accumulates the total value of noncashable gaming vouchers issued by the slot machine.

(11) *Voucher out--noncashable/count*. A meter that records the total number of noncashable gaming vouchers issued by the slot machine.

(12) *Cashable electronic in*. A meter that accumulates the total value of cashable credits electronically transferred to the slot machine by means of an external connection between the slot machine and a cashless funds transfer system.

(13) *Noncashable electronic in*. A meter that accumulates the total value of noncashable credits electronically transferred to the slot machine by means of an external connection between the slot machine and a cashless funds transfer system.

(14) *Coupon in--cashable/value*. A meter that accumulates the total value of cashable coupons accepted by the slot machine.

(15) *Coupon in--cashable/count*. A meter that accumulates the total number of cashable coupons accepted by the slot machine.

(16) *Coupon in--noncashable/value*. A meter that accumulates the total value of noncashable coupons accepted by the slot machine.

(17) *Coupon in--noncashable/count*. A meter that accumulates the total number of noncashable coupons accepted by the slot machine.

(18) *Slot machine paid external bonus payout*. A meter that accumulates the total value of additional amounts awarded as a result of an external bonusing system and paid by the slot machine.

(19) *Attendant paid external bonus payout*. A meter that accumulates the total value of additional amounts awarded as a result of an external bonusing system and paid by a slot attendant.

(20) *Slot machine paid progressive payout*. A meter that accumulates the total value of credits paid as a result of progressive awards paid directly by the slot machine. This meter may not record awards paid as a result of an external bonusing system.

(21) *Attendant paid progressive payout*. A meter that accumulates the total value of credits paid by a slot attendant as a result of progressive awards that are not capable of being paid by the slot machine. This meter may not include awards paid as a result of an external bonusing system.

(22) *Additional requirements*. Other meters required by technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(h) A slot machine that does not meter one or more of the events required to be metered under subsection (g) may be approved when a slot machine licensee's system of internal controls establishes that the meter is not required to capture all critical transactions occurring on the slot machine.

(i) The meters required under subsection (g) must continuously and automatically increment in units equal to the denomination of the slot machine or, in the case of a slot machine configured for multidenomination play, must display the required information in dollars and cents.

(j) A slot machine approved for use in a licensed facility must be equipped with the following noncumulative meters:

(1) *Credits wagered*. A meter, visible from the front exterior of a slot machine, known as a credit wagered meter that advises the patron of the total value of amounts wagered in a particular game or round of slot play.

(2) *Win meter*. A meter, visible from the front exterior of the slot machine, known as a win meter that advises the patron of the total value of amounts won in the immediately concluded game or round of slot play.

(3) *Credits paid*. A meter, visible from the front exterior of the slot machine, known as a credits paid meter that advises the patron of the total value of the last:

(i) Cash out initiated by the patron.

(ii) Attendant paid jackpot.

(iii) Attendant paid cancelled credit.

(4) *Credit meter*. A meter, visible from the front exterior of the slot machine and specifically labeled as a credit meter, which advises the patron as to the number of credits or monetary value available for wagering on the slot machine. The credit meter need not distinguish between cashable credits and noncashable credits.

(k) A slot machine must have a meter which stores the number of games played, in the manner and for a duration specified in this subpart or in technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website, since the following events:

(1) Power reset.

(2) Door close.

(3) Game initialization (random access memory (RAM) clear).

(l) A slot machine must be equipped with a device, mechanism or method for retaining the total value of all meters required under subsection (g) for 72 hours subsequent to a power loss.

(m) The required meters on a slot machine must be accessible and legible without access to the interior of the slot machine.

(n) A slot machine must be equipped with a tower light capable of effectively communicating the status of the slot machine in accordance with technical standards on tower lights and error conditions under § 461b.2 (relating to slot machine tower lights and error conditions).

(o) A slot machine must be equipped with a device, mechanism or method for detecting, displaying and communicating to a slot monitoring system error conditions. The error conditions detected, displayed and communicated by a slot machine, and the method to be utilized to clear the message with regard to the error condition, must be in accordance with technical standards on tower lights and error conditions under § 461b.2.

(p) A slot machine must, in accordance with section 1324 of the act (relating to protocol information), comply with the comprehensive protocol specifications necessary to enable the slot machine to communicate with the Department's central control computer as that protocol is amended or supplemented, for the purpose of transmitting auditing program information, real time information retrieval and slot machine activation and disabling.

(q) A slot machine must lock up and preclude further play whenever a jackpot occurs that is not able to be paid completely by the slot machine and requires a hand pay. When the jackpot occurs, the slot machine can offer a predetermined number of double-up wagers before the slot machine locks up.

(r) Printers incorporated into a slot machine must be:

(1) Designed to allow the slot machine to detect and report a low paper level, paper out, presentation error, printer failure and paper jams.

(2) Mounted inside a lockable compartment within the slot machine.

(s) Seating made available by a slot machine licensee for use during slot play may be fixed and stationary or nonfixed. When fixed and stationary seating is used, it must be installed in a manner that effectively precludes its ready removal by a patron but permits controlled removal, for example for American With Disabilities Act of 1990 (ADA) (42 U.S.C.A. §§ 12101--12213) purposes, by slot operations department personnel. When nonfixed seating is used, the slot machine licensee shall:

(1) Maintain a minimum aisle width of 48 inches, measured from the seat back to seat back when the nonfixed seating is vacant and is touching or is as close as possible to the slot machine at which the nonfixed seating is being used.

(2) Provide to the Bureau of Gaming Operations copies of a certification obtained from the local building code or fire safety officials or a certification from an architect registered in this Commonwealth that the use of the nonfixed seating complies with all applicable building and fire safety code requirements.

(t) Unless a slot machine licensee's slot monitoring system is configured to automatically record all of the information required by this subsection, the slot machine licensee shall be required to physically house in each slot machine the following entry authorization logs:

(1) A machine entry authorization log that documents each time a slot machine or any device connected thereto which may affect the operation of the slot machine is opened. The log must contain, at a minimum, the date, time, purpose for opening the slot machine or device and the signature and license or permit number of the person opening and entering the slot machine or device. Each log must have recorded thereon a sequence number and the manufacturer's serial number or the asset number corresponding to the slot machine in which it is housed.

(2) A progressive entry authorization log that documents each time a progressive controller not housed within the cabinet of the slot machine is opened. The log must contain, at a minimum, the date, time, purpose for accessing the progressive controller and the signature and license or permit number of the person accessing the progressive controller. Each log must be maintained in the progressive controller unit and have recorded thereon a sequence number and the manufacturer's serial number of the progressive controller.

(u) A slot machine must be equipped with a lock controlling access to the card cage door securing the microprocessor, the key to which must be different from any other key securing access to the slot machine's components including its belly door or main door, bill validator or slot cash storage box. Access to the key securing the microprocessor shall be limited to a supervisor in the slot operations department and that department shall establish a sign out and sign in procedure with regard to this key.

(v) A slot machine must be equipped with a mechanism for detecting and communicating to a slot monitoring system any activity with regard to access to the card cage door securing its microprocessor.

(w) A slot machine that does not require a full-time attendant for operation must be equipped with a service button designed to allow the player of a slot machine to request assistance. The service button must:

(1) Be visible to and within easy reach of the player of the slot machine.

(2) Communicate directly or through the slot machine to the slot machine’s tower light which will provide a signal that is in compliance with the technical standards on slot machine tower lights under § 461b.2 (relating to slot machine tower lights and error conditions).

(x) A slot machine approved for use in a licensed facility must be configured to wager credits available for play in the following order:

(1) Noncashable credits.

(2) Cashable credits.

(y) A slot machine on the gaming floor must have a label on the top of the slot machine and on the front of the slot machine near the bill validator that displays the asset number and the gaming floor plan location number of the slot machine. The labels must have white lettering on a black background or other color combination approved by the Bureau of Gaming Operations may not be easily removed and must be easily visible to the surveillance department. The label on the top of the slot machine must be at least 1.5 inches by 5.5 inches and the label on the front of the slot machine must be a least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

§ 461a.8. Gaming vouchers.

(a) A slot machine licensee may utilize gaming vouchers and a gaming voucher system that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) The design specifications for a gaming voucher, the voucher verification methodologies utilized and any limitation on the value of a gaming voucher must be in compliance with technical standards on gaming vouchers under § 461b.3 (relating to gaming vouchers).

(c) The design specifications for a gaming voucher system must be in compliance with technical standards on gaming voucher systems under § 461b.3.

(d) Prior to issuing a gaming voucher, a slot machine licensee shall establish a system of internal controls for the issuance and redemption of gaming vouchers. The internal controls shall be submitted and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols) and address:

(1) Procedures for assigning a slot machine's asset number and identifying other redemption locations in the system, and enabling and disabling voucher capabilities for slot machines and redemption locations.

(2) Procedures for issuance, modification and termination of a unique system account for each user in accordance with technical standards under § 461b.3.

(3) Procedures used to configure and maintain user passwords in accordance with technical standards under § 461b.3.

(4) Procedures for restricting special rights and privileges, such as administrator and override capabilities, in accordance with technical standards under § 461b.3.

(5) The duties and responsibilities of the information technology, internal audit, slot operations and finance departments, respectively, and the level of access for each position with regard to the gaming voucher system.

(6) A description of physical controls on all critical hardware such as locks and surveillance, including the location and security protocols applicable to each piece of equipment.

(7) Procedures for the backup and timely recovery of critical data in accordance with technical standards under § 461b.3.

(8) Logs used to document and maintain the details of Board-approved hardware and software modifications upon implementation.

(9) Procedures for the payment of the value of unredeemed gaming vouchers, which individually or in the aggregate equal $25 or more, to a patron whose identity can be determined by the slot machine licensee using the slot machine licensee's player tracking system.

(10) Procedures for the retention, tracking and payment of the value of unredeemed gaming vouchers to the State Treasurer as required by Article XIII.1 of The Fiscal Code (72 P. S. §§ 1301.1—1301.28a) regarding the disposition of abandoned and unclaimed property.

(e) The system of internal controls required to be submitted and approved by the Board under subsection (d) must also include the procedures to be applied in the following instances:

(1) The slot machine licensee chooses to pay a patron the value of a gaming voucher notwithstanding the fact that the gaming voucher system is inoperable rendering it unable to determine the validity of the gaming voucher at the time of payment.

(2) The slot machine licensee chooses to pay a patron the value of a gaming voucher notwithstanding the fact that the gaming voucher system failed to verify and electronically cancel the gaming voucher when it was scanned.

(f) At the end of each gaming day, the gaming voucher system must generate reports and the reports must be provided to the finance department, either directly by the system or through the information technology department. The report, at a minimum, must contain the following information:

(1) A report of all gaming vouchers that have been issued which includes the asset number and the serial number of the slot machine, and the value, date and time of issuance of each gaming voucher.

(2) A report of all gaming vouchers that have been redeemed and cancelled by redemption location, including the asset number of the slot machine or location if other than a slot machine, the serial number, the value, date and time of redemption for each voucher, the total value of all gaming vouchers redeemed at slot machines, and the total value of all gaming vouchers redeemed at locations other than slot machines.

(3) The unredeemed liability for gaming vouchers.

(4) The readings on gaming voucher related slot machine meters and a comparison of the readings to the number and value of issued and redeemed gaming vouchers, as applicable.

(5) Exception reports and audit logs.

(g) A slot machine licensee shall immediately report to the Board evidence that a gaming voucher has been counterfeited, tampered with, or altered in any way which would affect the integrity, fairness, reliability or suitability of the gaming voucher.

(h) Upon presentation of a gaming voucher for redemption at a slot machine, the total value of which gaming voucher cannot be completely converted into an equivalent value of

credits that match the denomination of the slot machine, the slot machine must perform one of the following procedures:

(1) Automatically issue a new gaming voucher containing the value that cannot be completely converted.

(2) Not redeem the gaming voucher and immediately return the gaming voucher to the patron.

(3) Allow for the additional accumulation of credits on an odd cents meter or a meter that displays the value in dollars and cents.

(i) A slot machine licensee that utilizes a system or a slot machine that does not print a test gaming voucher that is visually distinguishable from a valid gaming voucher whenever the slot machine is tested on the gaming floor must have in place internal controls approved by the Board under § 465a.2 for the issuance of test currency from the cashiers' cage and the return and reconciliation of the test currency and any gaming vouchers printed during the testing process.

(j) Except as provided in subsection (n) with regard to employee redemption of gaming vouchers, a gaming voucher shall be redeemed by a patron for a specific value of cash, slot machine credits, or, at the request of the patron, a check issued by the slot machine licensee in the amount of the gaming voucher surrendered. Notwithstanding the forgoing, a slot machine licensee may not permit a gaming voucher that is presented for redemption to be redeemed if it knows, or has reason to know, that the gaming voucher:

(1) Is materially different from the sample of the gaming voucher approved by the Board.

(2) Was previously redeemed.

(3) Was printed as a test gaming voucher.

(k) Notwithstanding the requirements of subsection (j), if a patron requests to redeem a gaming voucher by mail, the slot machine licensee may effectuate the redemption. However, the gaming voucher may only be redeemed by a cage supervisor in accordance with internal controls approved by the Board under § 465a.2, which include the following:

(1) Procedures for using the gaming voucher system to verify the validity of the serial number and value of the voucher, which, if valid, must be immediately cancelled electronically by the system.

(2) Procedures for the issuance of a check equal to the value of the voucher.

(l) Gaming vouchers redeemed at cashiering locations shall be transferred to the finance department on a daily basis. Gaming vouchers redeemed by slot machines shall be counted in the count room and forwarded to the finance department upon the conclusion of the count process.

Gaming vouchers redeemed at automated gaming voucher redemption machines shall be forwarded to finance upon the conclusion of the cashiers' cage reconciliation process. Finance department representatives with no incompatible functions shall perform, at a minimum, the following:

(1) On a daily basis:

(i) Compare gaming voucher system report data to any count room system report data available for that gaming day to ensure proper electronic cancellation of the gaming voucher.

(ii) Calculate the unredeemed liability for gaming vouchers, either manually or by means of the gaming voucher system.

(2) On a weekly basis, compare appropriate slot machine meter readings to the number and value of issued and redeemed gaming vouchers per the gaming voucher system. Meter readings obtained through a slot monitoring system may be utilized to complete this comparison.

(m) A slot machine licensee shall provide written notice to the Bureau of Gaming Laboratory Operations of any adjustment to the value of any gaming voucher. The notice shall be made prior to, or concurrent with, the adjustment.

(n) Employees of a slot machine licensee who are authorized to receive gratuities under § 465a.19 (relating to acceptance of tips or gratuities from patrons) may only redeem gaming vouchers given as gratuities at a cashiers' cage. Gaming vouchers valued at more than $100 shall only be redeemed at the cashiers' cage with the approval of the supervisor of the cashier conducting the redemption transaction.

(o) A gaming voucher system must be configured to alert a slot machine licensee to any malfunction. Following a malfunction of a system, a slot machine licensee shall notify the Bureau of Gaming Laboratory Operations and the casino compliance representatives at the licensed facility within 24 hours of the malfunction and may not utilize the system until the malfunction has been successfully eliminated. Notwithstanding the foregoing, the Bureau of Gaming Laboratory Operations may permit a slot machine licensee to utilize the system prior to its being successfully restored, for a period not to exceed 72 hours, provided that:

(1) The malfunction is limited to a single storage media device, such as a hard disk drive.

(2) In addition to the malfunctioning storage media device, the system contains a backup storage media device not utilized in the normal operation of the system. The backup device must immediately and automatically replace the malfunctioning device to permit a complete and prompt recovery of all information in the event of an additional malfunction.

(3) Continued use of the malfunctioning system would not inhibit the ability to perform a complete and prompt recovery of all information, and would not otherwise harm or affect the normal operation of the system.

(p) Other than a modification to a gaming voucher system required on an emergency basis to prevent cheating or malfunction and approved by the Board under § 461a.4(m), a modification to a gaming voucher system may not be installed without the gaming voucher system having undergone the testing and approval process required under § 461a.4.

§ 461a.9. Coupons utilized in slot machine gaming.

(a) A slot machine licensee may utilize coupons and a coupon system that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval) and complies with technical standards on coupon systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(b) The design specifications for a coupon, the expiration terms applicable thereto, the coupon verification methodologies utilized, and any limitation on the value of a coupon must be in compliance with technical standards on coupons adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(c) A coupon shall be designed and manufactured with sufficient graphics or other security measures, to permit the proper verification of the coupon. A coupon must contain, at a minimum, the following information:

(1) The name or trade name of the slot machine licensee. If the slot machine licensee is affiliated with a casino licensee in any other jurisdiction with an identical or similar name or trade name, the name of the Pennsylvania location must be evident on the coupon.

(2) The value of the coupon, in both numbers and words.

(3) A unique serial number, which is automatically generated by the system in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(4) The locations where the coupon may be redeemed and restrictions regarding redemption.

(5) An indication of the date on which the coupon becomes invalid.

(6) A bar code or magnetic strip which enables the coupon system to establish the validity of the coupon and its value in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(d) Prior to issuing a coupon, a slot machine licensee shall establish a system of internal controls for the issuance and redemption of coupons. The internal controls shall be submitted to, and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

§ 461a.10. Automated gaming voucher and coupon redemption machines.

(a) A slot machine licensee may utilize an automated gaming voucher and coupon redemption machine that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) Automated gaming voucher and coupon redemption machines may be located on or proximate to the gaming floor of a licensed facility and must be subject to surveillance coverage under § 465a.9 (relating to surveillance system; surveillance department control; surveillance department restrictions). Each automated gaming voucher and coupon redemption machine must have a label on the top of the automated gaming voucher and coupon redemption machine and on the front of the automated gaming voucher and coupon redemption that displays the asset number of the automated gaming voucher and coupon redemption machine. The labels must have white lettering on a black background or other color combination approved by the Bureau of Gaming Operations and may not be easily removed. The label on the top of the automated gaming voucher and redemption machine must be at least 1.5 inches by 5.5 inches and the label on the front of the automated gaming voucher and coupon redemption machine must be at least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

(c) An automated gaming voucher and coupon redemption machine must have the capability of establishing the validity of a gaming voucher or coupon by comparing the instrument's unique serial number, automatically generated by the respective gaming voucher or coupon system in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website with electronic records within the gaming voucher system or coupon system.

(d) The methods utilized to comply with the requirements of subsection (c) shall be submitted to and approved by the Board under § 461a.4 in the context of the testing of a gaming voucher system or coupon system.

(e) An automated gaming voucher and coupon redemption machine may function as a bill breaker changing bills of one denomination into bills of a smaller denomination.

(f) An automated gaming voucher and coupon redemption machine must contain a lockable gaming voucher, coupon and currency storage box which retains any gaming vouchers, coupons or currency accepted by the machine. The gaming voucher, coupon and currency storage box located inside the machine must also have imprinted, affixed or impressed thereon the asset identification number of the corresponding machine.

(g) An automated gaming voucher and coupon redemption machine must have, at a minimum, the following:

(1) One lock securing the compartment housing the storage box and one lock securing the storage box within the compartment, the keys to which must be different from each other.

(2) One lock securing the compartment housing the currency cassettes.

(3) One lock securing the contents of the storage box, the key to which must be different from the keys referenced in paragraphs (1) and (2).

(h) An automated gaming voucher and coupon redemption machine must be designed to resist forced illegal entry.

(i) An automated gaming voucher and coupon redemption machine's currency cassettes must be designed to preclude access to its interior.

(j) Access controls relating to the operating system or applications of the automated gaming voucher and coupon redemption machine, and ancillary systems, applications and equipment associated with the reconciliation thereof, must employ security measures that require authentication of the user and recording and maintaining of data regarding access and modifications made. Authentication must be in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(k) A gaming voucher or coupon accepted by an automated gaming voucher and coupon redemption machine shall be cancelled immediately upon exchange in a manner that effectively prevents its subsequent redemption by the cashiers' cage, another automated gaming voucher and coupon redemption machine or its acceptance in a slot machine bill validator. The methods utilized to comply with this requirement must be in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(l) An automated gaming voucher and coupon redemption machine must be designed to be impervious to outside influences, interference from electro-magnetic, electro-static and radio frequencies and influence from ancillary equipment.

(m) An automated gaming voucher and coupon redemption machine must include a means to protect against transaction failure and data loss due to power loss.

(n) An automated gaming voucher and coupon redemption machine must detect, display and record electronically the following error conditions: power reset; door open; door just closed and system communication loss. These error conditions may be automatically cleared by the automated gaming voucher and coupon redemption machine when the condition no longer exists and upon completion of a new transaction.

(o) An automated gaming voucher and coupon redemption machine must detect, display and record electronically the error conditions in paragraphs (1)--(4). These error conditions must

disable the automated gaming voucher and coupon redemption machine and prohibit new transactions.

(1) Failure to make payment, if the gaming voucher or coupon is not returned and no receipt is issued.

(2) Failure to make complete payment if a receipt for the unpaid amount is not issued.

(3) Bill validator failure.

(4) Printer failure due to printer jam or lack of paper.

(p) An automated gaming voucher and coupon redemption machine must be designed to evaluate whether sufficient funds are available before stacking the voucher and completing the transaction.

(q) An automated gaming voucher and coupon redemption machine must be capable of maintaining synchronization between its real time clock and that of the gaming voucher system and coupon system.

(r) An automated gaming voucher and coupon redemption machine must be equipped with electronic digital storage meters that accumulate the following information. The information must be readily available through system reports. When a value is maintained, the value must be in dollars and cents.

(1) *Physical coin out*. The total value, by denomination, of coins paid by the automated gaming voucher and coupon redemption machine.

(2) *Voucher in--value*. The value of cashable gaming vouchers accepted.

(3) *Voucher in--count*. The number of cashable gaming vouchers accepted.

(4) *Coupon in--value*. The value of cashable coupons accepted.

(5) *Coupon in--count*. The number of cashable coupons accepted.

(6) *Bill in*. The value of currency accepted by the automated gaming voucher and coupon redemption machine. An automated gaming voucher and coupon redemption machine must also have specific meters for each denomination of currency accepted that records the number of bills accepted.

(7) *Bill out*. The total value of currency dispensed. An automated gaming voucher and coupon redemption machine must also provide for specific meters for each denomination of currency dispensed that record the number of bills dispensed.

(8) *Additional requirements*. Other meters as may be required by technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(s) An automated gaming voucher and coupon redemption machine must have the capacity to record and retain, in an automated transaction log, all critical transaction history for at least 30 days. Transaction history must include records with the date, time, amount and disposition of each complete and incomplete transaction, error conditions, logical and physical access and attempted access to the automated gaming voucher and coupon redemption machine. If an automated gaming voucher and coupon redemption machine is capable of redeeming multiple vouchers and coupons in a single transaction, the transaction history must include a breakdown of the transaction with regard to the individual gaming vouchers and coupons.

(t) An automated gaming voucher and coupon redemption machine or ancillary systems, applications and equipment associated with the reconciliation thereof, must be capable of producing the following reports upon request:

(1) *Gaming voucher transaction report*. The report must include the disposition (paid, partial pay, unpaid) of gaming vouchers accepted by an automated gaming voucher and coupon redemption machine which must include the validation number, the date and time of redemption, amount requested and the amount dispensed. This information must be available by reconciliation period which may be by day, shift or drop cycle.

(2) *Coupon transaction report*. This report must include the disposition (paid, partial pay, unpaid) of coupons accepted by an automated gaming voucher and coupon redemption machine which must include the unique serial number, the date and time of redemption, amount requested and the amount dispensed. The information must be available by reconciliation period which may be by day, shift or drop cycle.

(3) *Reconciliation report*. The report must include the following:

(i) Report date and time.

(ii) Unique asset identification number of the machine.

(iii) Total cash balance of the currency cassettes.

(iv) Total count of currency accepted by denomination.

(v) Total dollar amount of vouchers accepted.

(vi) Total count of gaming vouchers accepted.

(vii) Total dollar amount of coupons accepted.

(viii) Total count of coupons accepted.

(4) *Gaming voucher, coupon and currency storage box report*. The report must be generated, at a minimum, whenever a gaming voucher, coupon and currency storage box is removed from an automated gaming voucher and coupon redemption machine. The report must include the following:

(i) Report date and time.

(ii) Unique asset identification number of the machine.

(iii) Unique identification number for each storage box in the machine.

(iv) Total value of currency accepted.

(v) Total number of bills accepted by denomination.

(vi) Total count of gaming vouchers accepted.

(vii) Total count of coupons accepted.

(5) *Transaction report*. The report must include all critical patron transaction history including the date, time, amount and disposition of each complete and incomplete transaction. If an automated gaming voucher and coupon redemption machine is capable of redeeming multiple vouchers or coupons in a single transaction, the transaction history must include a breakdown of the transaction with regard to the individual gaming vouchers and coupons accepted.

§ 461a.11. (Reserved).

§ 461a.12. Progressive slot machines.

(a) A progressive slot machine may stand alone or be linked with other progressive slot machines.

(b) Each slot machine that offers a progressive jackpot must have:

(1) A progressive meter, visible from the front of the slot machine, which may increase in value based upon wagers, that advises the player of the amount which can be won if the player receives the combination on the slot machine that awards the progressive jackpot.

(2) A slot machine paid progressive payout meter in accordance with § 461a.7(g) (relating to slot machine minimum design standards).

(3) A slot attendant paid progressive payout meter in accordance with § 461a.7(g).

(4) A cumulative progressive payout meter that continuously and automatically records the total value of progressive jackpots paid directly by the slot machine or by a slot attendant.

(5) A key and key switch or other reset mechanism to reset the progressive meter or meters.

(6) A key locking the compartment housing the progressive meter or meters or other means by which to preclude any unauthorized alterations to the progressive meters. The key or alternative security method must be different than the key or reset mechanism in paragraph (5).

(7) If the progressive controller is not secured in a slot machine, the progressive controller:

(i) Must be maintained in a secure area approved by the Bureau of Gaming Laboratory Operations.

(ii) Must be dual key controlled with one key controlled by the slot operations department and the other key controlled by a different designated department with no incompatible functions, as specified in the licensee's internal controls.

(iii) May not be accessed until the Bureau of Gaming Laboratory Operations is electronically notified.

(c) In addition to the requirements in subsection (b), a slot machine that is connected to a common progressive meter for the purpose of offering the same progressive jackpot on two or more slot machines must:

(1) Have the same probability of hitting the combination that will award the progressive jackpot as every other slot machine linked to the common progressive meter.

(2) Require that the same amount in wager be invested to entitle the player to a chance at winning the progressive jackpot and that each increase in wager increment the progressive meter by the same rate of progression as every other slot machine linked to the common progressive meter.

(d) Notwithstanding the provisions of subsection (c), two or more linked slot machines offering the same progressive jackpot may be of different denominations or have different wagers, or both, required to win the progressive jackpot, provided that:

(1) The probability of winning the progressive jackpot is directly proportional to the wager required to win that jackpot.

(2) Notice indicating the proportional probability of hitting the progressive jackpot on the linked progressive system is conspicuously displayed on each linked slot machine.

(e) A slot machine licensee seeking to utilize a linked slot machine shall submit for approval in accordance with § 461a.4 (relating to submission for testing and approval) the location and manner of installing any progressive meter display mechanism.

(f) A slot machine that offers a progressive jackpot may not be placed on the gaming floor until the slot machine licensee or, as applicable, the slot system operator, has submitted the following to the Bureau of Gaming Laboratory Operations for review and approval in accordance with § 461a.4:

(1) The initial and reset amounts at which the progressive meter or meters will be set.

(2) The proposed system for controlling the keys and applicable logical access controls to the slot machines.

(3) The proposed rate of progression for each progressive jackpot.

(4) The proposed limit for the progressive jackpot, if any.

(5) The calculated probability of winning each progressive jackpot. The probability may not exceed 50 million to 1. Notwithstanding the foregoing, this paragraph does not apply to a jackpot with a probability that may exceed 50 million to 1 during the game cycle due solely to the intervening occurrence of free play awards between the activation of a play and the award of the jackpot.

(g) A slot machine that offers either a new progressive jackpot or undergoes a modification or RAM clear of an existing progressive jackpot may not be made available for play by the public until the slot machine has been tested and certified by the Bureau of Gaming Laboratory Operations. For purposes of this subsection, a modification includes any change in the software, hardware, including controllers, and any associated equipment that relates to progressive functionality.

(h) Progressive jackpot meters may not be turned back to a lesser amount unless one of the following occurs:

(1) The amount indicated has been actually paid to a winning patron and the progressive jackpot amount has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).

(2) With written approval, the progressive jackpot has been transferred to another progressive slot machine or wide area progressive system in accordance with subsection (k)(4).

(3) The change is necessitated by a slot machine or meter malfunction. An explanation for the change shall be entered on the progressive slot summary required under this subpart and the Bureau of Gaming Laboratory Operations shall be notified of the resetting in writing.

(i) Once an amount appears on a progressive meter, the probability of hitting the combination that will award the progressive jackpot may not be decreased unless the progressive jackpot has been won by a patron, has been transferred to another progressive slot machine or wide area progressive system or has been removed in accordance with subsection (k).

(j) When a slot machine has a progressive meter with digital limitations on the meter, the slot machine licensee shall set a limit on the progressive jackpot not to exceed the display capability of the progressive meter.

(k) A slot machine licensee or, as applicable, a slot system operator, may limit, transfer or terminate a progressive jackpot offered on a gaming floor only under the following circumstances:

(1) A slot machine licensee may establish a payout limit for a progressive jackpot provided that the payout limit is greater than the then current payout amount on the progressive jackpot meter. The slot machine licensee shall provide notice to and receive written approval from the Bureau of Gaming Laboratory Operations prior to the imposition of a payout limit on a progressive meter or a modification thereto.

(2) A slot machine licensee may terminate a progressive jackpot concurrent with the winning of the progressive jackpot provided its slot machine program or progressive controller was configured prior to the winning of the progressive jackpot to establish a fixed reset amount with no progressive increment.

(3) A slot machine licensee may immediately and permanently remove one or more linked slot machines from a gaming floor, provided that:

(i) When the slot machine is part of a wide area progressive system offered at multiple licensed facilities, the slot machine licensee retains at least one linked slot machine offering the same progressive jackpot on its gaming floor.

(ii) When the progressive jackpot is only offered in a single licensed facility, at least two linked slot machines offering the same progressive jackpot remain on the gaming floor.

(4) A slot machine licensee may transfer a progressive jackpot amount on a stand alone slot machine or the common progressive jackpot on an entire link of slot machines with a common progressive meter, including a wide area progressive system, from a gaming floor provided the slot machine licensee receives written approval from the Bureau of Gaming Laboratory Operations prior to the transfer and the accrued amount minus the seed amount of the progressive jackpot is:

(i) Transferred in its entirety.

(ii) Transferred to one of the following:

(A) The progressive meter for a slot machine or wide area progressive system with the same or similar probability of winning the progressive jackpot, the same or lower wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot).

(B) The progressive meters of two separate slot machines or wide area progressive systems, provided that each slot machine or wide area progressive system to which the jackpot is transferred individually satisfies the requirements of clause (A).

(iii) Notice of intent to transfer the progressive jackpot is conspicuously displayed on the front of each slot machine for at least 30 days.

(5) If a transfer cannot be made in accordance with subsection (k)(4) or with good cause shown, a slot machine licensee may remove progressive functionality, change the game theme or permanently remove a stand alone progressive slot machine, an entire link of slot machines with a common progressive jackpot or an entire wide area progressive system from a gaming floor, provided:

(i) Notice of intent to remove the progressive slot machines or wide area progressive systems is conspicuously displayed on the front of each slot machine for at least 30 days.

(ii) Prior to posting the notice of intent required under subsection (k)(5)(i), the slot machine licensee receives written approval from the Bureau of Gaming Laboratory Operations to remove the progressive slot machines or wide area progressive systems.

(l) Progressive slot machines and wide area progressive systems removed from the gaming floor in accordance with subsection (k)(5) may not be returned to the gaming floor for 90 days.

(m) The amount indicated on the progressive meter or meters and coin in meter on each slot machine governed by subsection (b) shall be recorded on a progressive slot summary report at least once every 7 calendar days and each report shall be signed by the preparer. If not prepared by the finance department, the progressive slot summary report shall be forwarded to the finance department by the end of the gaming day on which it is prepared. A representative of the finance department shall be responsible for calculating the correct amount that should appear on a progressive meter. If an adjustment to the progressive meters is necessary, the adjustment shall be made by a member of the slot operations department as follows:

(1) Supporting documentation shall be maintained to explain any addition or reduction in the registered amount on the progressive meter. The documentation must include the date, asset number of the slot machine, the amount of the adjustment and the signatures of the finance department member requesting the adjustment and of the slot operations department member making the adjustment.

(2) The adjustment must be effectuated within 48 hours of the meter reading.

(n) Except as otherwise authorized by this section, a slot machine offering a progressive jackpot that is temporarily removed from the gaming floor shall be returned to active play or replaced on the gaming floor within 5 gaming days. The amount on the progressive meter or meters on the returned or replacement slot machine may not be less than the amount on the progressive meter or meters at the time of removal. This subsection does not apply to the temporary removal by a slot machine licensee, for a period not to exceed 30 days, of all linked slot machines that are part of a particular wide area progressive system, provided that the progressive jackpot offered by the temporarily removed slot machines remains available on slot machines that are part of the same wide area progressive system in another licensed facility.

(o) When a slot machine is located adjacent to a slot machine offering a progressive jackpot, the slot machine licensee shall conspicuously display a notice advising patrons that the slot machine is not participating in the progressive jackpot of the adjacent slot machine.

§ 461a.13. Wide area progressive systems.

(a) Two or more slot machine licensees may, with the prior written approval of the Board as required under subsection (c), operate a wide area progressive system.

(b) A wide area progressive system shall at all times be installed and operated in accordance with relevant requirements of the act, this subpart and technical standards on wide area progressive systems under § 461b.4 (relating to wide area progressive systems).

(c) A wide area progressive system shall be operated and administered by participating slot machine licensees in accordance with the terms and conditions of a written agreement executed by the participating slot machine licensees. The agreement shall be referred to as a slot system agreement. Slot system agreements must be submitted in writing and approved by the Board prior to implementation and comply with the act, this subpart and technical standards on wide area progressive systems under § 461b.4.

(d) Slot machine licensees participating in a slot system agreement may delegate, in whole or in part, the operation and administration of a wide area progressive system to a licensed manufacturer provided that the slot system agreement is executed by the licensed manufacturer and its express terms are approved by the Board. The persons designated in a slot system agreement as being responsible for the operation and administration of a wide area progressive system shall be referred to as the slot system operator.

(e) An agreement between a licensed manufacturer and a slot machine licensee under which a licensed manufacturer sells, leases or services a wide area progressive system will not constitute a slot service agreement unless the agreement also covers operation and administration of the wide area progressive system.

(f) Slot system agreements must address:

(1) Details with regard to the terms of compensation for the slot system operator. In specific, the agreement must address to what extent, if any, the slot system operator is receiving compensation based, directly or indirectly, on an interest, percentage or share of a slot machine licensee's revenue, profits or earnings from the operation of the wide area progressive system.

(2) Responsibility for the funding and payment of all jackpots, fees and gross terminal revenue taxes associated with the operation of the wide area progressive system.

(3) Control and operation of the computer monitoring room required under subsection (g).

(4) Other requirements in the technical standards on wide area progressive systems under § 461b.4.

(g) A wide area progressive system shall be controlled and operated from a computer monitoring room. The computer monitoring room must:

(1) Be under the sole possession and control of, and maintained and operated by, employees of the slot system operator designated in the slot system agreement for that system. The employees of the slot system operator may be required to obtain a license or permit if the Board determines, after a review of the work being performed, the employees require a license or permit for the protection of the integrity of gaming.

(2) Have its monitoring equipment subjected to surveillance coverage either by the surveillance system of a slot machine licensee participating in the slot system agreement or by a dedicated surveillance system maintained by the slot system operator. Surveillance coverage must be in accordance with technical standards under § 461b.4.

(3) Be accessible through a locked door. The door must be alarmed in a manner that audibly signals the surveillance monitoring room for the surveillance system elected under paragraph (2).

(4) Have a computer monitoring room entry log. The log must be:

(i) Kept in the computer monitoring room.

(ii) Maintained in a book with bound numbered pages that cannot be readily removed.

(iii) Signed by each person entering the computer monitoring room who is not an employee of the slot system operator expressly employed in the computer monitoring room on his assigned shift. Entries must contain:

(A) The date and time of entering and exiting the room.

(B) The name, department or employer, when applicable, license number of the person entering and exiting the room and of the person authorizing the entry.

(C) The reason for entering the computer monitoring room.

(5) Reside within a participating licensed facility or other location.

§ 461a.14. Slot monitoring systems.

(a) A slot machine licensee may utilize a slot monitoring system which has an interface between it and slot machines and related systems that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A slot monitoring system must comply with the act, this subpart and technical standards on slot monitoring systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 461a.15. Casino management systems.

(a) A slot machine licensee may utilize a casino management system which has an interface between it and slot machines and related systems tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A casino management system must comply with the act, this subpart and technical standards on casino management systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 461a.16. Player tracking systems.

(a) A slot machine licensee may utilize a player tracking system which has an interface between it and slot machines and related systems tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A player tracking system may not include individuals who are under 21 years of age.

(c) Employees of a slot machine licensee who can view, print or copy any of the information in the slot machine licensee’s player tracking system shall be licensed as a key employee or hold an occupation permit. This subsection does not apply to employees of the slot machine licensee that are members of a corporate reservations department whose duties and responsibilities do not require the employee to be located within this Commonwealth.

(d) A player tracking system must comply with the act, this subpart and technical standards on player tracking systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board’s web site.

§ 461a.17. External bonusing systems.

(a) A slot machine licensee may utilize an external bonusing system that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) The combination of the slot machine theoretical payout percentage plus the bonus awards generated by an external bonusing system cannot equal or exceed 100% of the theoretical payout for a slot machine on which the external bonus award is available.

(c) A slot machine connected to an external bonusing system must satisfy the minimum theoretical payout percentage required under this subpart without the contribution of any external bonus award available on the slot machine.

(d) An external bonusing system must comply with the act, this subpart and technical standards on external bonusing systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 461a.18. Cashless funds transfer systems.

(a) A slot machine licensee may utilize a cashless funds transfer system that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A cashless funds transfer system must comply with the act, this subpart and technical standards on cashless funds transfer systems adopted by the Board, published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(c) Prior to utilizing a cashless funds transfer system, a slot machine licensee shall establish a system of internal controls applicable to the cashless funds transfer system. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The internal control procedures submitted by the slot machine licensee must address the integrity, security and control of its cashless funds transfer system and include:

(1) An overview of the system design.

(2) System access controls and restrictions.

(3) Override policies and restrictions.

(4) Backup and recovery procedures.

(5) Logical and physical access controls and restrictions.

(6) Network security.

(7) Procedures for handling customer disputes.

(d) Transfer of electronic credits to a slot machine under this section shall be initiated by a patron using an access control. Access controls must require the use of a unique access code for each patron. The access code shall be selected by and only available to the patron.

(e) A record of every transfer of electronic credits to a slot machine under this section shall be maintained by the slot machine licensee and shall be identified by, at a minimum, the date, time and the asset number of the slot machine to which the transfer occurred and an identification number assigned to the patron who initiated the transaction. The identification number assigned to a patron for the purposes of this section must be different from the unique access code selected by the patron as part of an access control.

§ 461a.19. Remote system access.

(a) In emergency situations or as an element of technical support, an employee of a licensed manufacturer may perform analysis of, or render technical support with regard to, a slot machine licensee's slot monitoring system, casino management system, player tracking system, external bonusing system, cashless funds transfer system, wide area progressive system, gaming voucher system or other Board-approved system from a remote location.

(b) Remote system access shall be performed in accordance with technical standards on remote system access under § 461b.5 (relating to remote computer access).

(c) Prior to granting remote system access, a slot machine licensee shall establish a system of internal controls applicable to remote system access. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The internal control procedures submitted by the slot machine licensee shall be designed to protect the physical integrity of the systems listed in subsection (a) and the related data and be capable of limiting the remote access to the system or systems requiring technical support.

§ 461a.20. Server supported slot systems.

(a) A slot machine licensee may utilize a server supported slot system that complies with the minimum design standards and the submission, testing and approval requirements of §§ 461a.2—461a.7 and 461a.26.

(b) A server supported slot system must:

(1) Be capable of verifying that all component programs on the slot machine server are authentic copies of Bureau of Gaming Laboratory Operations approved component programs.

(2) Automatically verify the authenticity of the copies every 24 hours. A program used to verify the authenticity must reside on the slot machine server and be securely loaded from nonalterable media.

(3) Provide a visual notification identifying the invalid program if an error is detected.

(c) The slot machine licensee shall generate, and make available to Board staff, a report detailing the outcome of each automated verification including notifications identifying any invalid programs.

(d) Administrator access to server supported slot systems require the presence and participation of at least two departments. Dual access may be achieved using split passwords, dual keys or other suitable method. The slot machine licensee shall specify in its internal controls under § 465a.2 (relating to internal control systems and audit protocols) the two departments that have administrator access to the system and the method by which access will be achieved.

(e) A technical field representative shall be notified of the installation and loading of software on an approved slot machine server in accordance with § 461a.26 (relating to testing and software installation on the live gaming floor).

(f) Downloads of slot machine programs or computer files on a server supported slot system and activations, deactivations or changes thereto shall be controlled and implemented using scheduling software approved by the Bureau of Gaming Laboratory Operations. Except as otherwise authorized by the Board, written notice of downloads, schedules and changes shall be provided to the Bureau of Gaming Laboratory Operations, the Bureau of Casino Compliance Representatives and the Department at least 72 hours prior to implementation in accordance with § 461a.26.

(g) Access to slot machine programs or computer files on a server supported slot system may be provided at terminals in secure, restricted locations within the licensed facility as approved by the Bureau of Gaming Laboratory Operations. The slot machine licensee shall provide read-only access to the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance.

(h) Prior to implementing a change to a feature or reconfiguring the server supported slot machine, the slot machine must be in idle mode for at least 2 minutes without errors or tilt conditions and with no play or credits on the machine.

(i) During the implementation of a change to a feature or the reconfiguration of the server supported slot machine, the slot machine must be disabled and rendered unplayable for at least 1 minute. During that time, a conspicuous message stating that a game configuration is being changed must be continuously displayed either on the slot machine's video screen or in another manner as approved by the Bureau of Gaming Laboratory Operations.

(j) A slot machine server shall, at a minimum, comply with § 461a.19 (relating to remote system access) and the technical standards of § 461b.5 (relating to remote computer access).

(k) A slot machine server:

(1) Shall be maintained in the slot machine server room in a locked computer rack or other secure area approved by the Bureau of Gaming Laboratory Operations.

(2) Must be dual key controlled with one key controlled by the slot operations department and the other key controlled by the information technology department.

(3) May not be accessed unless an employee from the slot operations department, the information technology department and a Board representative are present.

(l) All changes made to the slot machine server shall be stored in an unalterable log which must include, at a minimum:

(1) Time and date of access.

(2) Name and Board issued credential number or other secure username identifier of the person logging in.

(3) Identification numbers of the games added, deleted or changed.

(4) The history of changes to programs on each player terminal.

(5) Changes to the configuration of player terminal settings.

(m) Prior to adding or removing software from a server supported slot machine, changing any configuration or activating or deactivating a slot machine game on a server supported slot machine, a complete set of meter information for the slot machine shall be accurately communicated to a slot machine server, a slot monitoring system or other Board approved slot accounting system.

(n) Communication between the server, slot machine and any interface elements must utilize a protocol that includes proper error detection and recovery mechanisms designed to prevent unauthorized access or tampering, employing Data Encryption Standards or equivalent encryption with secure seeds or algorithms as approved by the Bureau of Gaming Laboratory Operations.

(o) With prior Board approval, a slot machine server may be connected to:

(1) Other slot operating systems of the licensee, including a slot monitoring system, accounting system or gaming voucher system, located in a secure location within the licensed facility where the slot machine server is located.

(2) A computer or other equipment operated by the Board or the Department to monitor and approve activity.

(p) Any approved connection utilized under subsection (o) must include, at a minimum:

(1) A secure, hard-wired, dedicated, exclusive network.

(2) A hardware firewall located between the slot machine server and the slot operating systems utilized by the licensee.

§ 461a.21. Server based slot systems.

(a) The following terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Server based slot machine—A slot machine accessing a server based slot system.

Slot machine server—A computer configured to:

(i) Receive, store, authenticate and download to server supported slot machines Board-approved slot machine games and other approved software. A slot machine server may also be used to effect changes in a server supported slot machine's configuration.

(ii) Receive, store and authenticate Board-approved slot machine games and other approved software for use on server based slot machines.

Server based slot system—A system comprised of one or more server based slot machines connected to a server based slot machine server and its ancillary computer network for the purpose of facilitating access by a server based slot machine to Board-approved slot machine games and other approved software residing on the server based slot machine server.

(b) A slot machine licensee may utilize a server based slot system that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(c) A server based slot system must comply with the act, this subpart and technical standards on server based slot systems adopted by the Board and published in the Pennsylvania Bulletin and posted on the Board's web site.

(d) Results from the play or operation of a server based slot machine must be determined solely by the server based slot machine server and not by the individual server based slot machine.

(e) Prior to utilizing a server based slot system, a slot machine licensee shall establish a system of internal controls applicable to the server based slot system. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The internal control procedures submitted by the slot machine licensee must address the integrity, security and control of its server based slot system.

§ 461a.22. Automated jackpot payout machines.

(a) A slot machine licensee may utilize an automated jackpot payout machine that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) An automated jackpot payout machine must have a label on the top of the automated jackpot payout machine and on the front of the automated jackpot payout machine that displays the asset number of the automated jackpot payout machine. The labels must have white lettering on a black background or other color combination approved by the Bureau of Gaming Operations, may not be easily removed and must be easily visible to the surveillance department. The label on the top of the automated jackpot payout machine must be at least 1.5 inches by 5.5 inches and the label on the front of the automated jackpot payout machine must be at least 1 inch by 2.5 inches or other sizes approved by the Bureau of Gaming Operations.

(c) An automated jackpot payout machine must comply with the act, this subpart and technical standards on automated jackpot payout machines adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(d) Prior to commencing use of an automated jackpot payout machine, a slot machine licensee shall establish a comprehensive system of internal controls addressing the payment of jackpot payouts utilizing an automated jackpot payout machine and the distribution of currency or coin, or both, to the machines. The internal controls shall be submitted to, and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(e) An automated jackpot payout machine must have, at a minimum, the following:

(1) One lock securing the outer cabinet housing the operating components of the automated jackpot payout machine, the currency cassettes and the coin storage container. The key to the lock securing the outer cabinet shall be controlled by the slot operations or security department.

(2) One lock securing the compartment housing the currency cassettes, the key to which shall be controlled by the finance department.

(f) An automated jackpot payout machine must be designed to resist forced illegal entry.

(g) An automated jackpot payout machine's currency cassettes must be designed to preclude access to the interior of the currency cassettes. Access to each currency cassette shall be controlled by the finance department.

§ 461a.23. Slot machines and associated equipment utilizing alterable storage media.

(a) *Definition*. The following term, when used in this section, has the following meaning, unless the context clearly indicates otherwise:

Alterable storage media--

(i) Memory or other storage medium, such as an EEPROM, flash, optical or magnetic storage device, that is contained in a slot machine or associated equipment subject to approval under § 461a.4 (relating to submission for testing and approval), that allows the modification of programs or data on the storage media during the normal operation of the slot machine or associated equipment.

(ii) The term does not include:

(A) Memory or other storage medium typically considered to be alterable but through either software or hardware means approved by the Board have been rendered unalterable and remain verifiable by the central control computer system.

(B) Associated equipment using alterable storage media that the Board determines are incapable of influencing the integrity or outcome of game play.

(b) *Use of alterable storage media*. Any use of alterable storage media in a slot machine or associated equipment must be in compliance with the act, this subpart and technical standards on alterable storage media adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 461a.24. Waivers.

(a) The Board may, on its own initiative, waive one or more of the requirements in this chapter or the technical standards applicable to slot machines and associated equipment adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website upon a determination that the nonconforming slot machine or associated equipment or modification as configured meets the operational integrity requirements of the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(b) A manufacturer may submit a written request to the Board for a waiver for one or more of the requirements in this chapter or the technical standards applicable to slot machines and associated equipment adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website. The request must:

(1) Be submitted as a petition under § 493a.4 (relating to petitions generally).

(2) Include supporting documentation demonstrating how the slot machine or associated equipment for which the waiver has been requested will still meet the operational integrity requirements of the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board’s web site.

(3) Be approved by the Board.

§ 461a.25. Disputes.

(a) If a dispute arises with a patron, the slot machine licensee shall attempt to resolve the dispute. If the dispute cannot be resolved, the slot machine licensee shall notify the casino compliance representatives at the licensed facility who will attempt to resolve the dispute. If the dispute is not resolved, the casino compliance representative will provide the patron with a Board Patron Dispute/Complaint Form and Instructions for Submitting a Patron Dispute/Complaint and assist the patron in completing the Board Patron Dispute/Complaint Form.

(b) When a patron files a complaint, BIE will conduct an investigation of the complaint.

§ 461a.26. Testing and software installation on the live gaming floor.

(a) Prior to the testing of slot machines, table game devices as described in § 461a.4(c)(12) (relating to submission for testing and approval), associated equipment and displays on a live gaming floor during a slot machine licensee's normal hours of operation, the slot machine licensee shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance in writing at least 72 hours prior to the test date and receive the required approvals from the Bureau of Gaming Laboratory Operations prior to beginning testing. The notification must include the following:

(1) A detailed narrative description of the type of testing to be conducted, including the reason for the testing, a list of individuals conducting the testing and the slot machine licensee's procedures for conducting the testing.

(2) The date, time and approximate duration of the testing.

(3) The model, slot machine location number and asset number of the slot machine or machines or table game device to be tested.

(4) The location within the licensed facility where the testing will occur.

(b) A slot machine licensee shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance at least 72 hours prior to the installation of any new software or the installation of any change in previously approved software and receive the required approvals prior to the installation of:

(1) Automated gaming voucher and coupon redemption machines.

(2) Wide area progressive systems.

(3) Slot monitoring systems.

(4) Casino management systems.

(5) Player tracking systems.

(6) External bonusing systems.

(7) Cashless funds transfer systems.

(8) Server supported slot systems.

(9) Server based slot systems.

(10) Automated jackpot payout machines.

(11) Electronic gaming tables.

(12) Fully automated electronic gaming tables.

(13) Progressive table game systems.

(14) Electronic wagering systems.

(15) Additional automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automated teller machines on the gaming floor.

(16) Gaming voucher systems.

(17) Server supported slot systems.

(18) Server based slot systems.

(c) The notification required under subsection (b) must include:

(1) A description of the reasons for the new installation or change in previously approved software.

(2) A list of the current computer components, software identifications or versions that are to be modified or replaced.

(3) A list of the proposed computer components, software identifications or versions that will modify or replace the existing components or software.

(4) The method to be used to complete the proposed installation.

(5) The date and time that the proposed modification will be installed and the estimated time for completion.

(6) The name, title and employer of the persons performing the installation.

(7) The plan to handle disruptions, if any, to the gaming floor.

(8) The approximate length of time the gaming floor or systems will be disrupted.

(9) Plans for system backup prior to any proposed installation.

§ 461a.27. RAM clear.

(a) When a slot machine licensee becomes aware of a nonresponsive slot machine and communication between the slot machine and the central control computer cannot be reestablished, the slot machine licensee shall immediately notify the Department's operator of the central control computer and the casino compliance representatives at the licensed facility. The slot machine licensee may not do a RAM clear on the affected slot machine until a casino compliance representative has recorded the information on the financial meters.

(b) For planned RAM clears, the slot machine licensee shall provide notice to the Department's operator of the central control computer and the casino compliance representatives at the licensed facility at least 48 hours prior to the scheduled RAM clear. A second notice shall be provided to the Department's operator of the central control computer and the casino compliance representatives at the licensed facility immediately prior to actually conducting the RAM clear.

CHAPTER 463a. POSSESSION OF SLOT MACHINES AND FULLY AUTOMATED ELECTRONIC GAMING TABLES

Sec.

463a.1. Possession of slot machines and fully automated electronic gaming tables generally.
463a.2. Transportation of slot machines and fully automated electronic gaming tables into, within and out of this Commonwealth.
463a.3. Slot machine and fully automated electronic gaming table location on the gaming floor.
463a.4. Notice and connection to the central control computer system.
463a.5. Slot machine and fully automated electronic gaming table master lists.
463a.6. (Reserved).
463a.7. Off premises storage of slot machines and fully automated electronic gaming tables.

§ 463a.1. Possession of slot machines and fully automated electronic gaming tables generally.

(a) Except as otherwise provided in this section and 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.), a person may not possess any slot machine or fully automated electronic gaming table within this Commonwealth that may be used for gambling activity.

(b) The following persons and any employee or agent acting on their behalf may possess slot machines or fully automated electronic gaming tables in this Commonwealth for the purposes described herein provided that slot machines or fully automated electronic gaming tables located outside of a licensed facility may not be used for gambling activity:

(1) A slot machine licensee, for the purpose of maintaining for use, training or operating slot machines in a licensed facility.

(2) The holder of a manufacturer license for the purpose of manufacturing, exhibiting, demonstrating, training or preparing for transfer to a manufacturer designee licensee, supplier licensee or slot machine licensee.

(3) The holder of a manufacturer designee license or supplier license for the purpose of distributing, repairing, servicing, exhibiting or demonstrating slot machines or fully automated electronic gaming tables and any training with regard thereto.

(4) An educational institution for the purpose of teaching slot machine design, operation, repair or servicing.

(5) A manufacturer, manufacturer designee or supplier of slot machines not licensed within this Commonwealth for the limited purpose of temporary exhibition or demonstration.

(6) A common carrier, for the purpose of transporting slot machines or fully automated electronic gaming tables in accordance with § 463a.2 (relating to transportation of slot machines and fully automated electronic gaming tables into, within and out of this Commonwealth).

(7) An employee or agent of the Board, the Department, the Pennsylvania State Police or any law enforcement agency of this Commonwealth for the purpose of fulfilling official duties or responsibilities.

(8) Other persons upon a finding that the possession of slot machines or fully automated electronic gaming tables by those persons in this Commonwealth is not contrary to the goals and objectives of the act.

(c) Persons seeking to possess slot machines or fully automated electronic gaming tables under subsection (b)(4), (5) and (8) shall submit a petition to the Board as required under § 493a.4 (relating to petitions generally). The petition to the Board must contain:

(1) The purpose for having the slot machines or fully automated electronic gaming tables.

(2) The proposed location of the slot machines or fully automated electronic gaming tables.

(3) The time period for which the slot machines or fully automated electronic gaming tables will be kept.

(4) How the slot machines or fully automated electronic gaming tables will be secured.

(d) Requests approved by the Board may be subject to specific terms and conditions imposed by the Board.

(e) A person authorized to possess slot machines or fully automated electronic gaming tables under subsection (d) that desires to store the slot machines or fully automated electronic gaming tables at a location other than the location specified in subsection (c)(2) shall obtain approval from the Board's Executive Director prior to storing the slot machines or fully automated electronic gaming tables at the other location.

§ 463a.2. Transportation of slot machines and fully automated electronic gaming tables into, within and out of this Commonwealth.

(a) In furtherance of section 1511 of the act (relating to declaration of exemption from Federal laws prohibiting slot machines), prior to the transport or movement of a slot machine or fully automated electronic gaming table into, within or out of this Commonwealth, from one person authorized to possess slot machines or fully automated electronic gaming tables under § 463a.1 (relating to possession of slot machines and fully automated electronic gaming tables

generally) to another person, the persons causing the slot machine or fully automated electronic gaming table to be transported or moved shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance in writing or in an electronic format approved by the Bureau of Gaming Laboratory Operations. The notice shall be submitted no later than the day the slot machine or fully automated electronic gaming table is transported and include the following information:

(1) The name and address of the person shipping or moving the slot machine or fully automated electronic gaming table.

(2) The name and address of the person who owns the slot machine or fully automated electronic gaming table, if different from the person shipping or moving the machine.

(3) The name and address of a new owner if ownership is being changed in conjunction with the shipment or movement.

(4) The method of shipment or movement and the name and address of the common carrier or carriers, if applicable.

(5) The name and address of the person to whom the slot machine or fully automated electronic gaming table is being sent and the destination of the slot machine or fully automated electronic gaming table, if different from that address.

(6) The quantity of slot machines or fully automated electronic gaming tables being shipped or moved and the manufacturer's serial number of each machine.

(7) The expected date and time of delivery to, or removal from, any authorized location within this Commonwealth.

(8) The port of entry, or exit, if any, of the slot machine or fully automated electronic gaming table if the origin or destination of the slot machine or fully automated electronic gaming table is outside the continental United States.

(9) The reason for transporting or moving the slot machine or fully automated electronic gaming table.

(b) In addition to the requirements in subsection (a), if a slot machine licensee is shipping slot machines or fully automated electronic gaming tables to or from the slot machine licensee's approved, off-premises storage location, the slot machine licensee shall comply with the requirements in subsection (a) and record the movement in the licensee's movement log as required under § 463a.5(e) (relating to slot machine and fully automated electronic gaming table master lists). If a slot machine or fully automated electronic gaming table is being transported to the licensed facility from the licensee's approved, off-premises storage location, the licensee shall specify in the notice required under subsection (a) whether the slot machine or fully automated electronic gaming table will be placed directly onto the gaming floor or stored off the gaming floor in a restricted area within the licensed facility.

§ 463a.3. Slot machine and fully automated electronic gaming table location on the gaming floor.

(a) A gaming floor must consist of one or more areas within a licensed facility approved by the Board or Executive Director under § 467a.1 (relating to gaming floor plan) for the placement and operation of slot machines or fully automated electronic gaming tables.

(b) A slot machine or fully automated electronic gaming table on a gaming floor shall be placed at a location, which location may contain no more than one slot machine or fully automated electronic gaming table, identified by number on a gaming floor plan approved by the Board or Executive Director under section 1322 of the act (relating to slot machine accounting controls and audits) and § 467a.1 and shall also be identified by this slot machine or fully automated electronic gaming table location number and an asset number on the Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List.

§ 463a.4. Notice and connection to the central control computer system.

(a) Prior to utilization for gambling activity, a slot machine or fully automated electronic gaming table on a gaming floor shall be connected or linked to a central control computer system having the capabilities and in compliance with the terms of section 1323 of the act (relating to central control computer system).

(b) To ensure activation or disabling, as appropriate, in the central control computer system and the retrieval of real time meter information from the slot machine or fully automated electronic gaming table in conjunction with the movement of a slot machine or fully automated electronic gaming table, the slot machine licensee shall provide the Department with written notice of the slot or fully automated electronic gaming table movement, prior to any of the following:

(1) Placement of a slot machine or fully automated electronic gaming table on the gaming floor.

(2) Movement of a slot machine or fully automated electronic gaming table between slot machine or fully automated electronic gaming table locations on the gaming floor.

(3) Removal of a slot machine or fully automated electronic gaming table from the gaming floor.

§ 463a.5. Slot machine and fully automated electronic gaming table master lists.

(a) Prior to the commencement of operations at a licensed facility, a slot machine licensee shall file the following with the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations:

(1) Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List.

(2) Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List.

(b) A Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List must list all slot machines and fully automated electronic gaming tables located on the gaming floor in consecutive order by the slot machine location number under § 463a.3 (relating to slot machine and fully automated electronic gaming table location on the gaming floor) and contain the following:

(1) The date the list was prepared.

(2) A description of each slot machine or fully automated electronic gaming table which includes:

(i) The zone/location number.

(ii) The asset number.

(iii) The manufacturer's serial number.

(iv) The base denomination, or if configured for multiple denominations, a list of the denominations.

(v) The game software/program ID.

(vi) The operating system/base ROM.

(vii) The manufacturer.

(viii) The slot machine or fully automated electronic gaming table model.

(ix) The model type (reel or video).

(x) The game theme/description.

(xi) The minimum payout percentage.

(xii) The machine displayed payout percentage.

(xiii) The paytable ID.

(xiv) Whether the slot machine or fully automated electronic gaming table is in a smoking area.

(xv) If the slot machine or fully automated electronic gaming table is a progressive, the type of progressive, the progressive controller type and the progressive software.

(xvi) The fund transfer/voucher system software.

(c) If a slot machine or fully automated electronic gaming table is configured to allow a patron to select from multiple game themes, each game theme, minimum and machine displayed payout percentages and paytable ID must be listed in the Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List. Instead of listing each game theme, minimum and machine displayed payout percentage and paytable ID for a slot machine or fully automated electronic gaming table configured to offer multiple game themes with the slot machine or fully automated electronic gaming table, a slot machine licensee may use a unique generic code for the game theme and attach an appendix which lists the game themes, minimum and machine displayed payout percentages and paytable IDs that correspond to each unique generic game theme code.

(d) A Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List must include all slot machines and fully automated electronic gaming tables located off the gaming floor in a restricted area within the licensed facility approved under § 465a.8(b) (relating to licensed facility), or in storage locations in this Commonwealth off the premises of the licensed facility approved under § 463a.7 (relating to off premises storage of slot machines and fully automated electronic gaming tables) grouped by the location where the slot machines or fully automated electronic gaming tables are located. A Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List must include the following information:

(1) The date the list was prepared.

(2) A description of each slot machine and fully automated electronic gaming table which includes:

(i) The location of the slot machine or fully automated electronic gaming table.

(ii) The asset number.

(iii) The manufacturer's serial number.

(iv) The game software/program ID.

(v) The operating system/base ROM.

(vi) The game theme/description.

(vii) The manufacturer.

(viii) The slot machine or fully automated electronic gaming table model.

(ix) The model type (reel or video).

(e) Once a slot machine or fully automated electronic gaming table has been placed in an authorized location on the gaming floor, stored in a restricted area off the gaming floor but within the licensed facility approved under § 465a.8 or in a location in this Commonwealth off the premises of the licensed facility approved under § 463a.7, all subsequent movements of that slot machine or fully automated electronic gaming table shall be recorded by a slot department member in a slot machine movement log which includes the following:

(1) The asset number and model and manufacturer's serial number of the moved slot machine or fully automated electronic gaming table.

(2) The date and time of movement.

(3) The location from which the slot machine or fully automated electronic gaming table was moved.

(4) The location to which the slot machine or fully automated electronic gaming table was moved.

(5) The date and time of any required notice to the Department in connection with activation or disabling of the slot machine or fully automated electronic gaming table in the central control computer system.

(6) The signature of the slot shift manager and the lead technician verifying the movement of the slot machine or fully automated electronic gaming table in compliance with this section.

(f) Documentation summarizing slot machine or fully automated electronic gaming table movements, as described in subsection (e), shall be submitted to the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations, on a daily basis.

(g) On the first Tuesday of each month a slot machine licensee shall file an updated Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List and an updated Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List containing the information required under subsections (b)—(d). The Gaming Floor Slot Machine and Fully Automated Electronic Gaming Table Master List and the Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.

(h) Persons authorized by the Board to possess slot machines or fully automated electronic gaming tables under § 463a.1(c) (relating to possession of slot machines and fully

automated electronic gaming tables generally) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a complete list of slot machines or fully automated electronic gaming table possessed by the person. The list shall:

(1) Be denoted as a Slot Machine and Fully Automated Electronic Gaming Table Master List.

(2) Be filed within 3 business days of the initial receipt of slot machines or fully automated electronic gaming tables.

(3) Contain the following information:

(i) The date on which the list was prepared.

(ii) A description of each slot machine or fully automated electronic gaming table including:

(A) The manufacturer.

(B) The manufacturer's serial number.

(C) The slot machine or fully automated electronic gaming table model.

(D) The model type (reel or video).

(E) Whether or not the slot machine or fully automated electronic gaming table is a progressive, and if it is, the type of progressive.

(i) On the first Tuesday of each month following the initial filing of a Slot Machine and Fully Automated Electronic Gaming Table Master List, those persons enumerated in subsection (h) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, an updated Slot Machine and Fully Automated Electronic Gaming Table Master List containing the information required in subsection (h).

§ 463a.6. (Reserved).

§ 463a.7. Off premises storage of slot machines and fully automated electronic gaming tables.

(a) A slot machine licensee may not store slot machines or fully automated electronic gaming tables off the premises of a licensed facility without prior approval from the Board's Executive Director.

(b) A slot machine licensee seeking to store slot machines off the premises of a licensed facility shall submit a written request to the Bureau of Gaming Operations for off premise storage. The written request must include:

(1) The location and a physical description of the proposed storage facility.

(2) A description of the type of surveillance system that has been or will be installed at the proposed storage facility.

(3) The plan to provide 24 hour, 7 day a week security at the proposed storage facility.

(4) The anticipated number of slot machines or fully automated electronic gaming tables that may be stored at the proposed storage facility.

(c) Before the Board's Executive Director will act on a request for off premise storage of slot machines, the Director of Casino Compliance will inspect the proposed storage facility.

(d) The Board's Executive Director will approve or disapprove requests within 60 days. Requests approved by the Board's Executive Director may be subject to specific terms and conditions imposed by the Board's Executive Director.

CHAPTER 464a. SLOT MACHINE TOURNAMENTS

Sec.

464a.1. Definitions.
464a.2. Conduct of a slot machine tournament.

§ 464a.1. Definitions.

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

Points--Noncash equivalent electronic instrument utilized for slot machine tournament play only, the total of which determines the winners of a slot machine tournament.

Slot machine tournament--A contest whereby individuals engage in competitive slot machine play against other individuals utilizing points.

§ 464a.2. Conduct of a slot machine tournament.

(a) Slot machine tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents.

(b) A slot machine licensee may charge an entry fee to participate in a slot machine tournament. A slot machine licensee that charges an entry fee shall submit electronically to the Department of Revenue a Slot Tournament Revenue Report by 10 a.m. on the day following the conclusion of the tournament.

(c) A slot machine licensee that wishes to conduct a slot machine tournament shall submit for Executive Director approval notice of intent to conduct a slot machine tournament at least 10 days prior to the start of the tournament. The notice must be submitted electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form, which is posted on the Board's web site, and include the following:

(1) A general description of how the slot machine tournament will be conducted and a copy of the rules governing play.

(2) The dates and times that the tournament will be conducted.

(3) Participation eligibility requirements including:

(i) Who is eligible to participate.

(ii) The minimum and maximum number of participants.

(iii) Entry fees charged.

(4) The criteria used to determine the winners.

(5) The monetary amount or description of the prizes to be awarded.

(6) The details of when and how the prizes will be awarded.

(7) The asset and gaming floor plan location numbers of the slot machines that will be used to conduct the slot machine tournament.

(8) How the slot machine tournament area will be segregated from patrons who are not participating in the slot machine tournament.

(d) In addition to filing a notice required under subsection (c), a slot machine licensee shall submit a copy of the notice to the casino compliance representatives at the licensed facility, the Bureau of Gaming Laboratory Operations and the Department of Revenue.

(e) Advertising to promote a slot machine tournament must, at a minimum:

(1) Comply with the advertising requirements in § 501a.7 (relating to advertising).

(2) Contain information on who is eligible to participate.

(3) Include a copy of the slot machine tournament rules or state how a copy of the rules may be obtained.

(f) A slot machine used for a slot machine tournament must:

(1) Use tournament software authorized by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval).

(2) Maintain connectivity with the Central Control Computer System (CCS).

(3) Have the functionality of the bill validator, ticket printer and electronic funds transfer meters disabled during the slot machine tournament so that the slot machine does not accept cash or credits or make payouts during tournament play.

(g) A slot machine used in a slot machine tournament may not be made available for play to individuals entered in the tournament until the Bureau of Gaming Laboratory Operations has completed an initial test of the tournament software and has authorized the slot machine for tournament play.

(h) Before and after slot machine tournament, the slot machine licensee shall:

(1) Receive approval from the onsite CCR to place the slot machine in and take it out of tournament mode.

(2) Ensure that the CCS has recorded all meter settings on all slot machines used in the tournament.

(i) A slot machine licensee shall maintain records related to the conduct of a slot machine tournament in accordance with § 465a.6(c) (relating to retention, storage and destruction of books, records and documents). These records shall be made available to Board staff, the Department and the Pennsylvania State Police upon request and must include:

(1) A copy of the notice required under subsection (d).

(2) The names and addresses of all prize winners and the prize each winner was awarded.

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

Sec.

465a.1. Accounting records.
465a.2. Internal control systems and audit protocols.
465a.3. Forms, records and documents.
465a.4. Standard financial and statistical reports.
465a.5. Annual audit; other reports; suspicious activity and currency transaction reporting.
465a.6. Retention, storage and destruction of books, records and documents.
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465a.10. Surveillance system recording formats.
465a.11. Slot machine licensee's organization; job compendium.
465a.12. Access badges and temporary access credentials.
465a.13. Possession of weapons within a licensed facility.
465a.14. Security department minimum staffing.
465a.15. Cage characteristics.
465a.16. Accounting controls for the cage.
465a.17. Bill validators, slot cash storage boxes and table game drop boxes.
465a.18. Transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor; storage.
465a.19. Acceptance of tips or gratuities from patrons.
465a.20. Personal check cashing.
465a.21. Wire transfers.
465a.22. Cash equivalents.
465a.23. Customer deposits.
465a.24. Count room characteristics.
465a.25. Counting and recording of slot cash storage boxes and table game drop boxes.
465a.26. Jackpot and credit meter payouts.
465a.27. Annuity jackpots.
465a.28. Merchandise jackpots.
465a.29. Automated teller machines.
465a.30. Waiver of requirements.
465a.31. Gaming day.
465a.32. Signature.

465a.33. Access to areas containing central control computer equipment.
465a.34. Automated gaming voucher and coupon redemption machine accounting controls.
465a.35. Personnel assigned to the operation and conduct of table games.
465a.36. Table inventories.
465a.37. Procedures for opening table games.
465a.38. Procedures for distributing value chips, coins and plaques to gaming tables.
465a.39. Procedures for removing value chips, coins and plaques from gaming tables.
465a.40. Procedures for accepting cash for gaming chips, plaques or electronic wagering credits at table games.
465a.41. Procedures for drops at open table games.
465a.42. Procedures for closing table games.
465a.43. Table inventories for Poker tables.
465a.44. Table inventory counts on a per shift basis.

§ 465a.1. Accounting records.

(a) A slot machine licensee shall maintain complete, accurate and legible records of all transactions pertaining to the revenues and expenses of each licensed facility.

(b) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on a basis consistent with generally accepted accounting principles in the United States. Detailed, supporting and subsidiary records sufficient to meet the requirements of subsection (c) shall also be maintained in accordance with the requirements of this chapter.

(c) The detailed, supporting and subsidiary records include:

(1) Records pertaining to revenue that is taxable or subject to taxation under the act.

(2) Records pertaining to the financial statements and all transactions impacting the financial statements of the slot machine licensee including contracts or agreements with licensed manufacturers, suppliers, gaming junket enterprises, certified and registered gaming service providers, contractors, consultants, management companies, attorneys and law firms, accountants and accounting firms, insurance companies and financial institutions, including statements and reconciliations related thereto.

(3) Records that identify the handle, payout, actual win amounts and percentages, theoretical win amounts and percentages, and differences between theoretical and actual win amounts and percentages, for each slot machine and table game on a week-to-date, month-to-date and year-to-date basis.

(4) Records documenting the costs of complimentary services and items as defined in § 401a.3 (relating to definitions).

(5) Records of loans and other amounts payable by the slot machine licensee.

(6) Records of investments, advances, loan and receivable balances due to the slot machine licensee.

(7) Records created in connection with the system of internal controls submitted to the Board under § 465a.2 (relating to internal control systems and audit protocols).

(8) Records of returned checks.

§ 465a.2. Internal control systems and audit protocols.

(a) A slot machine licensee shall submit to the Board and the Department a written description of its initial system of administrative and accounting procedures, including its internal control systems and audit protocols (collectively referred to as its "internal controls") at least 90 days before slot or table game operations are to commence. A written system of internal controls must include:

(1) Records of direct and indirect ownership in the slot machine licensee, its affiliates, intermediaries, subsidiaries or holding companies.

(2) Organization charts depicting segregation of functions and responsibilities in accordance with § 465a.11 (relating to slot machine licensee's organization; jobs compendium).

(3) A description of the duties and responsibilities of each licensed or permitted position shown on the organization charts and their respective lines of authority in accordance with § 465a.11.

(4) A detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of this subpart.

(5) A record retention policy in accordance with § 465a.6 (relating to retention, storage and destruction of books, records and documents).

(6) Procedures to ensure that assets are safeguarded, and counted in conformance with effective count procedures.

(7) Procedures governing the conduct of all gaming related promotions to be offered by the slot machine licensee.

(8) Policies to prevent political contributions in accordance with section 1513 of the act (relating to political influence) and an annual certification to the Board and the Department of State's Bureau of Commissions, Elections and Legislation that the slot machine licensee has conducted a good faith investigation that has not revealed any violations of section 1513 of the act.

(9) Procedures to ensure that the slot machine licensee's employees comply with Chapter 435a (relating to employees).

(10) Other items the Board may request in writing to be included in the internal controls.

(b) A submission must be accompanied by the following:

(1) An attestation by the chief executive officer or other delegated individual with a direct reporting relationship to the chief executive officer attesting that the officer believes, in good faith, that the submitted internal controls conform to the requirements of the act and this subpart.

(2) An attestation by the chief financial officer or other delegated individual with a direct reporting relationship to the chief financial officer attesting that the officer believes, in good faith, that the submitted internal controls are designed to provide reasonable assurance that the financial reporting conforms to generally accepted accounting principles in the United States and complies with applicable laws and regulations, including the act and this subpart.

(c) The initial submission must also be accompanied by a report from an independent registered public accounting firm licensed to practice in this Commonwealth. The report should express an opinion as to the effectiveness of the design of the submitted system of internal controls over financial reporting and should further express an opinion as to whether the submitted system of internal controls materially deviates from the requirements of applicable laws and regulations, including the act and this subpart.

(d) A submission by a slot machine licensee must include, at a minimum, the following:

(1) Administrative controls which include the procedures and records that relate to the decision making processes leading to management's authorization of transactions.

(2) Accounting controls that safeguard assets and revenues and ensure the reliability of financial records. The accounting controls must be designed to provide reasonable assurance that:

(i) Transactions or financial events which occur in the operation of a slot machine or table game are executed in accordance with management's general and specific authorization.

(ii) Transactions or financial events which occur in the operation of a slot machine or table game are recorded as necessary to permit preparation of financial statements in conformity with generally accepted accounting principles in the United States, the act and this subpart.

(iii) Transactions or financial events which occur in the operation of a slot machine or table game are recorded in a manner which provides reliable records, accounts and

reports, including the recording of cash and evidences of indebtedness, for use in the preparation of reports to the Board related to slot machines or table games.

(iv) Transactions or financial events which occur in the operation of a slot machine or table game are recorded to ensure accountability for assets and to permit the proper and timely reporting of gross terminal and gross table game revenue, fees and taxes.

(v) Access to assets is permitted only in accordance with management's general and specific authorization.

(vi) The recorded accountability for assets is compared with existing physical assets at reasonable intervals and that appropriate action is taken with respect to any discrepancies.

(3) Procedures and controls for ensuring, in accordance with section 1323 of the act (relating to central control computer system), that each slot machine and fully automated electronic gaming table directly provides and communicates all required activities and financial details to the central control computer system as set by the Board.

(4) Procedures and controls for ensuring that all functions, duties and responsibilities are segregated and performed in accordance with sound financial practices by qualified personnel.

(5) Procedures and controls for ensuring, through the use of surveillance and security departments, that the licensed facility is secure during normal operations and during any emergencies due to malfunctioning equipment, loss of power, natural disaster or any other cause.

(e) The Board, in consultation with the Department, will review each initial submission made under subsection (a) and determine whether it conforms to the requirements of the act and this subpart and provides adequate and effective controls to insure the integrity of the operation of slot machines and table games at a licensed facility. If the Board determines that the submission is deficient in any area, the Board will provide written notice of the deficiency to the slot machine licensee and allow the slot machine licensee to submit a revision to its submission. A slot machine licensee is prohibited from commencing slot or table game operations until its system of internal controls is approved by the Board.

(f) If a slot machine licensee intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form posted on the Board's web site. The slot machine licensee may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the slot machine licensee receives written notice tolling the change or amendment in accordance with subsection (g) or written notice from the Board's Executive Director rejecting the change or amendment.

(g) If during the 30-day review period in subsection (f), the Bureau of Gaming Operations preliminarily determines that a procedure in a submission contains an insufficiency

likely to negatively affect the integrity of slot or table game operations or the control of gross terminal or gross table game revenue, the Bureau of Gaming Operations, by written notice to the slot machine licensee, will:

(1) Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.

(2) Direct that the 30 calendar day review period in subsection (f) be tolled and that any internal controls at issue not be implemented until approved under subsection (i).

(h) Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of slot or table game operations or the control of gross terminal or gross table game revenue may include the following:

(1) Submissions that fail to provide an audit trail sufficient to permit the review of gaming operations or the reconstruction of gross terminal or gross table game revenue transactions.

(2) Submissions that fail to provide for the segregation of incompatible functions so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) Submissions that do not include forms or other materials referenced in the submission or required under the act or this part.

(4) Submissions that would implement operations or accounting procedures not authorized by the act or this part.

(5) Submissions that are dependent upon the use of equipment or related devices or software not approved by the Board or Board staff, unless the submissions are required as part of an authorized test of the equipment or related device or software.

(i) When a change or amendment has been tolled under subsection (g), the slot machine licensee may submit a revised change or amendment within 30 days of receipt of the written notice from the Bureau of Gaming Operations. The slot machine licensee may implement the revised change or amendment upon receipt of written notice of approval from the Board's Executive Director or on the 30th calendar day following the filing of the revision unless the slot machine licensee receives written notice tolling the change or amendment in accordance with subsection (g) or written notice from the Board's Executive Director rejecting the change or amendment.

(j) A current version of the internal controls of a slot machine licensee shall be maintained in or made available in electronic form through secure computer access to the accounting and surveillance departments of the slot machine licensee and the Board's onsite facilities required under § 465a.8 (relating to licensed facility). The slot machine licensee shall also maintain a copy, either in paper or electronic form, of any superseded internal control

procedures for a minimum of 5 years. The original signed two attestations required under subsection (b)(1) and (2) shall also be maintained for a minimum of 5 years. Each page of the internal controls must indicate the date on which it was approved by the Board.

§ 465a.3. Forms, records and documents.

(a) Information required under this part to be placed on any form, record or document and in stored data shall be recorded on the form, record or document and in stored data in ink or other permanent manner.

(b) Whenever duplicate or triplicate copies are required of a form, record or document, the original, duplicate and triplicate copies must have the name of the department receiving the copy preprinted on the bottom of that copy so as to differentiate between the copies.

(c) Whenever under this part, forms or serial numbers are required to be accounted for and an exception is noted, the exceptions shall be reported in writing to the slot machine licensee's internal audit department within 2 days of identification of the exception or upon its confirmation, whichever occurs earlier.

(d) Unless otherwise specified in this part, all forms, records, documents and stored data required to be prepared, maintained and controlled by this chapter must have the name of the licensed facility and the title of the form, record, document and, for stored data, the date imprinted or preprinted thereon.

(e) Nothing in this chapter shall be construed as prohibiting a slot machine licensee from preparing more copies of any form, record or document than those prescribed by this chapter.

§ 465a.4. Standard financial and statistical reports.

(a) Within 30 days of the close of each calendar quarter, slot machine licensees shall file a report which includes a detailed reconciliation of the amount invoiced by the Department to the tax accrual determined by the slot machine licensee’s revenue/income audit process. The reconciliation shall be determined by the slot machine licensee on at least a weekly basis and the report must provide the date and the amount of any differences found during the reconciliation process. The report shall be filed electronically with the Board’s Bureau of Gaming Operations and the Department’s Bureau of Fiscal Management.

(b) The Board may prescribe standard reporting forms and corresponding filing instructions to be used by a slot machine licensee in filing the report referenced in subsection (a).

(c) The Board may request, in writing, financial, statistical or other reports to determine compliance by the slot machine licensee with the act and the Board's regulations.

§ 465a.5. Annual audit; other reports; suspicious activity and currency transaction reporting.

(a) A slot machine licensee shall, at its own expense, have its annual financial statements audited in accordance with generally accepted auditing standards (when applicable, the Standards of the Public Company Accounting Oversight Board (United States)) by an independent certified public accountant or, when appropriate, an independent registered public accounting firm licensed to practice in this Commonwealth.

(b) The annual financial statements shall be prepared on a comparative basis for the current and prior fiscal year and present the financial position and results of operations in conformity with generally accepted accounting principles in the United States.

(c) One copy of the audited financial statements, together with any management letter or report prepared thereon by the slot machine licensee's independent certified public accountant or independent registered public accounting firm, shall be filed with the Bureau of Licensing not later than 90 days after the end of the licensee's fiscal year.

(d) The slot machine licensee shall file with the Bureau of Licensing one copy of any other reports on internal controls, administrative controls or other matters relative to the slot machine licensee's accounting or operating procedures rendered by the licensee's independent certified public accountant or independent registered public accounting firm within 120 days following the end of the licensee's fiscal year or upon receipt, whichever is earlier.

(e) If the slot machine licensee or its holding company, intermediary or principal entity is publicly held, the slot machine licensee shall submit a notice to the Bureau of Licensing when the licensee, its holding company, intermediary or principal entity files any report, including forms S-1, 8-K, 10-Q, 10-K, proxy or information statements and registration statements with the SEC or other domestic or foreign securities regulatory agency. The notice must include a listing of the reports or forms filed and the date of the filing. The notice to the Bureau of Licensing shall be made within 10 business days of the time of filing with the applicable Commission or regulatory agency.

(f) If an independent certified public accountant or independent registered public accounting firm that was previously engaged as the principal accountant to audit the slot machine licensee's financial statements resigns or is dismissed as the slot machine licensee's principal accountant, or another independent certified public accountant or independent registered public accounting firm is engaged as principal accountant, the slot machine licensee shall file a report with the Bureau of Licensing within 10 business days following the end of the month in which the event occurs, setting forth the following:

(1) The date of the resignation, dismissal or engagement.

(2) Whether in connection with the audits of the 2 most recent years preceding a resignation, dismissal or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure or auditing scope or procedure, including a description of each disagreement. The disagreements to be reported include those resolved and those not resolved.

(3) Whether the principal accountant's report on the financial statements for either of the past 2 years contained an adverse opinion or disclaimer of opinion or was qualified. The nature of the adverse opinion, disclaimer of opinion or qualification shall be described.

(g) The slot machine licensee shall request the former accountant to furnish to the slot machine licensee a letter addressed to the Bureau of Licensing stating whether he agrees with the statements made by the slot machine licensee in response to subsection (f)(2). The letter shall be filed with the Bureau of Licensing as an exhibit to the report required under subsection (f).

(h) The slot machine licensee shall file with BIE a copy of any Suspicious Activity Report—Casino (SARC) that the slot machine licensee is required to file under 31 CFR 1021.320 (relating to reports by casinos of suspicious transactions). Each SARC shall be filed with BIE concurrently with the Federal filing.

(i) A slot machine licensee, director, officer, employee or agent who reports a suspicious activity under subsection (h) may not notify any individual involved in the suspicious activity that the suspicious activity has been reported.

(j) The slot machine licensee shall file with BIE a copy of any Currency Transaction Report by Casino (CTRC) that the slot machine licensee is required to file under 31 CFR 1021.311 (relating to filing obligations). Each CTRC shall be filed with BIE concurrently with the Federal filing.

(k) Prior to commencing gaming operations, a slot machine licensee shall file with the Bureau of Gaming Operations, in a manner prescribed by the Bureau of Gaming Operations, a copy of the slot machine licensee's compliance program required under 31 CFR Part 1021 (relating to rules for casinos and card clubs). Thereafter, a slot machine licensee shall file with the Bureau of Gaming Operations any amendment or supplement to the compliance program on or before the effective date of the amendment or supplement.

§ 465a.6. Retention, storage and destruction of books, records and documents.

(a) For the purposes of this section, “books, records and documents” means any book, record or document pertaining to, prepared in or generated by the operation of the licensed facility including all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records required to be generated and maintained under § 451a.1 (relating to recordkeeping generally) or this part. This definition applies without regard to the medium through which the record is generated or maintained, for example, paper, magnetic media or encoded disk.

(b) Original books, records and documents pertaining to the operation of a licensed facility shall be:

(1) Prepared and maintained in a complete, accurate and legible form. Electronic data must be stored in a format that ensures readability, regardless of whether the technology or software that created or maintained it has become obsolete.

(2) Retained in a secure location in the licensed facility that is equipped with a fire suppression system or at another location approved under subsection (d).

(3) Made available for inspection by agents of the Board, the Department and the Pennsylvania State Police during all hours of operation.

(4) Organized and indexed in a manner to provide immediate accessibility to agents of the Board, the Department and the Pennsylvania State Police.

(5) Destroyed only after expiration of the minimum retention period specified in subsection (c), except that the Board may, upon the written request of a slot machine licensee and for good cause shown, permit the destruction at an earlier date.

(c) Original books, records and documents shall be retained by a slot machine licensee for a minimum of 5 years with the following exceptions:

(1) Documentation with regard to gaming vouchers reported to the Board as possibly counterfeit, altered or tampered with should be retained for a minimum of 2 years.

(2) Coupons entitling patrons to cash match play at a table game or slot machine credits, whether unused, voided or redeemed shall be retained for a minimum of 6 months.

(3) Voided gaming vouchers and gaming vouchers redeemed at a location other than a slot machine or fully automated electronic gaming table shall be retained for a minimum of 30 days.

(4) Gaming vouchers redeemed at a slot machine or fully automated electronic gaming table shall be retained for a minimum of 7 days.

(d) A slot machine licensee may request, in writing, that the Board's Executive Director approve a location outside the licensed facility to store original books, records and documents. The request must include the following:

(1) A detailed description of the proposed location, including security and fire suppression systems.

(2) The procedures under which the Board, the Department and the Pennsylvania State Police will be able to gain access to the original books, records and documents retained at the location outside the licensed facility.

(e) A slot machine licensee may request, in writing, that the Board's Executive Director approve a microfilm, microfiche or other suitable media system for the copying and storage of original books, records and documents. The request must include representations regarding:

(1) The processing, preservation and maintenance methods which will be employed to insure that the books, records and documents are available in a format which makes them readily available for review and copying.

(2) The inspection and quality control methods which will be employed to insure that microfilm, microfiche or other media when displayed on a reader/viewer or reproduced on paper exhibits a high degree of legibility and readability.

(3) The availability of a reader/printer for use by the Board, the Department and the Pennsylvania State Police at the licensed facility or other location approved by the Board and the readiness with which the books, records or documents being stored on microfilm, microfiche or other media can be located, read and reproduced.

(4) The availability of a detailed index of all microfilmed, microfiched or other stored data maintained and arranged in a manner to permit the immediate location of any particular book, record or document.

(f) Nothing herein shall be construed as relieving a slot machine licensee from meeting any obligation to prepare or maintain any book, record or document required by any other Federal, State or local governmental body, authority or agency.

§ 465a.7. Complimentary services or items.

(a) A slot machine licensee shall develop, maintain and apply adequate internal controls over the authorization and issuance of complimentary services or items as defined in § 401a.3 (relating to definitions). The slot machine licensee shall submit for approval in accordance with § 465a.2 (relating to internal control systems and audit protocols) internal controls for complimentary services and items.

(b) The internal controls must include the following:

(1) The procedures by which the slot machine licensee delegates to its employees the authority to approve the issuance of complimentary services or items.

(2) The procedures by which the slot machine licensee establishes, modifies or limits delegated authority, including limits based on relationships between the authorizer and recipient.

(3) A matrix of job titles authorized to issue complimentary services or items and a list of which complimentary services or items or the maximum dollar value of complimentary services or items each job title is authorized to issue.

(c) Complimentary services or items shall be recorded as follows:

(1) A complimentary service or item provided directly to a patron in the normal course of a slot machine licensee's business shall be recorded at an amount based upon the full retail price normally charged for the service or item by the licensee.

(2) A complimentary service or item not offered for sale to a patron in the normal course of a slot machine licensee's business but provided directly by the slot machine licensee shall be recorded at an amount based upon the actual cost to the slot machine licensee of providing the service or item.

(3) A complimentary service or item provided directly or indirectly to a patron on behalf of a slot machine licensee by a third party not affiliated with the slot machine licensee shall be recorded at an amount based upon the actual cost to the slot machine licensee of having the third party provide the service or item.

(4) A complimentary service or item provided directly or indirectly to a patron on behalf of a slot machine licensee by a third party who is affiliated with the slot machine licensee shall be recorded by the slot machine licensee in accordance with this section as if the affiliated third party were the licensee.

(d) If a slot machine licensee provides complimentary cash and noncash gifts recorded at a value of $10,000 or more to a patron and the patron's guests within a consecutive 5-day period, the slot machine licensee shall record the reason why the gifts were provided, maintain the records and make them available for inspection by the Board and the Pennsylvania State Police. When the reason complimentary cash and noncash gifts were provided involves the patron's player rating, that rating must be based upon an evaluation of the amount and frequency of play by the patron as recorded in the slot machine licensee's player rating system. For the purposes of this section, “guest” means any individual who receives complimentary services or items as a result of his relationship with the patron receiving the primary complimentary services or items.

(e) A slot machine licensee shall submit to the Bureau of Casino Compliance a report listing each patron who, under subsection (d), received $10,000 or more in complimentary cash and noncash gifts within a consecutive 5-day period ending during the preceding month. The report shall be filed by the last day of the month following the month in which the complimentary cash and noncash gifts or reimbursements were issued and include the total amount of complimentary cash or noncash gifts or reimbursements provided to each patron broken down into categories for food and beverage, hotel accommodations, travel, reimbursements and other services.

(f) Notwithstanding the requirements in subsections (a)—(e), a slot machine licensee is not required to submit internal controls for the nondiscretionary awarding of the following:

(1) Points to patrons who are members of the licensee's player rewards program.

(2) Promotional slots play.

§ 465a.8. Licensed facility.

(a) A licensed facility must be equipped with a surveillance system configured and approved in accordance with §§ 465a.9 and 465a.10 (relating to surveillance system; surveillance department control; surveillance department restrictions; and surveillance system recording formats). Except as otherwise provided in subsection (d)(1), the surveillance system shall be under the exclusive control of the surveillance department.

(b) Restricted areas within the licensed facility shall be designated for the repair and storage of slot machines, table games and table game equipment. Areas approved and utilized within the licensed facility for slot machine table game and table game equipment repair and storage shall be covered by the approved surveillance system.

(c) Emergency exits from the gaming floor and any other doors designated by the Bureau of Casino Compliance must be equipped with an audible alarm system that produces a loud, distinguishable warning sound, discernible in the vicinity of the exit, whenever the emergency door is opened. The alarm system shall be designed to require deactivation and reset by means of a key. The key is to be maintained by the security department.

(d) Slot machine licensees shall, in accordance with section 1207(13) of the act (relating to regulatory authority of board), provide for and maintain onsite facilities for use by the Board, the Department and the Pennsylvania State Police for the purpose of carrying out their respective responsibilities (collectively referred to as the “onsite facilities”). The onsite facilities must be located in the same building as the gaming floor, in locations approved by the Bureau of Casino Compliance and include suitable office space, equipment, partitions and supplies to meet the continuing needs of the Board, the Department and the Pennsylvania State Police at the facility including the following:

(1) A surveillance system monitoring room, located within the onsite facilities, with full camera control capability for the reception of transmissions generated by each camera approved for use as part of the slot machine licensee's surveillance system. Full camera control capability includes the ability to override the camera control capability of the slot machine licensee's surveillance system.

(2) An area for the detention of individuals detained or taken into custody by the Pennsylvania State Police. The detention area must be located within the onsite facilities and consist of a bench or other apparatus which is permanently affixed to the wall or floor to which the individual in custody can be handcuffed with as little discomfort to that individual as is possible under the circumstances.

(3) A fingerprinting and photographing facility for use by the Pennsylvania State Police located in conformance with and outfitted in compliance with specifications established by the Pennsylvania State Police.

(4) Adequate computer, telephone and copying capability to meet the Board's, the Department's and the Pennsylvania State Police's continuing data processing and related needs.

(5) Direct telephone connections between the onsite facilities and the slot machine licensee's surveillance monitoring room and its security department.

(6) Computer terminals providing read only access to any computerized slot monitoring system or casino management system, or both, used by the slot machine licensee in its gaming operations.

(7) An area for the operation and storage of the central control computer equipment which must be equipped with an uninterruptible power supply.

(8) Signs indicating the location of the Board's office. The size, location and design of the signs must be approved by the Bureau of Casino Compliance.

(9) Current copies of the operational blueprints and camera lists as required under § 465a.9(c)(6)(v)(A) and (B).

(e) Keys or alternative locking mechanisms securing access to the onsite facilities shall be under the exclusive custody and control of the Bureau of Casino Compliance, the Department or the Pennsylvania State Police respectively.

(f) Slot machine licensees shall provide additional accommodations within the licensed facility upon receipt of a written request from the Board, the Department or the Pennsylvania State Police to accommodate periodic audit, compliance or investigative reviews at the licensed facility.

(g) Slot machine licensees shall provide adequate parking spaces adjacent or proximate to the onsite facilities, clearly marked for the Board, the Department or Pennsylvania State Police use only.

(h) Slot machine licensees shall equip licensed facilities with communication systems necessary to insure communication between the licensed facility and the Board, the Department, the Pennsylvania State Police, any applicable local law enforcement agency or emergency first responders.

§ 465a.9. Surveillance system; surveillance department control; surveillance department restrictions.

(a) The surveillance system of a licensed facility must comply with 18 Pa.C.S. Chapter 57 (relating to Wiretapping and Electronic Surveillance Control Act) and section 1522 of the act (relating to interception of oral communications) and shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The Bureau of Casino Compliance will review surveillance system specifications, inclusive of the camera configuration and any changes or modifications to the system specifications, to determine whether the system provides the adequate and effective surveillance of activities inside and outside the licensed facility mandated by section 1207(11) of the act (relating to regulatory

authority of board). A slot machine licensee may not commence gaming operations until its surveillance system is approved by the Board.

(b) A slot machine licensee shall at all times provide the Board and the Pennsylvania State Police with access to its surveillance system and its transmissions. Each member of its surveillance department shall comply with any request made by the Board or the Pennsylvania State Police to:

(1) Use, as necessary, any surveillance monitoring room in the licensed facility.

(2) Display on the monitors in the monitoring room any event capable of being monitored by the surveillance system.

(3) Make a video and, if applicable, audio recording of, and take a still photograph of, any event capable of being monitored by the surveillance system.

(i) The slot machine licensee shall preserve and store each recording or photograph in accordance with the directions of the Board or the Pennsylvania State Police.

(ii) The Board and the Pennsylvania State Police shall have unfettered access to each recording or photograph. At the request of the Board or Pennsylvania State Police, access to a recording or photograph may be denied to a particular employee or department of the slot machine licensee.

(c) The surveillance system required in this section must include:

(1) Light sensitive cameras with lenses of sufficient magnification and 360° pan, tilt and zoom capabilities, without camera stops, to allow the operator to clandestinely monitor in detail and from various vantage points the following:

(i) The gaming conducted at the slot machines and fully automated electronic gaming tables in the licensed facility with sufficient clarity to read information on a reel strip or electronic table layout and the credit meter.

(ii) The gaming conducted at each table game that is not a fully automated electronic gaming table in the licensed facility with sufficient clarity to identify patrons and dealers and sufficient coverage to simultaneously view the table and determine the configuration of wagers, card, dice and tile values and game outcomes.

(iii) The operations conducted at and in the main cage and any satellite cage.

(iv) The operations conducted at automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automated teller machines.

(v) The count processes conducted in the count room.

(vi) The movement of cash, gaming chips and plaques, tip boxes, table game drop boxes, Bad Beat or High Hand Jackpot payout boxes and slot cash storage boxes within the licensed facility.

(vii) The entrances and exits to the licensed facility, the gaming floor and the count room.

(viii) Any other activity or areas designated by the Bureau of Casino Compliance.

(2) The following number of cameras dedicated to table games that are not fully automated electronic gaming tables:

(i) Except as provided in subparagraphs (ii)—(vii), at least one stationary camera for each table game offered by the licensed facility.

(ii) At least two stationary cameras for each Craps and Three Dice Football table, with one camera covering each end of the table.

(iii) At least two stationary cameras for each Baccarat table, with one camera covering each end of the table.

(iv) At least two stationary cameras for each Roulette table, with one camera covering the wheel and one camera covering the table layout.

(v) At least two stationary cameras for each Big Six Wheel, with one camera covering the wheel and one camera covering the table layout.

(vi) At least two stationary cameras for each Props & Hops table with one camera covering the designated circle on the table layout for the placement of the uncovered shaker and one camera covering the table layout.

(vii) At least two stationary cameras for each High Roll Dice table with one camera covering the throw box and one camera covering the remainder of the table.

(3) Additional cameras as required by the Bureau of Casino Compliance. The additional cameras may include cameras with 360° pan, tilt and zoom capabilities.

(4) Video recording equipment which, at a minimum, must:

(i) Permit the preservation and viewing of a clear copy of the transmission produced by any camera connected to the surveillance system.

(ii) Be capable of superimposing the time and date of the transmission on each recording made by the video recording equipment.

(iii) Enable the operator to identify and locate, through the use of a meter, counter or other device or method, a particular event which was recorded.

(5) Recording media which shall be replaced immediately upon the manifestation of significant degradation in the quality of the images or sound, if applicable, recorded thereon. If videotape is utilized, it may be used for no more than 1 year.

(6) One or more monitoring rooms in the licensed facility which shall be staffed by employees of the slot machine licensee's surveillance department who shall at all times monitor the activities enumerated in paragraphs (1), (2) and (3). Each monitoring room shall be equipped with or serviced by:

(i) A communication system capable of monitoring all of the licensed facility's security department activities.

(ii) Computer terminals which provide read only access to any computerized slot monitoring system or casino management system, or both, used by the slot machine licensee in its gaming operation.

(iii) Connections to all casino alarm systems. The systems must provide a visible, audible or combination signal. A robbery, fire or emergency alarm must be perceptually distinguishable from all nonemergency alarms.

(iv) An updated photo library, consisting of photographs that are no more than 4 years old, of all current employees of the slot machine licensee and a separate photo library that contains the photographs of individuals who are on the Board's self-exclusion or exclusion list. These photo libraries shall be available to the Board and the Pennsylvania State Police.

(v) Current copies of the following:

(A) An operational blueprint of the gaming floor and all areas of the licensed facility with a camera overlay.

(B) A complete camera list, in a searchable format, which includes the following:

(I) Camera numbers.

(II) A description of the area under surveillance with each camera.

(III) The type of camera such as stationary or a camera with pan, tilt and zoom capabilities.

(IV) The resolution or CIF ratio.

(V) The required retention period for each camera.

(C) Operating procedures addressing the evacuation of the licensed facility in the event of fire or other emergency.

(D) A contingency plan addressing a planned shutdown of the surveillance system and the contingency plan required under subsection (g) addressing any equipment failure that affects the slot machine licensee's monitoring room together with an emergency contact listing with telephone numbers for persons required to be notified of those events.

(7) An emergency power system, tested at intervals not to exceed 6 months, which can be used to operate the surveillance system in the event of a power failure.

(8) A preventive maintenance program, implemented by technicians assigned to the surveillance department, which insures that the entire surveillance system is maintained in proper working order and that the covers over the cameras are cleaned in accordance with a routine maintenance schedule.

(d) Areas subject to camera coverage under this section must contain continuous lighting that is of sufficient quality to produce clear video recordings and still picture reproductions.

(e) A slot machine licensee's surveillance system must continuously record transmissions from cameras used to observe the following locations, individuals, activities and transactions:

(1) Each transaction conducted on the gaming floor or at a main cage or satellite cage. Coverage of the transaction must include, but not be limited to, recording transmissions from cameras used to observe the face of each patron transacting business at a main cage or satellite cage from the direction of the cashier.

(2) The gaming conducted at all slot machines and table games.

(3) The main bank, vault and other areas specified by the Board.

(4) The collection of tip boxes, slot cash storage boxes and table game drop boxes.

(5) The distribution of cards, dice and tiles to gaming pits.

(6) The inspection of cards, dice and tiles in the gaming pits and at the gaming tables.

(7) The retrieval of cards, dice and tiles from the gaming pits at the end of the gaming day and the delivery of the cards, dice and tiles to the location designated and approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment) for the inspection, cancellation, destruction or, if applicable, packaging for reuse.

(8) The count procedures conducted in the count room.

(9) Any armored car collection or delivery.

(10) The operations conducted at automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automated teller machines.

(11) The entrances and exits to the licensed facility, the gaming floor, the main bank, the vault, the main cage and any satellite cage and the count room.

(f) Slot machine licensees shall maintain a surveillance log of all surveillance activities in the monitoring room. The log shall be maintained by monitoring room personnel in a book with bound numbered pages that cannot be readily removed or shall be maintained in an electronic format which has an audit function that prevents modification of information after the information has been entered into the system. The log shall be stored and retained in accordance with § 465a.6 (relating to retention, storage and destruction of books, records and documents). The following information shall be recorded in a surveillance log:

(1) The date and time each surveillance event commenced.

(2) The name and Board-issued credential number of each individual who initiates, performs or supervises the surveillance.

(3) When suspicious activity, suspected or alleged regulatory violations or suspected or alleged criminal activity is involved, the reason for the surveillance, including the name, if known, alias or description of each individual being monitored and a brief description of the activity in which the individual being monitoring is engaged. This entry should also include a notation of the reading on the meter, counter or device specified in subsection (c)(4)(iii) that identifies the point on the video recording at which the event was recorded.

(4) The time at which each video recording is commenced and terminated, if different than when surveillance commenced or terminated.

(5) Time each surveillance event terminated.

(6) A summary of the results of the surveillance.

(7) A complete description of the time, date and, if known, the cause of any equipment or camera malfunctions, and the time at which the security department was apprised

of the malfunction in accordance with the casino licensee's internal controls submitted under § 465a.2(d)(5).

(g) In accordance with § 465a.2(d)(5), each slot machine licensee shall have a contingency plan to be utilized whenever there is an equipment failure that affects the slot machine licensee's monitoring room or other aspect of its surveillance system or operations.

(h) The casino compliance representatives at the licensed facility shall be notified within 30 minutes of any incident of equipment failure as noted in subsection (f) including the time and cause of the malfunction, if known, the time the slot machine licensee's security department was notified of the malfunction and the nature of communications with the security department relating to the malfunction.

(i) The casino compliance supervisor at the licensed facility shall be notified at least 48 hours in advance of the following:

(1) Relocation of an approved camera.

(2) Change in an approved camera's specifications.

(3) Change in lighting for areas required to be subject to camera coverage.

(4) Addition or change to the surveillance system.

(j) The surveillance recordings required under subsection (e)(1), (8), (9), (10) and (11) shall be retained for a minimum of 30 days. All other surveillance recordings shall be retained for a minimum of 7 days. Surveillance recordings shall be made available for review upon request by the Board or the Pennsylvania State Police.

(k) Any recording determined by the Board or the Pennsylvania State Police as being of potential evidentiary value shall be stored in accordance with Board or Pennsylvania State Police directives or turned over to the Board or the Pennsylvania State Police upon request.

(l) A surveillance employee assigned to the monitoring room shall work from the employee's own monitoring station.

(m) In accordance with § 465a.11(b)(1) (relating to slot machine licensee's organization; jobs compendium), each slot machine licensee shall submit for Board approval an initial minimum surveillance room staffing plan. The surveillance room staffing plan must provide for the continuous monitoring of activities inside and outside the licensed facility taking into account the size and layout of the licensed facility as well as the number and location of slot machines and table games on the gaming floor. A slot machine licensee may not implement a change to its surveillance room staffing plan without prior approval of the Board's Executive Director in accordance with § 601a.10(a).

(n) A slot machine licensee's surveillance department employees shall be independent of all other departments.

(o) A present or former surveillance department employee may not accept employment as a key employee or gaming employee with the same slot machine licensee for whom he was previously employed as a surveillance department employee unless 1 year has passed since the former surveillance department employee worked in the surveillance department. The present or former surveillance department employee may file a written petition as required under § 493a.4 (relating to petitions generally) requesting the Board to waive this restriction and permit the employment of a present or former surveillance department employee in a particular position. The Board may grant or deny the waiver upon consideration of the following factors:

(1) Whether the former surveillance department employee will be employed in a department or area of operation that the surveillance department monitors.

(2) Whether the surveillance and security systems of the slot machine licensee will be jeopardized or compromised by the employment of the former surveillance department employee in the particular position.

(3) Whether the former surveillance department employee's knowledge of the procedures of the surveillance department would facilitate the commission by any individual of irregularities or illegal acts or the concealment of any actions or errors.

(p) Entrances to the surveillance monitoring rooms may not be visible from the gaming floor. An individual entering the surveillance monitoring room who is not an employee of the surveillance department assigned to the monitoring room on the particular shift corresponding to the time of entry shall sign a monitoring room entry log upon entering the monitoring room. The monitoring room entry log shall be:

(1) Maintained in the monitoring room by monitoring room personnel and retained in accordance with § 465a.6.

(2) Maintained in a book with bound numbered pages that cannot be readily removed or shall be maintained in an electronic format which has an audit function that prevents modification of information after the information has been entered into the system.

(3) Signed by each individual entering the monitoring room, with each entry containing the following:

(i) The date and time of each entry.

(ii) The entering individual's name, Board-issued credential number and department or affiliation.

(iii) The reason for entering the monitoring room.

(iv) The name of the individual authorizing the entry into the monitoring room.

(v) The date and time of exiting the monitoring room.

(4) Made available for inspection by the Board and the Pennsylvania State Police.

§ 465a.10. Surveillance system recording formats.

(a) A slot machine licensee may utilize either an analog or digital video recording format provided the format selected incorporates current technology with regard to secure system access, video cameras, monitors, recorders, video printers, switches, selectors and other ancillary equipment and provides for surveillance of activities inside and outside the licensed facility.

(b) Digital video recording systems utilized by a slot machine licensee must be in compliance with the technical standards on digital video recording systems under § 465b.1 (relating to digital video recording formats).

§ 465a.11. Slot machine licensee's organization; jobs compendium.

(a) Slot machine licensees' systems of internal controls must, in accordance with sections 1322 and 13A25(c) of the act (relating to slot machine accounting controls and audits; and table game accounting controls and audit protocols) and § 465a.2 (relating to internal control systems and audit protocols), include organization charts depicting segregation of functions and responsibilities and descriptions of the duties and responsibilities for each position shown on each organization chart. Slot machine licensees shall be permitted, except as otherwise provided in this section, to tailor organizational structures to meet the needs or policies of a particular management philosophy. A slot machine licensee's organization charts must provide for:

(1) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility.

(2) The segregation of incompatible functions, duties and responsibilities so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) The performance of all functions, duties and responsibilities in accordance with sound financial practices by qualified personnel.

(4) The areas of responsibility which are not so extensive as to be impractical for an individual to monitor.

(5) A chief executive officer. For the purposes of this section, a “chief executive officer” means the individual located at the licensed facility who is ultimately responsible for the daily conduct of the slot machine licensee's gaming business regardless of the form of business

association of the slot machine licensee or the particular title which that individual or any other individual holds. A slot machine licensee's organization chart may also include an assistant chief executive officer who is responsible for the daily conduct of the slot machine licensee's gaming business during the chief executive officer's absence. However, the assistant chief executive officer may not be the department head of one of the departments required under subsection (b). Each supervisor of a department required under subsection (b) shall report directly to the chief executive officer or assistant chief executive officer of the slot machine licensee regarding administrative matters and daily operations. The slot machine licensee's organization charts must designate which positions, in the absence of the chief executive officer and the assistant chief executive officer, shall be designated as having responsibility for the daily conduct of the slot machine licensee's gaming business.

(b) A slot machine licensee's system of internal controls must also include, at a minimum, the following departments and supervisory positions, each of which must be categorized as mandatory and must cooperate with, yet perform independently of, other mandatory departments and supervisory positions of the slot machine licensee. Notwithstanding the foregoing, a department or supervisor that is not required or authorized by this section may operate under or in conjunction with a mandatory department or supervisor provided the organizational structure is consistent with the standards contained within the act and subsection (a). Mandatory departments and supervisory positions are:

(1) A surveillance department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in subsection (c) and shall be licensed as a key employee. The surveillance department shall be responsible for the following:

(i) The clandestine surveillance of the operation of, and gaming conducted at, slot machines and table games.

(ii) The clandestine surveillance of the operation of automated bill breaker, gaming voucher, coupon redemption and jackpot payout machines.

(iii) The clandestine surveillance of the operation of the main cage, Poker room cage and any satellite cage.

(iv) The video recording of activities in the count room and the video recording of movements of cash, slot cash storage boxes and table game drop boxes.

(v) The clandestine surveillance of areas used for the storage of gaming chips, plaques, cards, dice, Sic Bo shakers, Roulette balls, Pai Gow tiles and other equipment used to conduct table games.

(vi) The detection of cheating, theft, embezzlement and other illegal activities within the licensed facility.

(vii) The detection of the presence of any individual who may or is required to be excluded or ejected from the licensed facility under section 1514 or 1515 of the act (relating to regulation requiring exclusion or ejection of certain persons; and repeat offenders excludable from licensed gaming facility) and Chapters 511a and 513a (relating to persons required to be excluded; and underage gaming), or is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act (relating to list of persons self-excluded from gaming activities) and Chapter 503a (relating to self-exclusion).

(viii) The video recording of those locations, individuals, activities or transactions required under § 465a.9(e) (relating to surveillance system; surveillance department control; surveillance department restrictions) and of any illegal and unusual activities monitored by the surveillance department.

(ix) The provision of immediate notice to supervisors designated in the internal controls, the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting, and also upon commencing video recording of, an individual who is engaging in or attempting to engage in, or who is suspected of cheating, theft, embezzlement, a violation of this part or other illegal activities, including an individual who is required to be excluded or ejected from the licensed facility under section 1514 of the act, who may or is required to be excluded or ejected from the licensed facility under section 1514 or 1515 of the act and Chapter 511a or 513a or is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act and Chapter 503a.

(x) The clandestine surveillance of any slot computer system or equipment designated for coverage by the Board in conjunction with the approval of a slot machine system, including a slot monitoring system, electronic gaming table system, casino management system, wide area progressive system, gaming voucher system and any communication equipment with the central control computer.

(xi) The installation, maintenance and repair of the surveillance system equipment used by the surveillance department.

(xii) The submission of a surveillance staffing plan as part of the slot machine licensee's internal controls detailing the minimum staffing and the manner in which the responsibilities of this subsection shall be met.

(2) An internal audit department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of internal audit. The director of internal audit shall be subject to the reporting requirements specified in subsection (c) and licensed as a key employee.

(3) An information technology department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the information technology director. The information technology director shall be licensed as a key employee and be responsible for the quality, reliability and accuracy of all slot computer systems used by the slot machine licensee regardless of whether data, software or systems are located within or outside

the licensed facility. The information technology director shall further be responsible for the security and physical integrity of, and the accountability and maintenance of, the following:

(i) Access codes and other security controls used to insure limited access to computer software and the system wide reliability of data.

(ii) Computer tapes, disks or other electronic storage media containing data relevant to the slot machine licensee's operations.

(iii) Computer hardware, communications equipment and software used in the conduct of the slot machine licensee's operations.

(iv) The computerized slot monitoring system utilized by the slot machine licensee. The information technology director shall ensure that:

(A) Slot machines and fully automated electronic gaming tables located on the gaming floor are connected electronically to the slot machine licensee's computerized slot monitoring system and to the Commonwealth's central control computer in accordance with section 1323 of the act (relating to central control computer system).

(B) The security features of the computerized slot monitoring system prohibit, at a minimum, the deletion, creation or modification of any data unless a permanent record is created that sets forth:

(I) The original information.

(II) Modifications to the original information.

(III) The identity of the employee making the modification.

(IV) The identity of each employee authorizing the modification, if applicable.

(C) Computerized jackpot payout systems utilized by the slot machine licensee are configured to require that any modification of $100 or more to the original amount recorded on a computerized jackpot payout or system override is authorized by two slot operations department employees, one of whom is in a position of greater authority than the individual preparing the jackpot payout.

(D) Procedures and controls are in place that define and limit interaction between both the slot operations department and finance department and the computerized slot monitoring system including access to system menus, the establishment of slot machine and fully automated electronic gaming table profile parameters, and the ability of each department to access, delete, create or modify information contained in the slot monitoring system.

(4) Except as provided in paragraph (8), a slot operations department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of slot operations. The director of slot operations shall be licensed as a key employee and be responsible for the operation of, and conduct of gaming at, slot machines and fully automated electronic gaming tables within the licensed facility.

(5) A security department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of security. The director of the security department shall be licensed as a key employee and be responsible for the overall security of the licensed facility including the following:

(i) The physical safety of individuals.

(ii) The physical safeguarding of assets.

(iii) The protection of the property of both the patron and the slot machine licensee from illegal activity.

(iv) The design, implementation and enforcement of a system for the issuance of temporary access credentials.

(v) The recording of any unusual incidents within the licensed facility in which the security department is involved. Each incident shall be recorded by security department personnel in a book with bound numbered pages that cannot be readily removed or be maintained in an electronic format which has an audit function that prevents modification of information after the information has been entered into the system. The log shall be stored and retained in accordance with § 465a.6 (relating to retention, storage and destruction of books, records and documents). The following information shall be recorded:

(I) The assignment number of the incident.

(II) The date and time.

(III) The nature of the incident.

(IV) The individuals involved in the incident.

(V) The security department employees assigned to cover the incident.

(vi) The identification and removal of any individual who is required to be excluded or ejected from the licensed facility under section 1514 of the act, who may be excluded or ejected from the licensed facility under section 1515 of the act or is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act.

(vii) The performance of the duties and responsibilities required under the system of internal controls submitted and approved under § 465a.2.

(viii) The provision of immediate notice to the Pennsylvania State Police upon detecting the presence in the licensed facility of an individual possessing a weapon in violation of § 465a.13 (relating to possession of weapons within a licensed facility).

(ix) The provision of immediate notice to supervisors designated in the internal controls and the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting any individual who is engaging in or attempting to engage in, or who is suspected of cheating, theft, embezzlement, a violation of this part or other illegal activities.

(x) The provision of immediate notice to supervisors designated in the internal controls and the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting any individual who is required to be excluded or ejected from the licensed facility under section 1514 or 1515 of the act and Chapter 511a or 513a or is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act and Chapter 503a.

(6) A finance department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of finance. The director of finance shall be licensed as a key employee and responsible for all finance functions including the preparation and control of records and data, the control of stored data, the control of unused forms, the accounting for and comparison of operational data and forms, and the control and supervision of the inventory of gaming chips, the issuance of credit, the main cage, Poker room cage, satellite cages and the count room. The employees responsible for the issuance of credit shall be in a reporting line to the director of finance. The supervisor of the cage shall, on all shifts, be permitted as a gaming employee.

(7) Except as provided in subsection (8), a slot machine licensee that has a certificate to operate table games shall have a table games department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of table games. The director of table games shall be licensed as a key employee and responsible for all table game functions including the inventory of table game equipment.

(8) In lieu of separate slot and table games departments, a slot machine licensee may elect to have a gaming department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of gaming. The director of gaming shall be licensed as a key employee and responsible for the overall operation and conduct of gaming at slot machines and table games within the licensed facility. A slot machine licensee may also elect to have a director of table games and a director of slot operations who report to the director of gaming.

(c) The supervisors of the surveillance and internal audit departments required under subsection (b) shall report directly to one of the following persons or entities regarding matters

of policy, purpose, responsibility and authority, which persons or entities shall also control the hiring, termination and salary of each supervisor:

(1) The independent audit committee of the slot machine licensee's board of directors.

(2) The independent audit committee of the board of directors of any holding or intermediary company of the slot machine licensee which has authority to direct the operations of the slot machine licensee.

(3) The senior surveillance or internal audit executives of any holding or intermediate company included in paragraph (2) if the most senior executive in the reporting line reports directly to the independent audit committee of the board of directors of the holding or intermediary company.

(4) For slot machine licensees or holding companies that are not corporate entities, the noncorporate equivalent of any of the persons or entities listed in paragraphs (1)—(3).

(5) An independent audit committee or other individuals designated by the Board in the slot machine licensee's Statement of Conditions under § 423a.6 (relating to license, permit, registration and certification issuance and statement of conditions).

(d) The slot machine licensee's personnel shall be trained in all policies, procedures and internal controls relevant to each employee's individual function. Special instructional programs shall be developed by the slot machine licensee in addition to any on-the-job instruction sufficient to enable all members of the departments required under this section to be thoroughly conversant in, and knowledgeable of, the required manner of performance of all transactions relating to their functions.

(e) Notwithstanding other provisions to the contrary, a slot machine licensee may designate and assign more than one individual to serve jointly as the supervisor of a department required under this section. Each individual approved to serve as a joint supervisor of a mandatory department shall be located at the licensed facility and shall be individually and jointly accountable and responsible for the operations of that department.

(f) In the event of a vacancy in the chief executive officer position or any mandatory department supervisory position required under subsection (b), the following apply:

(1) The slot machine licensee shall notify the Board within 5 days from the date of vacancy. The notice must be in writing and indicate the following information:

(i) The vacant position.

(ii) The date on which the position will become or became vacant.

(iii) The date on which it is anticipated that the vacancy will be filled on a permanent basis.

(2) The slot machine licensee shall designate an individual to assume the duties and responsibilities of the vacant position within 30 days after the date of vacancy. The individual may assume the duties and responsibilities of the vacant position on a temporary basis, provided that:

(i) The individual does not also function as the department supervisor for any other mandatory department required under this section.

(ii) The individual's areas of responsibility will not be so extensive as to be impractical for one individual to monitor.

(iii) The position shall be filled on a permanent basis within 120 days of the original date of vacancy.

(3) Within 5 days of filling a vacancy under paragraph (2), the slot machine licensee shall notify the Board thereof. The notice must be in writing and indicate the following:

(i) The position.

(ii) The name of the individual designated.

(iii) The date that the vacancy was filled.

(iv) An indication of whether the position has been filled on a temporary or permanent basis.

(4) The notices required in this subsection shall be directed to the Bureau of Licensing.

(g) Each slot machine licensee shall prepare and maintain a jobs compendium consistent with the requirements of this section detailing job descriptions and lines of authority for all personnel employed by the slot machine licensee. The jobs compendium shall be submitted to the Board for approval as part of the slot machine licensee's internal controls required under § 465a.2 at least 90 days prior to the commencement of slot or table game operations. The Board will review the jobs compendium to determine whether the job descriptions and the organizational charts contained therein conform to the licensing, permitting and registration requirements and chain-of-command and segregation of duties requirements of the act and the Board's regulations as part of the Board's review of the slot machine licensee's internal controls required under § 465a.2.

(h) A jobs compendium must include the following sections:

(1) An alphabetical table of contents listing the position title, job code and the page number on which the corresponding job description may be found.

(2) An organizational chart for each department or division, including all positions and illustrating by position title, the direct and indirect lines of authority within the department or division. Each page of an organizational chart must specify the following:

(i) The date the organizational chart was approved.

(ii) The effective date of the previously submitted organizational chart that the revised organizational chart supersedes.

(iii) A unique title or other identifying designation for that organizational chart.

(3) Job descriptions of each employee position that accurately correspond to a position title listed in the organizational charts and in the alphabetical table of contents. Each job description must be contained on a separate page, organized by departments or divisions, and include, at a minimum, the following:

(i) The job title and corresponding department.

(ii) Job duties and responsibilities.

(iii) Detailed descriptions of experience or educational requirements.

(iv) The type of Board-issued credential required under the act and the Board's regulations for each employee job description.

(v) The date of submission of each employee job description and the date of any prior job description it supersedes.

(vi) The access code that will be assigned to the employee job description for the access badge required under § 465a.12 (relating to access badges and temporary access credentials).

(i) Any proposed amendment to a previously approved jobs compendium, including any amendment to an organizational chart, which involves the departments listed in subsection (b) shall be submitted as an amendment to the slot machine licensee's internal controls in accordance with § 465a.2. Amendments that are required to be submitted under this subsection may be implemented by the slot machine licensee prior to approval of the amendment, if:

(1) The amendment is immediately recorded in the copy of the jobs compendium maintained by the slot machine licensee on its premises.

(2) The amendment is submitted to the Bureau of Gaming Operations by the end of the business day on the date of implementation, including at a minimum, the proposed changes to the information required under subsection (h), including the corresponding revised job descriptions and organizational charts, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the Board.

(j) For departments that are not listed in subsection (b), unless otherwise directed by the Board, a slot machine licensee will not be required to submit amendments to its jobs compendium for approval. Instead, the certificate holder will be required to notify the Bureau of Licensing by the end of the business day on the date of implementation for newly created positions or changes to job descriptions and tables of organizations. The notification must include properly formatted job descriptions and organization charts for the affected departments. After the notification has been submitted, the Bureau of Licensing may require changes to the job descriptions and organizational charts to ensure compliance with licensing, permitting or registration requirements.

(k) Notwithstanding other requirements of this section, each certificate holder shall submit a complete and up-to-date jobs compendium to the Bureau of Gaming Operations and the Bureau of Licensing 12 months after its receipt of authorization to commence slot operations and every 12 months thereafter.

(l) Each slot machine licensee shall maintain on its premises a complete, updated copy of its jobs compendium, in a written or electronic form, which shall be made available for review upon request of the Board, the Department or the Pennsylvania State Police.

(m) This section may not be construed so as to limit a slot machine licensee's discretion in utilizing a particular job title for any position in its jobs compendium.

§ 465a.12. Access badges and temporary access credentials.

(a) Slot machine licensees shall develop an access control matrix indicating the restricted areas in a licensed facility that an employee may access for each employee job description. Access to restricted areas by an employee shall be limited to the restricted areas that the employee needs to access in the course of the performance of the employee's normal duties listed in the employee's job description.

(b) In the internal controls required to be submitted under § 465a.2 (relating to internal control systems and audit protocols), the slot machine licensee shall designate the department that shall be responsible for determining the appropriate level of access for each job description and updating the level of access when a job description changes. The level of access information for each employee shall be transmitted to the individual or department designated in subsection (c).

(c) In the internal controls required to be submitted under § 465a.2, the slot machine licensee shall designate the department that shall develop and maintain an electronic database system, or its functional equivalent, which contains the access level of all employees of the slot

machine licensee. The electronic database system must be capable of tracking who enters or changes the access level assigned to each employee.

(d) In the internal controls required to be submitted under § 465a.2, the slot machine licensee shall designate the department that shall be responsible for entering or making changes to the access level of employees of the slot machine licensee in the electronic database system.

(e) In the internal controls required to be submitted under § 465a.2, the slot machine licensee shall include an access matrix containing all restricted areas and all employees, their position titles and departments who have access to those restricted areas.

(f) Read-only access to the electronic database system shall be made available through secure computer access to the Board's representatives at the licensed facility.

(g) Slot machine licensees shall develop an access badge system consisting of a badge that contains the employee's name and a color, code or symbol that indicates the areas in the licensed facility that the employee is allowed to access.

(h) Employees of a slot machine licensee shall be required to wear an access badge in a visible location at all times while they are working in a licensed facility.

§ 465a.13. Possession of weapons within a licensed facility.

(a) Except as provided in subsection (b), individuals, including security department personnel, are prohibited from possessing weapons capable of producing death or serious bodily injury, as defined in 18 Pa.C.S. § 2301 (relating to definitions), stun guns or other devices designed to injure or incapacitate a person within a licensed facility.

(b) The Board's prohibition in subsection (a) does not apply to the possession of firearms carried in accordance with 18 Pa.C.S. §§ 6101—6127 (relating to Pennsylvania Uniform Firearms Act of 1995). A slot machine licensee may exercise its common law right to prohibit the possession of firearms in accordance with subsections (c) and (d).

(c) A licensee may not prohibit the following individuals from possessing a weapon capable of producing death or serious bodily injury, including a firearm, stun gun or other device designed to injure or incapacitate a person within its facility:

(1) Pennsylvania State Police assigned to its Gaming Enforcement Office.

(2) An on-duty officer or agent of any local, State or Federal law enforcement agency when the officer or agent is acting in an official capacity.

(d) A slot machine licensee that prohibits individuals from possessing firearms shall post in a conspicuous location at each entrance to the licensed facility signs that provide the public with notice that the possession of firearms, weapons capable of producing death or serious bodily injury, stun guns and other devices designed to injure or incapacitate a person is prohibited.

(e) A slot machine licensee that does not prohibit individuals from possessing firearms shall post in a conspicuous location at each entrance to the licensed facility signs that provide the public with notice that the possession of weapons capable of producing death or serious bodily injury, other than firearms carried in accordance with 18 Pa.C.S. § 6109 (relating to licenses), stun guns or other devices designed to injure or incapacitate a person is prohibited.

§ 465a.14. Security department minimum staffing.

(a) In accordance with § 465a.2(d)(5) (relating to internal control systems and audit protocols), slot machine licensees shall be required to submit a minimum staffing submission with regard to its security department. The minimum staffing submission must consider the size and layout of the licensed facility as well as the number and configuration of slot machines and table games on the gaming floor and must at all times provide for security of the gaming floor and restricted areas servicing the gaming operation. A slot machine licensee may not implement a change or amendment in its security department minimum staffing submission without approval from the Board's Executive Director, in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) of the change or amendment.

(b) A slot machine licensee may not employ off-duty law enforcement officers to provide security related services in the licensed facility.

§ 465a.15. Cage characteristics.

(a) A licensed facility shall have, immediately adjacent or proximate to the gaming floor, a physical structure known as a cage to house the cashiers and to serve as the central location in the licensed facility for:

(1) The custody of the cage inventory comprised of cash (currency or coin), gaming chips, plaques and the forms, documents and records normally associated with the operation of a cage.

(2) The functions normally associated with the operation of a cage.

(b) The supervisor of the cage shall, regardless of shift, be permitted as a gaming employee.

(c) The cage must be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein. Its design and construction must include:

(1) Manually triggered silent alarm systems located at the cashiers' window, vault and in ancillary office space adjacent or proximate thereto. The systems must be connected directly to the monitoring room of the surveillance department and to the security department.

(2) A double door entry and exit system that will not permit an individual to pass through the second door until the first door is securely locked. In addition, the following apply:

(i) The first door leading from the gaming floor of the double door entry and exit system must be controlled by the security department or the surveillance department.

(ii) The second door of the double door entry and exit system must be controlled by the cage, security department or the surveillance department, provided that the first and second door may not be controlled by the same department.

(iii) The double door entry and exit system must have surveillance coverage which shall be monitored by the surveillance department.

(iv) An entrance to the cage that is not a double door entry and exit system must be an alarmed emergency exit door only.

(3) If manual locks are used to secure each door of the double door entry and exit system, the keys to each door must be different from each other.

(4) A slot machine licensee may use a Board-approved computerized access system to meet the double door entry system requirements in paragraph (2) if:

(i) The computerized access system provides a functionally equivalent level of security.

(ii) The slot machine licensee includes provisions in the slot machine licensee's internal controls which will provide a functionally equivalent level of security when the computerized access system is not functioning.

(d) A licensed facility may also have one or more satellite cages separate and apart from the main cage established to maximize security, efficient operations or patron convenience. A satellite cage may perform all of the functions of the main cage and must be equipped with an alarm system in compliance with subsection (c)(1). The functions which are conducted in a satellite cage shall be subject to the accounting controls applicable to a main cage set forth in this subpart.

(e) A slot machine licensee shall maintain, immediately available to the Board and the Pennsylvania State Police, a current list, with Board credential numbers, of all persons:

(1) Possessing the combination or keys to the locks securing the double door entry and exit system restricting access to the main cage and any satellite cage and the vault.

(2) Possessing the ability to activate or deactivate alarm systems for the main cage, any satellite cage and vault.

§ 465a.16. Accounting controls for the cage.

(a) The assets for which cage cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, cage cashiers assigned to the outgoing shift shall record on a

cashiers' count sheet the face value of each cage inventory item counted and the total of the opening and closing cage inventories and shall reconcile the total closing inventory with the total opening inventory. Each cashiers' count sheet shall be signed by the preparing cage cashier attesting to the accuracy of the information thereon.

(b) At the opening of every shift, in addition to the imprest funds normally maintained by cage cashiers, each slot machine licensee shall have in the main cage, a reserve cash bankroll sufficient to pay winning patrons.

(c) The main cage and any satellite cage shall be physically segregated by personnel and function as follows:

(1) Cage cashiers shall operate with individual imprest inventories of cash and their functions include the following:

(i) The receipt of cash, value chips, plaques and other cash equivalents from patrons in exchange for cash.

(ii) The receipt of personal checks for gaming purposes from patrons in exchange for cash, subject to the limitations on amount under § 465a.20 (relating to personal check cashing).

(iii) The receipt of cash, value chips, plaques and other cash equivalents, checks issued by the slot machine licensee, annuity jackpot checks, wire transfers and cashless funds transfers from patrons to establish a customer deposit under § 465a.23 (relating to customer deposits).

(iv) The receipt of customer deposit forms from patrons in exchange for cash under § 465a.23.

(v) The preparation of jackpot payout slips in accordance with this subpart and technical standards adopted by the Board under § 465a.26 (relating to jackpot and credit meter payouts).

(vi) The receipt of gaming vouchers from patrons, or from authorized employees who received gaming vouchers as gratuities, in exchange for cash.

(vii) Issuance, receipt and reconciliation of imprest funds used by slot attendants, including an imprest change/pouch payout fund.

(viii) The issuance of gaming vouchers.

(2) Main bank cashier functions include the following:

(i) The receipt of cash, value chips, plaques, cash equivalents, gaming vouchers, jackpot payout slips and personal checks received for gaming purposes from cage cashiers in exchange for cash.

(ii) The receipt of cash from the count rooms.

(iii) The receipt of personal checks accepted for gaming purposes from cage cashiers for deposit.

(iv) The preparation of the overall cage reconciliation and accounting records.

(v) The preparation of the daily bank deposit for cash, cash equivalents, Counter Checks and personal checks.

(vi) The issuance, receipt and reconciliation of imprest funds used by slot attendants.

(vii) The receipt from cage cashiers of documentation with signatures thereon, required to be prepared for the segregation of functions in the cage.

(viii) The responsibility for the reserve cash bankroll.

(ix) The receipt of unsecured currency and unsecured gaming vouchers and preparation of reports thereon.

(x) The issuance, receipt and reconciliation of cash and gaming vouchers to and from automated bill breaker, automated gaming voucher and coupon redemption and automated jackpot payout machines and preparation of related documentation.

(d) At the end of the gaming day a copy of the cage cashiers' count sheets and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms, records and documents required by this subpart and recording of transactions.

§ 465a.17. Bill validators, slot cash storage boxes and table game drop boxes.

(a) Slot machines and fully automated electronic gaming tables must be equipped with a bill validator configured to accept any combination of currency, gaming vouchers, coupons and other instruments authorized by the Board for incrementing credits on a slot machine or fully automated electronic gaming table.

(b) Access to the bill validator must be controlled by at least one lock, the key to which shall be controlled by the slot operations department.

(c) The bill validator in a slot machine or fully automated electronic gaming table must contain a secure tamper resistant container known as a slot cash storage box or table game drop box. Currency, gaming vouchers, coupons and Board-approved instruments inserted into the bill validator shall be deposited into the slot cash storage box or table game drop box.

(d) The slot cash storage box or table game drop box on a fully automated electronic gaming table must be secured to the bill validator by two separate locks, the keys to which shall be different from each other, one of which may be the lock to the belly door or main door of the slot machine or fully automated electronic gaming table and a second of which is the lock on the release mechanism on the slot cash storage box or table game drop box. If there is not a full door on the bill validator, the lock on the release mechanism on the slot cash storage box or table game drop box must detect and display whether it is locked or unlocked and communicate whether it is locked or unlocked to a slot monitoring system. The keys shall be maintained and controlled as follows:

(1) The key to the main door and belly door, if applicable, of the slot machine or fully automated electronic gaming table shall be maintained and controlled by the slot operations department. The slot operations department may, immediately prior to the commencement of the drop, issue its main door and belly door key, if applicable, to the finance department. A key transferred from the slot operations department to the finance department shall be returned immediately following the conclusion of the drop. The slot operations department shall establish sign in and sign out procedures in its internal controls documenting this transfer.

(2) The key to the lock securing the release mechanism on the slot cash storage box or table game drop box shall be maintained and controlled by the security department. The security department shall establish a sign out and sign in procedure with regard to this key which includes documentation of this transfer.

(e) A slot cash storage box or table game drop box from a fully automated electronic gaming table must:

(1) Have at least one lock securing the contents of the slot cash storage box or table game drop box, the key to which shall be maintained and controlled by the finance department.

(2) Have a slot opening through which currency, gaming vouchers and coupons can be inserted into the slot cash storage box or table game drop box.

(3) Have a mechanical arrangement or device that prohibits removal of currency, gaming vouchers and coupons from the slot opening whenever the slot cash storage box or table game drop box is removed from the bill validator.

(4) Be fully enclosed, except for openings that may be required for the operation of the bill validator or the slot cash storage box or table game drop box. However, the location and size of the openings may not affect the security of the slot cash storage box, the table game drop box, its contents or the bill validator.

(5) Have an asset number that is permanently imprinted, affixed or impressed on the outside of the slot cash storage box or table game drop box which corresponds to the asset number of the slot machine or fully automated electronic gaming table to which the bill validator has been attached. In lieu of the asset number, a slot machine licensee may develop and maintain, with prior Board approval, a system for assigning a unique identification number to its slot cash storage boxes or table game drop boxes. The system must ensure that each slot cash storage box or table game drop box can readily be identified, either manually or by computer, when in use with, attached to and removed from a particular bill validator. Each unique identification number must be permanently imprinted, affixed or impressed on the outside of each slot cash storage box or table game drop box that does not otherwise bear an asset number. The asset number or unique identification number must be conspicuous and clearly visible to persons involved in removing or replacing the slot cash storage box or table game drop box in the bill validator and through the slot machine licensee's surveillance system. Notwithstanding the foregoing, emergency slot cash storage boxes and emergency table game drop boxes for fully automated electronic gaming tables may be maintained without an asset number or a unique identification number, provided the word “emergency” is permanently imprinted, affixed or impressed thereon, and when put into use, are temporarily marked with the asset number of the slot machine or fully automated electronic gaming table to which the bill validator is attached.

(6) Be designed and installed in a manner that renders the slot machine or fully automated electronic gaming table inoperable in the event of the removal or absence of the slot cash storage box or table game drop box.

(f) A table game in a licensed facility that is not a fully automated electronic gaming table must have a secure tamper-resistant table game drop box attached to it in which the following shall be deposited:

(1) All cash exchanged at the gaming table for gaming chips and plaques.

(2) Issuance copies of Counter Checks exchanged at the gaming table for gaming chips and plaques.

(3) Copies of Fill Request Slips, Fill Slips, Credit Request Slips, Credit Slips and Table Inventory Slips.

(4) Other table game wagering instruments as approved by the Board.

(g) A table game drop box from a table game that is not a fully automated electronic gaming table must have:

(1) Two separate locks securing the contents placed into the table game drop box, the keys to which must be different from each other.

(2) A separate lock securing the table game drop box to the gaming table, the key to which must be different from each of the keys to the locks securing the contents of the table game drop box.

(3) A slot opening through which currency, value chips or Poker rake chips for nonbanking games, other table game wagering instruments as approved by the Board, and required forms and documents can be inserted into the table game drop box.

(4) A mechanical device that must automatically close and lock the slot opening upon removal of the table game drop box from the gaming table.

(5) Permanently imprinted or impressed thereon, and clearly visible to surveillance, either:

(i) A number corresponding to a unique permanent number on the gaming table to which the table game drop box is attached and a letter or letters which indicate the type of game.

(ii) The word “emergency.”

(6) In addition to the information required under paragraph (5)(i), a table game drop box may also be identified by a bar code label that is securely affixed to the table game drop box. Each bar code label affixed to a table game drop box must be:

(i) Encoded, at a minimum, with the information required under paragraph (5)(i).

(ii) Prepared in accordance with the slot machine licensee's approved internal controls.

(h) The key utilized to release the table game drop boxes from table games that are not fully automated electronic gaming tables shall be maintained and controlled by the security department. The security department may, immediately prior to the commencement of the table game count process, issue its release key to the count room supervisor for the purpose of resetting the release mechanism on empty table game drop boxes. A key transferred from the security department shall be returned immediately following the conclusion of the count of the table game drop boxes. The security department shall establish sign in and sign out procedures in its internal controls documenting this transfer and procedures governing the control of the key during any breaks taken by the count room personnel.

(i) The key to one of the locks securing the contents of a table game drop box from a table game that is not a fully automated electronic gaming table shall be maintained and controlled by the finance department. The key to the second lock securing the contents of the table game drop box from a table game that is not a fully automated electronic gaming table shall be maintained and controlled by the casino compliance representatives.

(j) Prior to using a table game drop box labeled “Emergency” for a table game that is not a fully automated electronic gaming table, the certificate holder shall:

(1) Notify and obtain the verbal approval of the casino compliance representatives.

(2) Temporarily mark the emergency table game drop box with the number of the gaming table and a letter or letters that indicate the type of game.

§ 465a.18. Transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor; storage.

(a) Slot machine licensees shall submit and obtain the approval of the Bureau of Casino Compliance, in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment), the plan for the distribution and collection of slot cash storage boxes and table game drop boxes. The plan must:

(1) Provide for the separate distribution and collection of table game drop boxes from table games that are not fully automated electronic gaming tables from slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables.

(2) Include the time the distribution and collection of table game drop boxes from table games that are not fully automated electronic gaming tables, slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables will begin.

(3) Specify which slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables will be picked up on each pick-up day.

(4) Specify the order in which the slot cash storage boxes and table game drop boxes will be distributed and collected.

(5) Specify the route that the drop team will utilize from the gaming floor to the count room.

(b) Slot machine licensees shall maintain and make available to the Bureau of Casino Compliance and the Pennsylvania State Police a current list, with Board credential numbers, of all employees participating in the transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor. The slot machine licensee shall file notice with the Bureau of Casino Compliance and obtain verbal approval from the casino compliance supervisor at the licensed facility prior to:

(1) Deviating from the schedule setting forth the specific times at which slot cash storage boxes or table game drop boxes are brought to or removed from the gaming floor.

(2) Changing which slot cash storage boxes or table game drop boxes from fully automated electronic gaming tables will be picked up on each pick-up day.

(3) Altering the route to the count room.

(c) Table game drop boxes from table games that are not fully automated electronic gaming tables shall be removed from all gaming tables once each gaming day regardless of whether or not the gaming table was open or closed during that gaming day. Table game drop boxes from table games that are not fully automated electronic gaming tables shall be collected separately from slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables.

(d) Slot cash storage boxes and table game drop boxes removed from bill validators or gaming tables shall be transported directly to, and secured in, the count room or a trolley storage area located immediately adjacent thereto, configured and secured by a minimum of three employees, at least one of which is a member of the security department and at least one of which is a member of the finance department.

(1) Upon its removal from a bill validator or gaming table, a slot cash storage box or table game drop box shall immediately be placed in an enclosed trolley which is secured by two separately keyed locks. The key to one lock shall be maintained and controlled by the security department. The key to the other lock shall be maintained and controlled by the finance department. Access to the keys shall be controlled, at a minimum, by a sign out and sign in procedure contained in the slot machine licensee's internal controls. The security department key and the key controlled by finance shall be returned to its secure location after completion of the slot and table game count.

(2) Prior to the movement of any trolley, which contains slot cash storage boxes or table game drop boxes, from the gaming floor into the count room, the drop team supervisor shall verify that the number of slot cash storage boxes and table game drop boxes removed from the gaming floor equals the number of slot cash storage boxes and table game drop boxes scheduled to be collected that day and that the locks controlled by security and the finance department have been locked. For table game drop boxes removed from table games that are not fully automated electronic gaming tables, a floorperson or above may verify the number of table game drop boxes removed from the gaming floor instead of the drop team supervisor.

(3) A slot cash storage box or table game drop box being replaced by an emergency slot cash storage box or table game drop box shall be transported, using a trolley, directly to and secured in the count room by at least one member of the finance department and one member of the security department.

(e) Slot cash storage boxes and table game drop boxes that are not secured to a bill validator or a gaming table, including emergency slot cash storage boxes and table game drop boxes that are not actively in use, shall be stored in the count room or other secure area specified in the slot machine licensee's internal controls. These slot cash storage boxes and table game drop boxes shall be stored in an enclosed cabinet or trolley and secured in the cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the other lock shall be maintained and controlled by the finance department. Access to the keys shall be controlled, at a minimum, by a sign out and sign in procedure contained in the slot machine licensee's internal controls.

(f) Notwithstanding subsection (e), the security department may, immediately prior to the commencement of the count process, issue its key to the storage cabinet or trolley to a count room supervisor for the purpose of gaining access to the slot cash storage boxes and table game drop boxes in the storage cabinet or trolley. A key transferred from the custody of the security department to the count room supervisor shall be returned immediately following the conclusion of the count of the slot cash storage boxes and table game drop boxes and the return of the empty emergency drop boxes and slot cash storage boxes or table game drop boxes to their respective storage cabinet or trolley by the count room supervisor. The security department shall establish in its internal controls a sign out and sign in procedure documenting this transfer and a procedure governing the control of the key during any breaks taken by count room personnel.

(g) When a gaming table on the gaming floor is not in use, the table game drop box for that table must remain attached to the gaming table.

(h) Prior to changing the type of table game offered or removing a slot machine or table game from the gaming floor, at least one security department employee and one finance department employee shall conduct an emergency drop.

§ 465a.19. Acceptance of tips or gratuities from patrons.

(a) Notwithstanding the requirements of § 461a.8(n) (relating to gaming vouchers), a key employee, box person, floorperson or any other gaming employee who serves in a supervisory position is prohibited from soliciting or accepting, and no other gaming employee may solicit, a tip or gratuity from a patron of the slot machine licensee. The slot machine licensee may not permit any practices prohibited by this section.

(b) The slot machine licensee shall submit internal controls relating to the acceptance of tips or gratuities by dealers at banking and nonbanking table games.

(c) Except as permitted under subsection (g), all tips and gratuities received by dealers in a licensed facility shall be:

(1) Immediately deposited in a transparent locked box reserved for tips and gratuities. If Roulette chips are received as tips or gratuities at a Roulette table, the marker button indicating the specific value of the Roulette chips may not be removed until after the dealer, in the presence of a floorperson or above, has converted the Roulette chips into value chips which shall then be immediately deposited in the transparent locked box reserved for tips and gratuities.

(2) Collected and accounted for at least once each gaming day.

(3) Placed in a common pool for distribution pro rata among all dealers in accordance with subsection (e).

(d) A patron may identify a wager as a tip wager. A tip wager placed at the table shall be played separately from the player's other wagers. A winning tip wager shall be collected and deposited in the tip box after each round of play or after a roll of the dice which decides the

outcome of the wager. A winning tip wager or part of a winning tip wager may not be wagered again. Upon receipt from a patron of a tip or gratuity, a dealer shall extend his arm in an overt motion, and deposit the tip or gratuity in the locked box reserved for tips and gratuities.

(e) Tips and gratuities placed in a common pool shall be distributed pro rata among the dealers in the pool based upon the number of hours worked. In determining the number of hours which an employee has worked for purposes of tip pool distribution, a slot machine licensee may establish standards for distribution which include hours of vacation time, personal leave time or any other authorized leave of absence in the number of hours worked by each employee. These standards shall apply uniformly to all employees, except that a slot machine licensee may establish different standards for full-time or part-time employees.

(f) Any distribution of tips and gratuities from a common tip pool under this section shall occur no more than once every 7 calendar days.

(g) Notwithstanding the requirements in subsection (c), a certificate holder that offers the game of Poker may either:

(1) Establish a separate common pool for tips and gratuities received by its Poker dealers.

(2) Permit a Poker dealer to retain his own tips and gratuities, in which case the tips and gratuities received by a Poker dealer shall be deposited, in accordance with procedures in subsection (d), in a transparent locked box assigned to the particular dealer. The box shall be moved from table to table with the dealer.

(h) When a slot machine licensee elects to use the option in subsection (g)(2), at the end of the Poker dealer's shift, the dealer shall take the transparent locked box assigned to the dealer to a cage cashier. The cage cashier shall open the container and count the tips and gratuities in the presence of the Poker dealer and record the total amount of the tips and gratuities received by the dealer and either:

(1) Return the tips and gratuities to the dealer.

(2) Retain all or a portion of the tips and gratuities for inclusion in the dealer's paycheck.

(i) A certificate holder shall specify how dealer tips and gratuities will be reported to the Internal Revenue Service.

§ 465a.20. Personal check cashing.

(a) Checks made payable to an individual, including Social Security, unemployment insurance, disability, public assistance and payroll checks, may not be cashed by a slot machine licensee or entity certified or registered with the Board that is operating within the licensed facility. Notwithstanding the prohibition, a slot machine licensee may cash the payroll check of

one of its employees or a check issued to a patron by the slot machine licensee. Personal checks accepted by a slot machine licensee which enable a patron to take part in gaming must be:

(1) Drawn on a commercial bank, savings bank, saving and loan association or credit union and payable on demand.

(2) Drawn for a specific amount.

(3) Made payable to the slot machine licensee or entity certified or registered with the Board that is operating within the licensed facility.

(4) Currently dated, but not postdated.

(b) Personal checks accepted under subsection (a) shall be presented by the patron directly to a cage cashier who shall:

(1) Endorse the check “for deposit only” to the bank account designated by the slot machine licensee.

(2) Initial the check.

(3) Date and time stamp the check.

(4) Verify that the signature of the patron on the personal check and the patron's physical appearance agree with information recorded in a patron signature file created and maintained by the slot machine licensee in accordance with subsection (c) or with the signature and photograph or physical description contained on a government-issued identification presented by the patron. The slot cashier shall document how the signature verification was performed in connection with the acceptance of each personal check.

(5) For personal checks equaling or exceeding $500, verify the validity of the check directly with the commercial bank, savings bank, saving and loan association or credit union upon which it is drawn or obtain an authorization and guarantee of the check from a check verification and warranty service certified as a gaming service provider by the Board. The cage cashier shall document how the check verification was performed in connection with the acceptance of each personal check.

(6) Immediately exchange the personal check for cash in an amount equal to the amount for which the check is drawn or place the amount in a customer deposit account under § 465a.23 (relating to customer deposits) for subsequent use at the licensed facility. A slot machine licensee may not accept a check or multiple checks which in the aggregate exceed $2,500 per patron per gaming day, except as permitted in §§ 609a.15(c) and 609a.16(b) (relating to redemption of Counter Checks; and substitution and consolidation of Counter Checks).

(c) To record a patron's signature in a patron signature file, a cage cashier shall require the individual for whom the file is to be created to present for examination the following:

(1) If the identity of the patron is to be confirmed in accordance with subsection (d)(1), one form of identification.

(2) If the identity of the patron is to be confirmed in accordance with subsection (d)(2), two forms of identification, at least one of which must contain a photograph or general physical description of the patron.

(d) Before a slot machine licensee may use a signature recorded in a patron signature file to verify the identity of a patron or the validity of a signature on a document, the slot machine licensee shall confirm the identity of the patron by either:

(1) Comparing the signature on the identification presented by the patron under subsection (c)(1) with the signature obtained from the patron and verifying the address of the patron's residence with a credit bureau, commercial bank or, if neither of these sources has the individual's address on file or will not provide the information, with an alternative source, which does not include any identification credentials or other documentation presented by the patron at the cage.

(2) Comparing the signature on each of two forms of the identification presented by the patron under subsection (c)(2) with the signature obtained from the patron and comparing the photograph or general physical description contained on at least one of the forms of identification with the patron's actual physical appearance.

(e) A patron signature file established and maintained by a slot machine licensee under subsection (c) must include, in addition to the patron's signature, the following:

(1) The patron's name.

(2) The address of the patron's residence.

(3) The types of identification examined under subsection (d) and an indication whether the identification contained a photograph or physical description of the patron.

(4) For the purposes of this section, a physical description of the patron which includes:

(i) Date of birth.

(ii) Approximate height.

(iii) Approximate weight.

(iv) Hair color.

(v) Eye color.

(5) The date and time that the patron signature file was established.

(6) The procedure by which the identity of the patron was confirmed under subsection (d), including:

(i) The source of confirmation, date and time if confirmed under subsection (d)(1).

(ii) The date and time of confirmation if confirmed under subsection (d)(2).

(7) The signature of the cage cashier or cage supervisor who examined the identification of the patron and established the patron signature file. The signature will evidence that:

(i) The signature of the patron recorded in the patron signature file is consistent with the signature on each form of identification that was examined.

(ii) The physical description recorded in the patron signature file is consistent with both the actual appearance of the patron and any photograph or physical description that may be contained on an identification that was examined.

(f) A slot machine licensee that charges a fee for cashing checks shall comply with the Check Casher Licensing Act (63 P. S. §§ 2301—2334).

(g) Prior to accepting personal checks, each slot machine licensee shall establish a comprehensive system of internal controls applicable to the acceptance of personal checks. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The internal controls submitted by the slot machine licensee must address procedures for complying with § 503a.4(a)(4) (relating to duties of slot machine licensees) and this section including the dollar limitation per gaming day contained in subsection (b)(6).

(h) An entity certified or registered with the Board that is cashing checks on behalf of a licensee within a licensed facility shall comply with the requirements in subsections (a)—(f).

§ 465a.21. Wire transfers.

(a) A slot machine licensee may accept a wire transfer on behalf of a patron to enable the patron to take part in gaming. A wire transfer accepted by a slot machine licensee shall be recorded in the slot machine licensee's cage accountability no later than the next gaming day.

(b) Prior to commencing acceptance of wire transfers for gaming purposes, a slot machine licensee shall establish a comprehensive system of internal controls addressing the acceptance, verification, accounting for and sending of wire transfers. The internal controls shall

be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(c) The internal control procedures developed and implemented by the slot machine licensee under subsection (b) must include:

(1) A cage log to record the following information with regard to wire transfers accepted:

(i) A sequential number assigned by the slot machine licensee to the wire transfer transaction.

(ii) The date and time of notification.

(iii) The name of the financial institution and account number to which the funds were transferred.

(iv) The amount of funds transferred.

(v) The name of the patron for whose benefit the funds were transferred.

(vi) The name and address of the financial institution from which the funds were transferred and the account number from which the funds were debited.

(vii) The method by which the slot machine licensee was notified of the receipt of the wire transfer and, if noticed by telephone, the name and title of the person providing notice.

(viii) The signature of the cage employee receiving and recording the information required under this subsection.

(ix) A notation that the wire transfer has been reversed under subsection (d), when applicable.

(2) A requirement that a cage supervisor other than the cage employee who initially documented receipt of the wire transfer verify receipt of the wire transfer.

(3) A requirement that the cage supervisor verifying receipt of the wire transfer document the verification process performed in the log required under paragraph (1) including:

(i) The method by which the receipt of the wire transfer was verified and, if verified by telephone, the name and title of the individual providing the verification.

(ii) The date and time of verification.

(iii) The signature of the cage supervisor verifying receipt of the wire transfer.

(4) The procedures used to:

(i) Establish, verify and document the identity of the patron.

(ii) Make the wire transfer proceeds available to the patron at the cage.

(iii) Adjust the cage accountability.

(5) A cage log to record the following information with regard to wire transfers sent on behalf of a patron:

(i) The name of the patron.

(ii) The date of the transaction.

(iii) The amount of funds transferred.

(iv) The source of funds transferred (cash, cash equivalent, jackpot payout).

(v) The name and address of the financial institution to which the funds will be transferred and the account number to which the funds will be credited.

(vi) The signature of the patron if the request to send a wire transfer is made in person at the cage.

(vii) Documentation supporting the receipt of a request by the slot machine licensee to send a wire transfer on behalf of a patron if the request was not made in person at the cage.

(viii) The signature of the cage employee receiving and recording the information required under this subsection.

(ix) The signature of the cage supervisor or accounting department supervisor authorizing the wire transfer.

(6) When sending a wire transfer on behalf of a patron, the procedures used to:

(i) Verify and document the identity of the patron.

(ii) Adjust the cage accountability.

(d) A slot machine licensee, on the next gaming day, shall take all steps necessary to return to a patron by wire transfer an amount initially accepted by wire transfer if, at the expiration of 14 gaming days following the deposit into its operating account of a wire transfer which has no documented business purpose other than having been accepted to enable a patron to take part in gaming, both of the following circumstances exist:

(1) The wired funds remain in a slot machine licensee's operating account or cage accountability.

(2) The patron has engaged in minimal or no slot or table game play.

(e) The wire transfer returned under subsection (d) shall be sent to the financial institution from which the funds were debited. This reversal of the wire transfer shall be recorded in the wire transfer log maintained under subsection (c)(1).

§ 465a.22. Cash equivalents.

(a) The requirements in this section are not applicable to gaming chips or plaques.

(b) Prior to accepting cash equivalents for gaming purposes, a slot machine licensee shall establish a comprehensive system of internal controls addressing the acceptance and verification of cash equivalents. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(c) The internal control procedures developed and implemented by the slot machine licensee under subsection (a) must include:

(1) A requirement that cage employees perform the specific verification procedures required under the issuer of each cash equivalent accepted. The slot machine licensee shall retain adequate documentation evidencing the verification of each cash equivalent.

(2) A requirement that cage employees examine each cash equivalent for counterfeiting, forgery or alteration.

(3) When a slot machine licensee elects to incorporate into its verification procedures a level of reliance on previously accepted cash equivalents, the procedures must articulate the general parameters governing the reliance.

(4) Criteria for cage supervisor involvement in the verification process.

(5) Procedures for verifying any patron signature on the cash equivalent. Signature verification must be accomplished in accordance with the signature verification procedures in § 465a.20 (relating to personal check cashing). The slot machine licensee shall retain adequate documentation evidencing how each signature was verified.

§ 465a.23. Customer deposits.

(a) At the request of a patron, a slot machine licensee may hold cash, value chips, plaques, funds accepted by means of personal check in accordance with § 465a.20 (relating to personal check cashing) or wire transfer in accordance with § 465a.21 (relating to wire transfers) or cash equivalents accepted in accordance with § 465a.22 (relating to cash equivalents) for a patron's subsequent use at the licensed facility. For the purposes of this section, after complying with this chapter for acceptance and verification, noncash items shall be considered converted to cash and deposited as cash for credit to the patron in a customer deposit account maintained in the cage.

(b) Prior to agreeing to hold a patron's cash, value chips, plaques, funds accepted by means of personal check in accordance with § 465a.20 or wire transfer in accordance with § 465a.21 or cash equivalents accepted in accordance with § 465a.22 for a patron's subsequent use at the licensed facility, each slot machine licensee shall establish a comprehensive system of internal controls addressing the receipt and withdrawal of a customer deposit. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(c) The internal control procedures developed and implemented by the slot machine licensee under subsection (b) must include:

(1) A requirement that customer deposits be accepted at the cage.

(2) A requirement that customer deposits be withdrawn by the patron at the cage, gaming table or upon receipt of a written request for withdrawal whose validity has been established.

(3) A requirement that the patron receive a receipt for any customer deposit accepted reflecting the total amount deposited, the date of the deposit and the signature of the cage employee accepting the customer deposit.

(4) Procedures for verifying the identity of the patron at the time of withdrawal. Signature verification shall be accomplished in accordance with the signature verification procedures under § 465a.20. The slot machine licensee shall maintain adequate documentation evidencing the patron identification process and how the signature was verified.

§ 465a.24. Count room characteristics.

(a) A slot machine licensee shall have adjacent or proximate to the cage a room, to be known as a count room, specifically designated, designed and used for counting the contents of slot cash storage boxes and table game drop boxes.

(b) The count room shall be designed and constructed to provide maximum security for the materials housed therein and for the activities conducted therein. Each slot machine licensee shall design and construct a count room with the following security measures:

(1) A metal door installed on each entrance and exit equipped with an alarm device which audibly signals the surveillance department monitoring room or the security department whenever a door to the count room is opened.

(2) Each entrance door to the count room must be equipped with two separate locks, the keys to which must be different from each other and different from the lock securing the contents of each slot cash storage box or table game drop box. The keys shall be maintained and controlled as follows:

(i) The key to one of the locks shall be maintained and controlled by the security department.

(ii) The key to the other lock shall be maintained and controlled by finance.

(iii) Sign out and sign in procedures shall be established for both keys.

(3) To exit the count room, the count room door must be equipped with an automatic release mechanism or other device as specified in the slot machine licensee's internal controls.

(c) The following must be located within the count room:

(1) A table constructed of clear glass or similar material for the emptying, counting and recording of the contents of slot cash storage boxes and table game drop boxes.

(2) Surveillance cameras capable of video monitoring of:

(i) The entire count process.

(ii) The interior of the count room, including any storage cabinets or trolleys used to store slot cash storage boxes and table game drop boxes and any approved trolley storage area located adjacent to the count room.

§ 465a.25. Counting and recording of slot cash storage boxes and table game drop boxes.

(a) Prior to commencing gaming operations, a slot machine licensee shall establish a comprehensive system of internal controls addressing the opening, counting and recording of the contents of slot cash storage boxes and table game drop boxes. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols) and must include:

(1) A workflow diagram which indicates the location of all equipment used in the count, including tables, baskets and bins, and the flow of all currency and paperwork from the

start of the count to the conclusion of the count. The approved workflow diagram shall also be filed with the surveillance department.

(2) A description of all computer equipment, software, files or reports used in the counting and recording process and all other systems, if any, that communicate with that computer equipment. The submission must include:

(i) The names of all revenue files, the names of the employees who have access and what type of access they have to those files.

(ii) Controls to prevent access to any count room information by anyone outside of the count room until the entire count process is concluded.

(3) The procedures for conducting each required count, which must include, at a minimum, the following:

(i) In full view of the surveillance cameras, the contents of each slot cash storage box or table game drop box shall be emptied on the count table and either manually counted separately on the count table or counted in a currency counting machine located in a conspicuous location on, near or adjacent to the count table.

(ii) After the contents of each slot cash storage box or table game drop box have been emptied on the count table, the inside of the slot cash storage box or table game drop box shall be held up to the full view of the surveillance cameras to assure that all contents of the slot cash storage box or table game drop box have been removed, after which the slot cash storage box or table game drop box shall be locked and placed in the storage area.

(iii) The contents of each slot cash storage box or table game drop box shall be segregated by a count team member into separate stacks on the count table by each denomination of currency and by the type of required forms or documents. A slot machine licensee may utilize a machine to automatically sort currency by denomination.

(iv) Mutilated or torn currency shall be separated by denomination and recorded as revenue if the bill includes one entire serial number and one letter and number of the serial number from the other half of the bill.

(v) Mutilated or torn currency that is not recorded as revenue shall be placed in a sealed transparent envelope or container and transferred to the main bank by the main bank cashier or cage supervisor at the end of the count.

(vi) Except as provided in subparagraph (vii), each denomination of currency shall be counted separately by one count team member who shall place individual bills of the same denomination on the count table in full view of the surveillance cameras. The currency shall then be counted by a second count team member who is unaware of the result of the original count and who, after completing this count, shall confirm the accuracy of the total, either verbally or in writing, with that reached by the first count team member.

(vii) A slot machine licensee may aggregate counts by denomination of all currency collected in substitution of the second count required under subparagraph (vi), if the original counts are being performed automatically by a machine that counts and automatically records the value of currency, and the accuracy of the machine has been suitably tested and proven in accordance with subparagraph (viii).

(viii) Currency counting machines utilized to count and strap currency, gaming vouchers and coupons may be used if:

(A) Prior to the start of each slot or table game count, the counting machine is tested in accordance with the procedures contained in the slot machine licensee's internal controls to verify the accuracy of the counting machine.

(B) The counting machine automatically provides two separate counts of the funds at different stages of the count process and, if the separate counts are not in agreement, document the discrepancy.

(C) The counting machine is capable of determining the value of a gaming voucher or coupon by independently examining information printed on the gaming voucher or coupon. The information is used by the counting equipment to either calculate the value internally or obtain the value directly from the gaming voucher system or coupon system in a secure manner. When the gaming voucher system is utilized to obtain the value of a gaming voucher or coupon, the gaming voucher system must perform a calculation or integrity check to ensure that the value has not been altered in the system in any manner since the time of issuance.

(ix) A gaming voucher or coupon deposited in a slot cash storage box or table game drop box from a fully automated electronic gaming table shall be counted and included in the calculation of revenue without regard to the validity of the gaming voucher or coupon.

(4) Procedures for scheduled breaks to be taken by the count team members during the count. This submission must also address the use of restroom facilities that are located in the count room.

(5) Procedures governing the proper wearing and immediate inspection of jumpsuits worn by the count team members to ensure that items are not taken from the count room without proper authority and that the jumpsuits have not been altered in any way. The count team is prohibited from removing the jumpsuits from the licensed facility.

(b) A slot machine licensee shall file with the Bureau of Casino Compliance, in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment), a schedule setting forth the times during which the contents of slot cash storage boxes, table game drop boxes from table games that are not fully automated electronic gaming tables and table game drop boxes from table games that are fully automated electronic gaming tables are to be counted and recorded. The slot machine licensee shall file notice with the Bureau

of Casino Compliance and obtain verbal approval from the casino compliance supervisor at the licensed facility prior to deviating from the count schedule.

(c) Immediately prior to the commencement of the count, a count room employee shall notify the surveillance department that the count is about to begin so that surveillance can record the entire count process as required under § 465a.9(e)(8) (relating to surveillance system; surveillance department control; surveillance department restrictions).

(d) Except as otherwise provided in this section, access to the count room during the counting process shall be limited to the count team and those individuals whose presence is necessary to complete the count. The count team shall consist of at least three employees. Employees in the count room who are conducting the count may not, during the counting process, enter a storage area for slot cash storage boxes, table game drop boxes or other items that are part of the count room to perform any function that is not directly related to the counting process.

(e) The opening, counting and recording of the contents of table game drop boxes from table games that are not fully automated electronic gaming tables may not commence until a casino compliance representative is present in the count room. If the casino compliance representative has to leave the count room during the table game count, the count shall be suspended and all personnel in the count room shall vacate the count room until a casino compliance representative is available to observe the resumption of the count.

(f) All count team members and the casino compliance representative observing a count shall sign a Count Room Attendance Sheet. Any individual who enters or leaves the count room due to an emergency shall sign and record the time of entry or exit on the Count Room Attendance Sheet. When the individual exiting the count room is unable to sign the document due to the emergency, the count room supervisor shall record the individual's name and time of exit and a notation describing the emergency on the Count Room Attendance Sheet. At the conclusion of the count, a copy of the Count Room Attendance Sheet shall be given to the casino compliance representative.

(g) Individuals who are in or who enter the count room when uncounted funds are present shall wear a full-length, one-piece, pocketless jumpsuit with the exception of representatives of the Board, the Department, the Pennsylvania State Police, the security department and the internal audit department.

(h) Individuals present in the count room when uncounted funds are present may not:

(1) Carry a handbag or other container unless it is transparent.

(2) Remove their hands from or return them to a position on or above the count table or counting equipment unless the backs and palms of the hands are first held straight out and exposed to the view of other members of the count team and a surveillance camera.

(i) Once the counting process has started, the doors to the count room shall only be opened for one of the following purposes:

(1) To allow the entire count team to take a scheduled work break.

(2) To allow for a change of casino compliance representatives.

(3) To allow a main bank cashier or cage supervisor to enter the count room to perform the responsibilities in subsection (n) or (o)(6).

(4) To allow the placement of a slot cash storage box or table game drop box or to remove a trolley, empty slot cash storage boxes or table game drop boxes from the count room.

(5) To allow the count team and the casino compliance representative to exit the room at the conclusion of the count.

(6) In the event of an emergency.

(j) If any individual enters or leaves the count room during the counting process, employees remaining in the count room shall display their hands and step away from the count table, banking table and counting equipment until the individual has entered or left the count room.

(k) The counting and recording process shall be discontinued when less than three count team members are present in the count room. When the entire count team takes a scheduled break, all cash that has been removed from the slot cash storage boxes or table game drop boxes shall be counted at least once and secured in a manner approved by the Bureau of Casino Compliance before any member of the count team may leave the count room.

(l) Once the counting process has been started, a member of the count team shall notify surveillance when the count room door will be opened.

(m) All table game drop boxes from table games that are not fully automated electronic gaming tables shall be counted and recorded at least once each gaming day. The slot machine licensee shall designate which slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables will be counted and recorded each gaming day. The following shall be counted and recorded separately:

(1) Slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables.

(2) Table game drop boxes from banking games that are not fully automated electronic gaming tables.

(3) Table game drop boxes from nonbanking games.

(n) After the contents of slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables have been removed and counted, a count team member shall present the currency to a main bank cashier or cage supervisor in the count room who shall recount, either manually or mechanically, the currency prior to having access to the information recorded by the count team.

(o) Table game drop boxes from table games that are not fully automated electronic gaming tables shall be counted and recorded as follows:

(1) As the contents of each table game drop box are counted, a count team member shall manually record the results of the count on the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or a computer system. The Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report must be a three-part form consisting of an original and two duplicates. The distribution of the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report shall be as follows:

(i) The original shall be delivered to revenue audit by the count room supervisor immediately after leaving the count room at the conclusion of the count.

(ii) The second copy shall be retained by the casino compliance representative observing the count.

(iii) The third copy shall be retained by the cage supervisor or main bank cashier.

(2) After the contents of each table game drop box from a banking table game are counted, a member of the count team shall record, manually on the Daily Banking Table Game Count Report or electronically on a computer system, the following information for each banking table game drop box:

(i) The value of each denomination of currency counted.

(ii) The total value of all denominations of currency counted.

(iii) The gaming date of the items being recorded, the total number of banking table game drop boxes opened and counted and the date that the Daily Banking Table Game Count Report is being prepared or generated.

(3) After the contents of each table game drop box from a nonbanking table game are counted, a member of the count team shall record, manually on the Daily Nonbanking Table Game Count Report or electronically on a computer system, the following information for each nonbanking table game drop box:

(i) The value of Poker rake chips counted.

(ii) The value of value chips counted.

(iii) The total value of Poker rake chips and value chips counted.

(iv) The gaming date of the items being recorded, the total number of nonbanking table game drop boxes opened and counted and the date that the Daily Nonbanking Table Game Count Report is being prepared or generated.

(4) After preparation of the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or the electronic equivalents prepared on a computer system, the count team members and the count room supervisor shall sign the reports attesting to the accuracy of information recorded thereon. The count room supervisor shall verify that all of the table game drop boxes from table games that are not fully automated electronic gaming tables that were collected and opened by count team members have been recorded on the reports.

(5) Once all currency has been counted and the final count totals have been obtained, employees may not be permitted to leave the count room, except in an emergency, until the recount and presentation procedures in paragraph (6) have been completed.

(6) After the contents of all table game drop boxes from table games that are not fully automated electronic gaming tables have been removed and counted, all cash, value chips and Poker rake chips shall be presented in the count room by a count team member to a main bank cashier or cage supervisor who, prior to having access to the information recorded on the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents and in the presence of the count team members and the casino compliance representative, shall recount, either manually or mechanically, the currency, value chips and Poker rake chips presented in accordance with the following requirements:

(i) The main bank cashier or cage supervisor shall have physical access to all currency, value chips and Poker rake chips presented for recounting. Currency, value chips or Poker rake chips for recounting may not be wrapped or placed in a sealed bag or container until the entire recount has been completed and the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents have been signed by the entire count team, the count room supervisor, the main bank cashier or cage supervisor and the casino compliance representative.

(ii) The main bank cashier or cage supervisor may bulk count all strapped currency.

(iii) All partial straps, loose currency, mutilated or torn currency, value chips and Poker rake chips shall be recounted by the main bank cashier or cage supervisor either by hand or with an approved counting device.

(iv) The casino compliance representative may direct that currency straps of any denomination be recounted by the main bank cashier or cage supervisor, either by hand or

by counting equipment, if a discrepancy either in denomination total or grand total is discovered during the initial bulk recount.

(v) Upon completion of the recount, the main bank cashier or cage supervisor shall attest by signature on the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents the amounts of currency, value chips and Poker rake chips counted, after which the casino compliance representative shall sign the report evidencing his presence during the count and the fact that both the main bank cashier or cage supervisor and count team have agreed on the total amounts of currency, value chips and Poker rake chips counted.

(vi) When all required signatures have been obtained, the second copy of the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents shall be given to the casino compliance representative and the third copy shall be retained by the cage supervisor or main bank cashier.

(vii) The original Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents, the Requests for Fills, the Fill Slips, the Requests for Credits, the Credit Slips, the issuance copy of the Counter Checks, the Table Inventory Slips and any other supporting documentation shall be transported directly to the accounting department and may not be available to cage personnel.

(7) A count room employee, in the presence of the casino compliance representative who observed the count, shall conduct a thorough inspection of the entire count room and all counting equipment located therein to verify that no currency, value chips, Poker rake chips, Counter Checks, gaming vouchers, coupons or supporting documentation remains in the room.

(p) If any problems occur with the slot or table count procedures or machines (for example, computer interface malfunctions or strap overages or shortages), the problems shall be brought to the immediate attention of a casino compliance representative and a detailed written report explaining the problem, the reason for the problem and the corrective action taken shall be filed by the count room supervisor or above with the casino compliance representatives within 24 hours of the conclusion of the count.

(q) Notwithstanding the requirements of this section and § 465a.18 (relating to transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor; storage), a slot machine licensee may submit, as part of its internal controls, alternate procedures for the separate collection, distribution, opening and counting of nonbanking table game drop boxes in a room, other than the count room, provided that:

(1) The room for the counting of nonbanking table game drop boxes shall be dual access controlled by the finance department and the security or surveillance department and covered by the slot machine licensee's surveillance system.

(2) Immediately prior to the commencement of the nonbanking table game count, an employee of the finance department who is participating in the count shall notify the surveillance department that the count is about to begin so that surveillance can record the entire count process as required under § 465a.9(e)(8).

(3) The count shall be conducted by at least two employees of the finance department who are not assigned as Poker room cage employees on that gaming day and who have no incompatible duties.

(4) The opening, counting and recording of the contents of nonbanking table game drop boxes may not commence until a casino compliance representative is present. If the casino compliance representative has to leave or if less than two finance department employees are present, the count will be suspended until at least two finance department employees and a casino compliance representative are present.

(5) Individuals who participate in the nonbanking table game count may not remove their hands from or return them to a position on or above the count table unless the backs and palms of the hands are first held straight out and exposed to the view of other finance department employees involved in the count and a surveillance camera.

(6) The contents of each nonbanking table game drop box shall be counted and recorded in accordance with subsection (o)(1) and (3). After preparation of the daily nonbanking table game count report or the electronic equivalents prepared on a computer system, the finance department employees who participated in the count shall sign the report attesting to the accuracy of the information recorded thereon. Once the contents of the nonbanking table game drop boxes has been counted and the final count totals have been obtained, employees may not leave the room, except in an emergency, until the recount and presentation procedures in paragraph (7) have been completed.

(7) The cash, value chips and Poker rake chips removed from the nonbanking table game drop boxes shall then be presented to a cage supervisor who did not participate in the count and shall be recounted and recorded in accordance with subsection (o)(6).

(8) The slot machine licensee shall submit procedures governing how scheduled work breaks will be conducted, if any, during the nonbanking table game count.

§ 465a.26. Jackpot and credit meter payouts.

(a) Prior to commencing gaming operations, a slot machine licensee shall establish a comprehensive system of internal controls addressing jackpot and credit meter payouts that are not paid directly from a slot machine or fully automated electronic gaming table. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(b) The internal control procedures must, at a minimum, include:

(1) The use of a two-part electronically generated jackpot/credit meter payout slip created by a slot attendant or slot supervisor or higher slot operations department employee, verifying the winning wager or winning combination of characters or a code corresponding to the winning combination of characters on the slot machine or fully automated electronic gaming table and the amount of the jackpot or credit meter payout based on the observed winning wager or winning combinations.

(2) A requirement that if the jackpot or credit meter payout on a slot machine is equal to or between $1,200 and $9,999.99, a security department member or a slot operations department member other than the preparer shall sign the jackpot/credit meter payout slip verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, the amount of the jackpot or credit meter payout and the payment of the jackpot or credit meter payout to the patron. Notwithstanding the forgoing, if the licensee's slot or casino management system can independently verify a jackpot or credit meter payout, only the preparer is required to sign the jackpot/credit meter payout slip for payouts less than or equal to $4,999.99 provided that the slot machine licensee's internal control reflect the following:

(i) If the slot machine licensee's slot or casino management system or the central control computer system are not fully operational, or when overrides or adjustments are required, two individuals shall verify a jackpot or credit meter payout that is equal to or between $1,200 and $9,999.99 as specified in this paragraph.

(ii) Jackpot payouts that are equal to or greater than $1,200 shall be accompanied by the issuance of a W-2G Form.

(3) A requirement that if the jackpot or credit meter payout is equal to or between $10,000 and $24,999.99 on a slot machine, or between $5,000 and $24,999.99 on a fully automated electronic gaming table, a security department member, a slot supervisor or other employee holding the same or greater level of authority than a slot supervisor shall sign the jackpot/credit meter payout slip verifying the winning wager or winning combination of characters or a code corresponding to the winning combination of characters on the slot machine or fully automated electronic gaming table, the amount of the jackpot or credit meter payout, and the payment of the jackpot or credit meter payout to the patron. If the two-part electronically generated jackpot/credit meter payout slip required under paragraph (1) is created by a slot supervisor or higher slot operations department employee, the verification required by this paragraph may be completed by a slot attendant, security department member, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor.

(4) A requirement that if the jackpot or credit meter payout on a slot machine or fully automated electronic gaming table is $25,000 or more, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor shall sign the jackpot/credit meter payout slip verifying the winning wager or winning combination of characters or a code corresponding to the winning combination of characters on the slot machine or fully automated electronic gaming table, the amount of the jackpot or credit meter payout, and the payment of the jackpot or credit meter payout to the patron. If the two-part electronically generated

jackpot/credit meter payout slip required under paragraph (1) is created by a slot supervisor or higher slot operations department employee, the verification required by this paragraph may be completed by a slot attendant, security department member, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor.

(5) A requirement that the following information be on all two-part electronically generated jackpot/credit meter payout slips:

(i) The date and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.

(iii) The winning wager or winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The type of win (that is, progressive, jackpot or credit meter payout).

(v) The amount that is to be paid to the winning patron. This amount may, at the slot machine licensee's discretion, be rounded up to the nearest whole dollar.

(vi) A unique number generated by the slot monitoring system.

(vii) The signature or, if the slot accounting system has approved controls for access to the system, the electronic authorization of the preparer.

(viii) The signature or, if the slot accounting system has appropriate controls for access, the electronic authorization of the witness when the amount is equal to or greater than $1,200, except as provided in paragraph (2).

(ix) The signature or identification code of the cashier providing the funds to the preparer, if applicable.

(6) A requirement that the two-part electronically generated jackpot/credit meter payout slip not be susceptible to any changes or deletion from the slot monitoring system by any personnel after preparation.

(7) A requirement that whenever a winning patron is paid directly by a slot attendant's imprest fund, a two-part manual jackpot/credit meter payout slip is completed that contains the following information:

(i) The date and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.

(iii) The winning wager or winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The type of win (that is, progressive, jackpot or credit meter payout).

(v) The amount paid to the winning patron. This amount may, at the slot machine licensee's discretion, be rounded up to the nearest whole dollar.

(vi) The signature and Board-issued credential number of the preparer.

(vii) The signature and Board-issued credential number of the witness when the amount is equal to or greater than $1,200, except as provided in paragraph (2).

(8) When jackpot or credit meter payouts are made from slot attendants' imprest funds, procedures for the replenishment of the imprest funds and the reconciliation process to be used by the slot attendants.

(9) A requirement that the slot machine licensee's accounting department perform, at the conclusion of each gaming day, effective audit procedures over the issuance of jackpot and credit meter payouts including adequate comparisons to the slot monitoring system.

(10) Detailed procedures on the processing of all system overrides or adjustments to jackpot or credit meter payouts. All jackpot or credit meter payouts that do not match the payout amount electronically sent from the slot machine or fully automated electronic gaming table to the slot monitoring system require an override.

(11) Detailed procedures for the processing of all voided jackpot/credit meter payout slips.

(12) Detailed procedures for the processing of unclaimed taxable jackpot payouts. The procedures must include notice to the casino compliance representatives at the licensed facility when an unclaimed taxable jackpot payout or credit meter payout occurs.

(13) Back-up procedures that will be used when the slot monitoring system is offline or an electronic jackpot payout slip cannot be created, including the use of a three-part manual jackpot or credit meter payout book or equivalent. The three-part manual jackpot payout book or equivalent must contain preprinted, serial numbered three-part manual jackpot/credit meter payout slips that include the following information:

(i) Preprinted serial numbers.

(ii) The date and time of the jackpot or credit meter payout.

(iii) The asset number of the slot machine or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.

(iv) The amount of the jackpot or credit meter payout.

(v) The method of payment requested by the patron.

(vi) The signature and Board-issued credential number of the preparer.

(vii) The signature and Board-issued credential number of the witness when the amount is equal to or greater than $1,200.

(14) A requirement that the unused manual jackpot payout books or equivalent be maintained in a secured locked cabinet, that the key to the cabinet be controlled by the security department or the finance department and that the manual jackpot payout books or equivalent can only be signed out by a slot supervisor or other employee holding a greater level of authority when the slot monitoring system is offline.

(15) A requirement that the surveillance department be verbally notified of all jackpot or credit meter payouts when the amount of the jackpot or credit meter payout is $5,000 or more. The surveillance department shall log all calls regarding jackpot or credit meter payouts in the surveillance log.

§ 465a.27. Annuity jackpots.

(a) A slot machine licensee offering an annuity jackpot payable over 10 years or more may offer a winning patron the option to be paid in a single cash payout, in lieu of the annuity jackpot, in an amount that is equal to the present value of the face amount of the jackpot payout as calculated in subsection (b).

(b) A slot machine licensee may offer a cash payment option. The present value of the cash payout option on an annuity shall be determined by applying a discount rate to each of the future annuity jackpot payments, taking into consideration the number of years until each jackpot payment would otherwise have been received and adding to that amount the amount of the first cash payment that would otherwise have been received. For the purposes of this subsection, the discount rate must equal the United States Treasury constant maturity rate for 20 year United States government securities for the week ending prior to the date of the jackpot, as identified in the applicable H.15 Statistical Release issued by the Federal Reserve Board plus 0.5%.

(c) A slot machine licensee may not offer an annuity jackpot payout unless:

(1) The terms and conditions of the annuity jackpot, including the effect on the calculation of the theoretical payout percentage, comply with the act, this subpart and technical standards on jackpot payouts approved by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(2) The Board has approved the specific offer of the annuity jackpot.

(d) A cash payout made in connection with an annuity jackpot must be made in accordance with § 465a.26 (relating to jackpot payouts).

(e) Prior to the payment of an annuity jackpot, each slot machine licensee shall establish a comprehensive system of internal controls addressing the payment of an annuity jackpot. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(1) The internal control procedures developed and implemented by the slot machine licensee must include:

(i) Procedures to be followed by a winning patron to exercise a cash payout option.

(ii) Procedures with regard to the administration of the trust agreement established to insure the future cash payments due under the annuity jackpot award.

(iii) A requirement that the trustee for the trust fund established by the trust agreement be a banking institution in this Commonwealth, slot machine licensee or, for a wide area progressive system offering an annuity jackpot, the slot system operator for that wide area progressive system.

(2) A slot machine licensee may not offer an annuity jackpot until its supporting trust agreement and the internal controls required under this section have been approved in writing by the Board under § 465a.2.

§ 465a.28. Merchandise jackpots.

(a) A slot machine licensee may not offer a merchandise jackpot payout unless:

(1) The terms and conditions of the merchandise jackpot, including the effect on the calculation of the theoretical payout percentage, comply with the act, this subpart and technical standards on jackpot payouts approved by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's website.

(2) The Executive Director has approved the specific offer of the merchandise jackpot. To obtain the Executive Director’s approval, a slot machine licensee shall file a written request with the Bureau of Gaming Operations containing all of the details related to the merchandise jackpot payout including:

(i) A detailed description of the merchandise jackpot.

(ii) A description of the slot machines that will offer the merchandise jackpot.

(iii) Supporting documentation relating to the valuation of the merchandise offered as the merchandise jackpot.

(b) A merchandise jackpot may consist of one of the following:

(1) A payout that consists of both merchandise and cash.

(2) A payout of merchandise only with an optional cash payout that the person may elect to receive in lieu of receiving the merchandise.

(c) A cash payout made in connection with a merchandise jackpot shall be made in accordance with § 465a.26 (relating to jackpot payouts).

(d) Prior to offering of a merchandise jackpot, each slot machine licensee shall establish a comprehensive system of internal controls addressing the payment of a merchandise jackpot. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(e) Whenever a slot machine licensee offers a merchandise jackpot consisting of merchandise or an optional cash payment, the cash equivalent value of the merchandise must equal or exceed the value of the optional cash payment. The cash equivalent value of the merchandise shall be determined as follows:

(1) Merchandise that is sold directly to the public in the normal course of the slot machine licensee's business shall be recorded at an amount based upon full retail price normally charged for the item.

(2) Merchandise which is not offered for sale to the public in the normal course of the slot machine licensee's business but which is provided directly to the patron by the slot machine licensee shall be recorded at an amount based upon the actual cost to the slot machine licensee of providing the item.

(3) Merchandise provided directly or indirectly to the patron on behalf of a slot machine licensee by a third party not affiliated with the slot machine licensee shall be recorded at an amount based upon the actual cost to the slot machine licensee of having the third party provide the item.

(4) Merchandise provided directly or indirectly to the patron on behalf of a slot machine licensee by a third party who is affiliated with the slot machine licensee shall be recorded by the slot machine licensee in accordance with this subsection as if the affiliated party were the slot machine licensee.

(f) Slot machine licensees shall retain and make available to the Board upon request supporting documentation relating to the acquisition and valuation of merchandise offered as a merchandise jackpot.

(g) A merchandise jackpot will be considered to be winnings for the purpose of calculating gross terminal revenue and the payout percentage of any slot machine. The value of the merchandise jackpot will be determined as follows:

(1) For a combination of merchandise and cash, the cash equivalent value of the merchandise as calculated under subsection (e) plus the amount of cash awarded.

(2) For merchandise or an optional cash payment in lieu of the merchandise, the value of the award selected by the winning patron.

(h) Slot machine licensees shall notify the Department of the slot machines that will be offering the merchandise jackpot and the value of each merchandise jackpot awarded.

(i) Advertising of merchandise jackpots must include the following at a minimum:

(1) An accurate description of the merchandise jackpot.

(2) The dates the merchandise jackpot will be offered.

(3) The cash equivalent value of the merchandise jackpot.

(4) The optional cash payment that will be offered in lieu of the merchandise, if an optional cash payment is offered.

(j) Until the merchandise jackpot is won by a patron, a slot machine licensee may not decrease the probability of winning the merchandise jackpot, increase the denomination of a slot machine offering the merchandise jackpot, nor in any other way vary the terms upon which the merchandise jackpot is offered to the public.

(k) Slot machines which are linked to offer the same merchandise jackpot must have the same probability of winning that jackpot.

(l) A slot machine which offers a merchandise jackpot as a payout which is removed from the gaming floor shall be returned to or replaced on the gaming floor within 5 days. If the slot machine is not returned or replaced, the merchandise jackpot shall, within 5 days of the slot machine's removal, be offered as a payout on another slot machine or slot system approved by the Board which offers the same or a greater probability of winning the merchandise jackpot, and accepts a denomination of coin the same or less than the denomination accepted by the slot machine which was removed.

§ 465a.29. Automated teller machines.

(a) Automated teller machines may be placed at any location within a licensed facility. Automated teller machines that offer credit card advances may not be placed on the gaming floor.

(b) An automated teller machine must have a label on the top and front of the automated teller machine that displays a unique identification number of the automated teller machine. The labels must have white lettering on a black background or another color combination approved by the Bureau of Casino Compliance, may not be easily removed and must be easily visible to the surveillance department. The label on the top of the automated teller machine must be at least 1.5 inches by 5.5 inches and the label on the front of the automated teller machine must be at least 1 inch by 2.5 inches.

(c) A slot machine licensee may utilize an automated teller machine that also contains an automated gaming voucher redemption machine, an automated coupon redemption machine or bill breaker provided that the machine complies with § 465a.34 (relating to automated gaming voucher and coupon redemption machine accounting controls).

(d) Automated teller machines located within a licensed facility may not accept Pennsylvania Access/Electronic Benefits Transfer Cards.

§ 465a.30. Waiver of requirements.

(a) The Board's Executive Director may waive one or more of the requirements of this chapter or technical standards applicable to accounting and internal controls adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site upon a determination that the nonconforming control or procedure nonetheless meets the operational integrity requirements of the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(b) A slot machine licensee may submit a request to the Board's Executive Director for a waiver for one or more of the requirements in this chapter or the technical standards applicable to accounting and internal controls adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site. The request must:

(1) Be filed with the Board's Executive Director.

(2) Include supporting documentation demonstrating how the accounting and internal controls for which the waiver has been requested will still meet the operational integrity requirements of the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(3) Be approved by the Board's Executive Director.

§ 465a.31. Gaming day.

(a) The beginning and ending times of the gaming day will be 6:00 a.m. to 5:59.59 a.m.

(b) Prior to commencing gaming operations, each slot machine licensee shall submit to the Board, in writing, its hours of operation, which times must correspond to the portion of its gaming day it will be open to the public for the purpose of gaming activities. A slot machine

licensee may not commence gaming operations until its hours of operation are approved by the Board.

(c) Any change in a slot machine licensee's hours of operation shall be submitted as a change to the slot machine licensee's internal controls in accordance with the requirements in § 465a.2(f) (relating to internal control systems and audit protocols) at least 72 hours in advance of the change.

§ 465a.32. Signature.

An employee signature may be in either of the following formats:

(1) The employee's first initial, last name and Board-issued credential number, written by the employee, immediately adjacent to or above the clearly printed or preprinted title of the employee.

(2) The employee's unique identification number or other computer identification code issued to the employee by the slot machine licensee, if the document to be signed is authorized by the Board to be generated by a computer system and the method of signature is approved or required by the Board.

§ 465a.33. Access to areas containing central control computer equipment.

A slot machine licensee shall develop and submit to the Board and the Department, as part of the submission required under § 465a.2 (relating to internal control systems and audit protocols), procedures for safeguarding and limiting access to the central control computer (CCC) equipment housed within the licensed facility. At a minimum, these procedures must include the following requirements:

(1) The area containing CCC equipment must:

(i) Be secured with a manual key lock system, the keys to which must be different from any other keys used in the licensed facility.

(ii) Have a door that when opened audibly signals the surveillance monitoring room.

(iii) Have adequate surveillance camera coverage to record all activity in the area.

(2) Access to the area containing the CCC system equipment may not be permitted unless prior arrangements have been made with the Department and the operator of the CCC system.

(3) All keys which access the area containing CCC equipment shall be maintained by the slot machine licensee's security department. The keys may only be signed out

by a security supervisor or above to employees of the Department or the operator of the CCC system who are on the authorized access list. The authorized access list shall be obtained from the Department and made available to the casino compliance representatives and the director of security at the licensed facility. A verbal notification shall be made to the surveillance monitoring room, the operator of the CCC system and the casino compliance representatives at the licensed facility prior to signing out the keys.

(4) The slot machine licensee shall maintain an access log for the area containing CCC equipment. The log shall be maintained in a book with bound numbered pages that cannot be readily removed and placed in close proximity to the CCC equipment. Casino compliance representatives at the licensed facility may review the log upon request to the Department and the operator of the CCC system. The log shall be stored and retained in accordance with § 465a.6 (relating to retention, storage and destruction of books, records and documents). The following information shall be recorded in a log:

(i) The date and time of each entry.

(ii) The entering individual's name, Board-issued credential number and department or affiliation.

(iii) The reason for entering the area containing CCC equipment.

(iv) The name of the individual authorizing entry into the area containing CCC equipment.

(v) The date and time of exiting the area containing the CCC equipment.

(5) Individuals who are not authorized to have access to the area containing CCC equipment may only be granted access for emergency situations requiring environmental adjustments, such as electrical, plumbing or HVAC malfunctions, with a security escort. When emergency access is granted, the slot machine licensee shall provide notice immediately to the Department, the operator of the CCC system and the casino compliance representatives at the licensed facility prior to permitting entry to the area containing CCC equipment.

§ 465a.34. Automated gaming voucher and coupon redemption machine accounting controls.

(a) Prior to commencing use of an automated gaming voucher redemption machine, an automated coupon redemption machine, bill breaker or some combination thereof, a slot machine licensee shall establish a comprehensive system of internal controls. The internal controls shall be submitted to, and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(b) The internal controls required under subsection (a) must:

(1) Address the distribution of currency or coin, or both, to the machines, the removal of gaming vouchers, coupons or currency accepted by the machines and the reconciliations associated therewith.

(2) Include a detailed description of which departments maintain and control the keys to the locks securing each compartment of the automated gaming voucher redemption machine, automated coupon redemption machine, bill breaker or combination thereof, provided that:

(i) The keys to each compartment of the machine must be different from each other.

(ii) The key to the lock securing the compartments containing currency shall be maintained and controlled by the finance department.

(iii) The keys to the remaining compartments shall be maintained and controlled by a designated department to ensure the proper segregation of duties.

(3) Require either the finance department or slot operations department to clear the error conditions listed in § 461a.10(o) (relating to automated gaming voucher and coupon redemption machines).

§ 465a.35. Personnel assigned to the operation and conduct of table games.

(a) The following personnel shall be used to operate table games that are not fully automated electronic gaming tables in a licensed facility:

(1) Dealers.

(2) Stickpersons.

(3) Boxpersons.

(4) Floorpersons

(5) Pit managers.

(6) Poker shift managers.

(7) Assistant table games shift managers.

(8) Table games shift managers.

(b) Certificate holders shall maintain the following minimum levels of staffing when table games are being operated:

(1) One dealer for any table game other than Craps or Baccarat.

(2) Two dealers for each Baccarat table.

(3) Three dealers for each Craps and Three Dice Football table, one of whom shall act as the stickperson.

(4) One boxperson for each Craps table.

(c) Certificate holders shall provide a sufficient number of floorpersons to supervise the operation of table games in accordance with the standards in this subsection. A floorperson may not supervise more than the number of tables specified in one of the following paragraphs:

(1) Four tables comprised of any combination of banking table games excluding:

(i) Baccarat.

(ii) Midibaccarat.

(iii) Craps.

(iv) Mini-Craps.

(v) Pai Gow.

(vi) Three Dice Football.

(2) One Baccarat table.

(3) Two Midibaccarat tables.

(4) One Midibaccarat table and one table of any other banking table game excluding Baccarat, Craps and Mini-Craps.

(5) Three Craps tables.

(6) One Craps table and two tables of any other banking table game excluding Baccarat, Midibaccarat, Mini-Craps and Pai Gow.

(7) One Mini-Craps table, if only one dealer is assigned to the table.

(8) Two Mini-Craps tables, if the there is a dealer and a stickperson assigned to the tables.

(9) Two Pai Gow tables, if the tables are in a side-by-side configuration.

(10) One Pai Gow table and one table of any other banking table game excluding Baccarat, Craps and Mini-Craps.

(11) Eight Poker tables.

(12) Ten Poker tables, if the floorperson assigned to Poker does not have responsibilities for seating players.

(13) Two Three Dice Football tables or one Three Dice Football table and one table of any other banking table game excluding Baccarat, Midibaccarat, Craps, Mini-Craps and Pai Gow.

(d) If the gaming tables being supervised by a floorperson are electronic gaming tables, other than fully automated electronic gaming tables, the maximum number of gaming tables that the floorperson may supervise may be increased by 50%. For example, under subsection (c)(1) the floorperson would be allowed to supervise six banking gaming tables instead of four.

(e) Certificate holders shall provide a sufficient number of pit managers or assistant table games shift managers to supervise the operation of table games subject to the limitation that a pit manager or assistant table games shift manager may not directly supervise more than eight floorpersons.

(f) Certificate holders shall provide a Poker shift manager to supervise all open Poker tables. If no more than three Poker tables are open, a floorperson is not required.

(g) Certificate holders shall provide a table games shift manager to supervise the operation of table games during every shift. An assistant table games shift manager may be designated to act as the table games shift manager in the table games shift manager's absence, but that assistant table games shift manager may not be counted toward the number of pit managers or assistant table games shift managers required under subsection (e).

(h) A certificate holder may request to use a staffing plan that differs from the minimum standards in this section by filing a written Alternate Minimum Staffing Plan in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). The Alternate Minimum Staffing Plan must, at a minimum, include:

(1) The pit number and configuration of any pit affected.

(2) The type, location and table number of any table affected.

(3) The standard staffing level required for the gaming table or tables by this section and the proposed alternative staffing.

(4) The days, shifts or times during which the alternative staffing would be in effect.

(5) A narrative explaining the rationale for the proposed alternative staffing and how the alternative staffing will protect the integrity of gaming at the affected gaming tables.

(i) A certificate holder that has filed a request to use an Alternate Minimum Staffing Plan may not implement that plan until the certificate holder has received written approval from the Board's Executive Director.

(j) Nothing in this section limits a certificate holder from utilizing personnel in addition to those described in this section nor limits the discretion of the Board to order the utilization of additional personnel in the operation and conduct of table games.

§ 465a.36. Table inventories.

(a) When a table game that is not a fully automated electronic gaming table is opened for gaming, operations shall commence with an amount of gaming chips, coins and plaques to be known as the table inventory.

(b) A certificate holder may not cause or permit gaming chips, coins or plaques to be added to, or removed from, the table inventory during the gaming day except:

(1) In exchange for cash.

(2) In exchange for the issuance copies of Counter Checks presented by patrons.

(3) For the payment of winning wagers and collection of losing wagers made at the gaming table.

(4) In exchange for gaming chips or plaques received from a patron having an equal aggregate face value.

(5) In conformity with the fill and credit procedures in §§ 465a.38 and 465a.39 (relating to procedures for distributing value chips, coins and plaques to gaming tables; and procedures for removing value chips, coins and plaques from gaming tables).

(6) For the collection of vigorish.

(c) When a table game is not open for gaming activity, the table inventory and a Table Inventory Slip prepared in conformity with §§ 465a.37, 465a.42 and 465a.44 (relating to procedures for opening table games; procedures for closing table games; and table inventory counts on a per shift basis) must be stored in a locked container which shall be clearly marked on the outside with the game and the gaming table number to which it corresponds. A Table Inventory Slip shall be completed on a table game that is not open for gaming activity at least once per gaming day. The information on the Table Inventory Slip must be visible from the outside of the container. Containers must be stored either in the cage or secured to the gaming table, in a manner approved by the Bureau of Casino Compliance.

(d) The keys to the locked containers containing the table inventories shall be maintained and controlled by the table games department and may not be made accessible to cage personnel or to any employee responsible for transporting the table inventories to or from the gaming tables.

(e) Table Inventory Slips must be two-part forms upon which the following is recorded:

(1) The date and identification of the shift ended.

(2) The game and table number.

(3) The total value of each denomination of value chips, coins and plaques remaining at the gaming table.

(4) The total value of all denominations of value chips, coins and plaques remaining at the gaming table.

(5) The signatures of the dealer or boxperson and floorperson assigned to the gaming table who conducted the count of the table inventory when the gaming table was closed and when the gaming table was opened.

(f) Notwithstanding the requirements in subsection (c), a certificate holder may utilize the following alternative procedure for table games that are not open for gaming activity during the gaming day:

(1) A floorperson or above shall complete a Closed Table form for every table that was not open for gaming during the gaming day.

(2) The table inventory must remain locked during completion of the Closed Table form.

(3) The Closed Table form must contain:

(i) The date and identification of the shift ended.

(ii) The game and table number.

(iii) The date the table was last opened for gaming (the date on the Table Inventory Slip that is locked in the table inventory container).

(iv) The signature and Board-issued credential number of the floorperson or above who completed the Closed Table form.

(4) After completion, the Closed Table form shall be deposited into the drop box and forwarded to revenue audit at the conclusion of the count in accordance with § 465a.25 (relating to counting and recording of slot cash storage boxes and table game drop boxes).

(5) A Table Inventory Slip shall be completed on all tables, in accordance with §§ 465a.37 and 465a.42, every Saturday prior to the commencement of the table game drop for gaming day ending Sunday at 5:59:59 a.m.

§ 465a.37. Procedures for opening table games.

(a) When a table game that is not a fully automated electronic gaming table is to be opened for gaming activity, the locked container with the table inventory and the duplicate copy of the Table Inventory Slip, if not already attached to the gaming table, shall be transported directly from the cage to the gaming table by a security department employee.

(b) Immediately prior to opening the table game for gaming, the floorperson assigned to the gaming table shall unlock the container with the table inventory after assuring that it is the proper container for that gaming table.

(c) The dealer or boxperson assigned to the gaming table shall count the contents of the table inventory in the presence of the floorperson assigned to the gaming table and reconcile the count to the totals on the duplicate copy of the Table Inventory Slip removed from the container.

(d) Signatures attesting to the accuracy of the information recorded on the duplicate copy of the Table Inventory Slip shall be placed on the duplicate copy of the Table Inventory Slip by the dealer or boxperson assigned to the table and the floorperson who observed the dealer or boxperson count the contents of the container.

(e) After the count of the table inventory and the duplicate copy of the Table Inventory Slip has been signed as required under subsection (d), the dealer or boxperson shall immediately deposit the slip into the table game drop box attached to the gaming table.

(f) If there is a discrepancy between the amount of gaming chips and plaques counted and the amount of the gaming chips and plaques recorded on the duplicate copy of the Table Inventory Slip:

(1) The discrepancy shall be immediately verbally reported to the pit manager or above, the security department and the casino compliance representatives.

(2) The dealer or boxperson assigned to the table, in the presence of the pit manager or above and a security department employee, shall recount the table inventory and complete a new Table Inventory Slip reflecting the results of the dealer's or boxperson's recount of the table inventory.

(3) The pit manager or above shall:

(i) Prepare an Error Notification Slip, which must be a three-part form containing the following information:

(A) The date and time.

(B) The type of game.

(C) The table number and pit.

(D) An explanation of the error.

(ii) Write “Incorrect Copy” on the copy of the Table Inventory Slip that was in the table inventory.

(iii) Sign the “Incorrect Copy.”

(iv) Write “Correct Copy” on both copies of the Table Inventory Slip required to be prepared by the dealer or boxperson under paragraph (2).

(4) The “Correct Copy” shall be signed by the dealer or boxperson who recounted the table inventory, the security department employee who witnessed the recount and the pit manager or above.

(5) After the signatures required under paragraph (4) have been obtained, the “Incorrect Copy” Table Inventory Slip, both copies of the “Correct Copy” Table Inventory Slip and the first copy of the Error Notification Slip shall be deposited by the dealer or boxperson in the drop box.

(g) The second copy of the Error Notification Slip shall be given to the pit clerk or floorperson or above and the third copy of the Error Notification Slip shall be delivered to the casino compliance representatives.

(h) For any discrepancy greater than $10, the security or surveillance department shall investigate the discrepancy and, within 24 hours, complete a standard written incident report on a form approved by the Bureau of Casino Compliance and immediately forward a copy of the incident report to the casino compliance representatives.

§ 465a.38. Procedures for distributing value chips, coins and plaques to gaming tables.

(a) A request for a fill to add value chips, coins and plaques to table games that are not fully automated electronic gaming tables shall be prepared by a pit clerk or floorperson or above using a Fill Request Slip. Access to the blank Fill Request Slips shall be restricted to pit clerks and floorpersons or above.

(b) A Fill Request Slip must be a two-part form on which the following information shall be recorded:

(1) The date, time and shift of preparation.

(2) The denomination of value chips, coins and plaques to be distributed to the gaming table.

(3) The total amount of each denomination of value chips, coins and plaques to be distributed to the gaming table.

(4) The game and table number to which the value chips, coins and plaques are to be distributed.

(5) The signature of the floorperson or above requesting the fill.

(c) After the preparation of the Fill Request Slip, the security department employee shall transport the chip bank copy of the Fill Request Slip directly to the chip bank.

(d) The dealer or boxperson shall place the drop box copy of the Fill Request Slip in view of the slot machine licensee's surveillance system on the gaming table to which the value chips, coins and plaques are to be received.

(e) Notwithstanding the requirements of subsections (a)—(d), a request for a fill may be prepared electronically if the input data for preparation of the fill is entered by, and ability to input data is restricted to, the pit clerk or a floorperson or above, and a Fill Slip is generated in the chip bank as a direct result of the input.

(f) A Fill Slip shall be prepared by a chip bank cashier or, if the required information was inputted in conformity with subsection (e), the Fill Slip may be electronically generated in the chip bank.

(g) Fill Slips must be serially prenumbered forms. Each series of Fill Slips shall be used in sequential order. The series number of all Fill Slips received by a certificate holder shall be accounted for by employees with no incompatible functions. All copies of voided Fill Slips shall be marked “Void” and signed by the preparer.

(h) When Fill Slips are manually prepared, the following procedures and requirements shall be observed:

(1) Each series of Fill Slips must be a four-part form and shall be inserted in a locked dispenser or bound in a Fill Slip form book that permits an individual Fill Slip in the series and its copies to be written upon while still locked in the dispenser or bound in the Fill Slip form book.

(2) The Fill Slip dispenser must discharge the drop box, acknowledgement and chip bank copies of the Fill Slip while the accounting copy remains in a continuous, unbroken form in the dispenser. If a Fill Slip form book is utilized, the accounting copy must remain in the bound Fill Slip form book until removed in accordance with paragraph (3).

(3) Access to the copies of the Fill Slips shall be maintained and controlled by finance department employees with no incompatible functions who are responsible for controlling and accounting for the unused supply of Fill Slips, placing Fill Slips in the dispensers and removing the accounting copies of the Fill Slips from the dispensers or Fill Slip form book each gaming day.

(i) When Fill Slips are electronically prepared, each series of Fill Slips must be a three-part form and:

(1) Be inserted in a printer that will simultaneously print a drop box, acknowledgment and chip bank copy of the Fill Slip in the chip bank.

(2) Store, in machine readable form, the information printed on the drop box, acknowledgement and chip bank copies of the Fill Slips. The stored data may not be susceptible to change or removal by any personnel involved in the preparation of a Fill Slip after the Fill Slip has been prepared.

(j) Copies of a Fill Slip, and when applicable, the stored data, must contain, at a minimum, the following information:

(1) The denominations of the value chips, coins and plaques being distributed.

(2) The total amount of each denomination of value chips, coins and plaques being distributed.

(3) The total amount of all denominations of value chips, coins and plaques being distributed.

(4) The game and table number to which the value chips, coins and plaques are being distributed.

(5) The date and shift during which the distribution of value chips, coins and plaques occurs.

(6) The signature of the preparer or, if electronically prepared, the identification code of the preparer.

(k) The time of preparation of the Fill Slip shall be recorded on the drop box, acknowledgement and chip bank copies of the Fill Slip upon preparation.

(l) Value chips, coins and plaques distributed to the gaming tables from the chip bank shall be transported directly to the gaming tables from the chip bank by a security department employee. Upon receipt of the value chips, coins and plaques at the gaming table, the floorperson shall compare the Fill Request Slip to the Fill Slip and sign the drop box copy and acknowledgement copy of the Fill Slip attesting to the accuracy of the fill. If the request for a fill is generated electronically in the chip bank in accordance with subsection (e), the floorperson

shall compare the Fill Slip with the electronically generated fill request and sign the drop box and acknowledgement copies of the Fill Slip attesting to the accuracy of the fill.

(m) Signatures on the drop box and acknowledgement copies of the Fill Slip attesting to the accuracy of the information contained on the Fill Slip shall be required of the following employees at the following times:

(1) The chip bank cashier upon preparation.

(2) The security department employee transporting the value chips, coins and plaques to the gaming table upon receipt from the cashier of the value chips, coins and plaques to be transported.

(3) The dealer or boxperson assigned to the gaming table upon receipt and verification of the amounts of the value chips, coins and plaques at the gaming table from the security department employee.

(4) The floorperson assigned to the gaming table upon receipt and verification of the amounts of the value chips, coins and plaques at the gaming table.

(n) After meeting the signature requirements in subsection (m), the security department employee that transported the value chips, coins and plaques, the drop box and acknowledgement copies of the Fill Slip to the gaming table shall observe the immediate placement by the dealer or boxperson of the drop box copy of the Fill Slip and the drop box copy of the Fill Request Slip, if applicable, in the drop box attached to the gaming table to which the value chips, coins and plaques were transported. The security department employee shall then return the acknowledgement copy of the Fill Slip to the chip bank cashier. The chip bank copies of the Fill Request Slip, if applicable, and the chip bank and acknowledgement copies of the Fill Slip shall be maintained together by the chip bank cashier until forwarded to the finance department.

(o) All parts of voided Fill Slips, as well as the chip bank copies of Fill Request Slips, if applicable, and the acknowledgement and chip bank copies of the Fill Slips that are maintained and controlled in conformity with subsection (n), shall be forwarded to the finance department for agreement, on a daily basis, with:

(1) The drop box copies of the Fill Request Slips, if applicable, and Fill Slips removed from the drop box on the gaming table.

(2) The electronically stored data and accounting copies of the Fill Slips, if applicable.

§ 465a.39. Procedures for removing value chips, coins and plaques from gaming tables.

(a) A request for a credit to remove value chips, coins and plaques from table games that are not fully automated electronic gaming tables shall be prepared by a pit clerk or floorperson or above using a Credit Request Slip. Access to the blank Credit Request Slips shall be restricted to pit clerks and floorpersons or above.

(b) A Credit Request Slip must be a two-part form on which the following information shall be recorded:

(1) The date, time and shift of preparation.

(2) The denomination of chips, coins and plaques to be removed from the gaming table.

(3) The total amount of each denomination of value chips, coins and plaques to be removed from the gaming table.

(4) The game and table number from which the value chips, coins and plaques are to be removed.

(5) The signature of the floorperson or above assigned to the gaming table from which the value chips, coins and plaques are to be removed.

(c) After the preparation of a Credit Request Slip, the security department employee shall transport the chip bank copy of the Credit Request Slip directly to the chip bank.

(d) The dealer or boxperson shall place the drop box copy of the Credit Request Slip in view of the slot machine licensee's surveillance system on the gaming table from which the value chips, coins and plaques are to be removed. The drop box copy of the Credit Request Slip may not be removed until the drop box and acknowledgement copies of the Credit Slip are received from the chip bank.

(e) Notwithstanding the requirements of subsections (a)—(d), a request for a credit may be prepared electronically if the input data for preparation of the credit is entered by, and ability to input data is restricted to, the pit clerk or a floorperson or above, and a Credit Slip is generated in the chip bank as a direct result of the input.

(f) A Credit Slip shall be prepared by a chip bank cashier or, if the required information was inputted in conformity with subsection (e), the Credit Slip may be electronically generated in the chip bank.

(g) Credit Slips must be serially prenumbered forms. Each series of Credit Slips shall be used in sequential order. The series numbers of all Credit Slips received by a certificate holder shall be accounted for by employees with no incompatible functions. All copies of voided Credit Slips shall be marked “Void” and signed by the preparer.

(h) When Credit Slips are manually prepared, the following procedures and requirements shall be observed:

(1) Each series of Credit Slips must be a four-part form and shall be inserted in a locked dispenser or bound in a Credit Slip form book that permits an individual Credit Slip in the series and its copies to be written upon while still locked in the dispenser or bound in the Credit Slip form book.

(2) The Credit Slip dispenser must discharge the drop box, acknowledgement and chip bank copies of the Credit Slip while the accounting copy remains in a continuous, unbroken form in the dispenser. If a Credit Slip form book is utilized, the accounting copy must remain in the bound Credit Slip form book until removed in accordance with paragraph (3).

(3) Access to the copies of the Credit Slips shall be maintained and controlled by finance department employees with no incompatible functions who shall be responsible for controlling and accounting for the unused supply of the Credit Slips, placing Credit Slips in the dispensers, and removing the accounting copies of the Credit Slips from the dispensers or Credit Slip form book each gaming day.

(i) When Credit Slips are electronically prepared, each series of Credit Slips must be a three-part form and:

(1) Be inserted in a printer that simultaneously prints drop box, acknowledgement and chip bank copies of the Credit Slip in the chip bank.

(2) Store, in machine-readable form, the information printed on the drop box, acknowledgement and chip bank copies of the Credit Slip. The stored data may not be susceptible to change or removal by any personnel after the preparation of a Credit Slip after the Credit Slip has been prepared.

(j) Copies of the Credit Slip, and when applicable, the stored data, must contain, at a minimum, the following information:

(1) The denominations of the value chips, coins and plaques being returned to the chip bank.

(2) The total amount of each denomination of value chips, coins and plaques being returned.

(3) The total amount of all denominations of value chips, coins and plaques being returned.

(4) The game and table number from which the value chips, coins and plaques are being returned.

(5) The date and shift during which the removal of value chips, coins and plaques occurs.

(6) The signature of the preparer or, if electronically prepared, the identification code of the preparer.

(k) The time of preparation of the Credit Slip shall be recorded on the drop box, acknowledgement and chip bank copies of the Credit Slip upon preparation.

(l) After the Credit Slip has been prepared by the chip bank cashier or has been printed in the chip bank as a result of the information being inputted electronically by a pit clerk or floorperson or above, the security department employee shall transport the drop box, acknowledgement and chip bank copies of the Credit Slip directly to the gaming table. The dealer or boxperson shall compare the value chips, coins and plaques to be removed from the table inventory container with the drop box copy of the Credit Slip and the Credit Request Slip, if applicable, and shall sign the Credit Slip.

(m) Signatures on the drop box, acknowledgement and chip bank copies of a Credit Slip attesting to the accuracy of the information contained on the Credit Slip shall be required of the following employees at the following times:

(1) The chip bank cashier upon preparation.

(2) The dealer or boxperson assigned to the gaming table who removed the value chips, coins and plaques from the table inventory container and verified the Credit Slip and Credit Request Slip, if applicable.

(3) The floorperson assigned to the gaming table who observed the removal of the value chips, coins and plaques from the table inventory container and the verification of the Credit Slip and Credit Request Slip, if applicable.

(4) The security department employee upon receipt of the value chips, coins and plaques from the gaming table.

(n) After meeting the signature requirements required under subsection (m):

(1) The security department employee shall transport the value chips, coins and plaques directly to the chip bank along with the acknowledgement and chip bank copies of the Credit Slip.

(2) The dealer or boxperson shall place the drop box copy of the Credit Slip on the gaming table in view of the slot machine licensee's surveillance system.

(3) Upon receipt of the value chips, coins and plaques from the security department employee, the chip bank cashier shall compare the chip bank copy of the Credit Request Slip with the Credit Slip. If the credit request is electronically generated in accordance

with subsection (e), the chip bank cashier shall compare the Credit Slip with the electronically generated credit request. The chip bank cashier shall then sign the acknowledgement and chip bank copies of the Credit Slip attesting to the accuracy of the credit.

(4) After transporting the acknowledgement copy of the Credit Slip back to the gaming table from which the value chips, coins and plaques were removed, the security department employee shall observe the immediate placement by the dealer or boxperson of the drop box copy of the Credit Request Slip, if applicable, and the drop box and acknowledgement copies of the Credit Slip into the drop box.

(5) The chip bank copies of the Credit Request Slip, if applicable, and Credit Slip shall be maintained together by the chip bank cashier until forwarded to the finance department.

(o) All parts of voided Credit Slips, chip bank copies of Credit Request Slips, if applicable, and the chip bank copies of the Credit Slips that are maintained and controlled in conformity with subsection (n), shall be forwarded to the finance department for agreement, on a daily basis, with:

(1) The drop box copies of the Credit Request Slips, if applicable, and the drop box and acknowledgement copies of the Credit Slips removed from the drop box on the gaming table.

(2) The electronically stored data and accounting copies of Credit Slips, if applicable.

§ 465a.40. Procedures for accepting cash for gaming chips, plaques or electronic wagering credits at table games.

When cash is presented by a patron at a table game that is not a fully automated electronic gaming table for exchange for gaming chips, plaques or electronic wagering credits:

(1) The cash shall be spread on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it, the floorperson assigned to the gaming table and the slot machine licensee's surveillance system.

(2) The amount of cash shall be verbalized by the dealer or boxperson accepting it in a tone of voice to be heard by the patron who presented it and the floorperson assigned to the gaming table.

(3) Immediately after an equivalent amount of gaming chips, plaques or electronic wagering credits have been given to the patron, the cash shall be taken from the top of the gaming table and placed by the dealer or boxperson into the drop box attached to the gaming table.

§ 465a.41. Procedures for drops at open table games.

(a) When a table game that is not a fully automated electronic gaming table is being dropped is to remain open for gaming activity, the value chips, coins and plaques remaining in the table inventory at the time of the drop shall be counted by the dealer or boxperson assigned to the gaming table and recorded on a Table Inventory Slip.

(b) The count required under subsection (a) shall be observed by the floorperson who is responsible for supervising the table game at the time of the drop.

(c) Signatures attesting to the accuracy of the information recorded on the Table Inventory Slip shall be placed on both copies of the Table Inventory Slip by the dealer or boxperson assigned to the table and the floorperson that observed the dealer or boxperson count the contents of the table inventory.

(d) After the Table Inventory Slip is signed as required under subsection (c), the original copy of the Table Inventory Slip shall be deposited in the drop box that is attached to the gaming table immediately before the drop box is removed from the gaming table as part of the drop. The duplicate copy of the Table Inventory Slip shall be deposited in the drop box that is attached to the gaming table immediately following the removal of the drop box that is removed from the gaming table as part of the drop.

§ 465a.42. Procedures for closing table games.

(a) When gaming activity at a table game that is not a fully automated electronic gaming table is concluded, the value chips, coins and plaques remaining at the gaming table shall be counted by the dealer or boxperson assigned to the gaming table in the presence of the floorperson assigned to the gaming table.

(b) The amounts of the value chips, coins and plaques counted shall be recorded on the Table Inventory Slip by the floorperson assigned to the gaming table and the original copy of the Table Inventory Slip shall be signed by the dealer or boxperson who counted the table inventory and the floorperson who observed the dealer or boxperson count the contents of the table inventory.

(c) After the original copy of the Table Inventory Slip has been signed as required under subsection (b), the original copy of the Table Inventory Slip shall be immediately deposited in the table game drop box attached to the gaming table.

(d) After the original copy of the Table Inventory Slip has been deposited in the table game drop box attached to the gaming table, the duplicate copy of the Table Inventory Slip and the value chips, coins and plaques remaining at the gaming table shall be placed in the container required under § 465a.36 (relating to table inventories), after which the table inventory container shall be locked and either transported directly to the cage by a security department member or secured to the gaming table.

(e) If the locked table inventory containers are transported to the cage, a cage supervisor shall determine that all locked containers have been returned.

(f) If the locked table inventory containers are secured to the gaming table, a pit manager or above shall verify that all the containers are locked.

§ 465a.43. Table inventories for Poker tables.

(a) Notwithstanding the requirements in §§ 465a.36, 465a.37, 465a.41 and 465a.42, a certificate holder may establish procedures for the issuance of table inventories that are maintained by Poker dealers on an impress basis.

(b) The procedures developed under subsection (a) shall be submitted as part of the certificate holder's internal controls.

§ 465a.44. Table inventory counts on a per shift basis.

(a) In addition to the requirements in §§ 465a.37, 465a.41 and 465a.42 (relating to procedures for opening table games; procedures for drops at open table games; and procedures for closing table games), a certificate holder may establish procedures for the use of a three-compartment drop box which requires the preparation of a Table Inventory Slip for each shift that the table was open or at least once each gaming day.

(b) The procedures developed under subsection (a) shall be submitted as part of the certificate holder's internal controls.

CHAPTER 466a. SLOT COMPUTER SYSTEMS

Sec.

466a.1. Slot computer systems generally.
466a.2. Waiver of requirements.

§ 466a.1. Slot computer systems generally.

(a) All aspects of a slot machine licensee's slot computer system shall be located within the licensed facility in accordance with technical standards under § 466b.1 (relating to slot computer systems).

(b) For the purposes of this section, a slot computer system includes all aspects of a computer system which the act, this subpart or technical standards under § 466b.1 either require or permit to be utilized by a slot machine licensee in the conduct of, or monitoring of, slot machine operations including hardware, software and network interfaces used in connection with the operation of a slot monitoring system, casino management system, player tracking system, external bonusing system, cashless funds transfer system and gaming voucher system. A slot computer system will not be construed to include the following:

(1) A slot machine or bill validator.

(2) A wide area progressive slot system.

(3) Other computer systems or applications that the Board determines are not slot computer systems.

§ 466a.2. Waiver of requirements.

(a) The Board may, on its own initiative, waive one or more of the requirements of this chapter or the technical standards under § 466b.1 (relating to slot computer systems) upon a determination that the nonconforming system protocols nonetheless meet the integrity requirements of the act, this subpart and technical standards under § 466b.1.

(b) A slot machine licensee may submit a written request to the Board for a waiver for one or more of the requirements in this chapter or the technical standards under § 466b.1. The request must be filed on an Amendment Waiver and Request Form and include supporting documentation demonstrating how the nonconforming system protocols for which the waiver has been requested will still meet the operational integrity requirements of the act, this subpart and technical standards under § 466b.1.

CHAPTER 467a. COMMENCEMENT OF SLOT AND TABLE GAME OPERATIONS

Sec.

467a.1. Gaming floor plan.
467a.2. Commencement of slot and table game operations generally.

§ 467a.1. Gaming floor plan.

(a) Prior to the commencement of gaming operations, the holder of a slot machine license shall submit to the Board an initial floor plan of its gaming floor and the restricted areas servicing slot and table game operations. A licensee shall submit with its renewal application an up to date floor plan. Initial floor plans and floor plans submitted with a licensee's renewal application shall be drawn to 1/8 inch scale, unless another scale is approved by the Board, and certified by an architect licensed to practice in this Commonwealth. Revised gaming floor plans, which are submitted in accordance with subsection (d), may be submitted electronically, unless otherwise requested by Board staff, provided there is sufficient detail when enlarged to read the information in the electronic submission. A floor plan must depict the following:

(1) The gaming floor with notations as to:

(i) Proposed total square footage.

(ii) The perimeter of the gaming floor.

(iii) A clearly delineated route for underage individuals to access areas adjacent to the gaming floor.

(iv) Designated smoking and nonsmoking areas.

(2) Each slot machine area and table game pit on the gaming floor and each slot machine and table game located within each slot machine area and table game pit. Slot machine and table game locations shall be identified by number in accordance with § 463a.3 (relating to slot machine location on the gaming floor).

(3) The number of slot machines and table games on the gaming floor in compliance with sections 1210 and 13A11(b) of the act (relating to number of slot machines; and authorization to conduct table games), in total and by slot area or table game pit.

(4) Each slot machine or table game seat on the gaming floor.

(5) Each surveillance camera installed in compliance with § 465a.9(a) (relating to surveillance system; surveillance department control, surveillance department restrictions), noting its type and camera number.

(6) The main cage and any satellite cage, inclusive of each cage window and window number, ancillary offices and areas.

(7) Each count room and any trolley storage area.

(8) Each automated bill breaker, gaming voucher redemption, coupon redemption and jackpot payout machine.

(9) Each automated teller machine.

(10) Each area designated for the storage or repair of slot machines, table games or table game equipment.

(11) Vault and armored car bay locations.

(12) Additional documentation requested by the Board or Board staff relating to the floor plan for the gaming floor.

(b) A slot machine licensee may not commence slot or table game operations until the initial floor plan depicting its gaming floor and all restricted areas servicing slot and table game operations has been approved by the Board. The approval by the Board will expressly authorize:

(1) The maximum square footage of gaming floor.

(2) The maximum number of slot machines and table games which may be operated by the slot machine licensee.

(c) Requests for changes to the approved floor plan which will increase or decrease the square footage of the gaming floor by more than 10%, decrease the number of slot machines on the gaming floor by more than 2% or the number of table games on the gaming floor by more than 10% require Board approval and must be submitted to the Board as a petition under § 493a.4 (relating to petitions generally). Requests for all other changes to the gaming floor, including a request to increase the number of slot machines or table games or change the type of table games offered, shall be submitted in writing to the Board's Executive Director for approval. The approval of the Board or the Executive Director may include conditions that shall be met by the slot machine licensee prior to the commencement of operations.

(d) A petition or request for changes to the gaming floor must, at a minimum, include:

(1) A narrative description of the proposed changes.

(2) A revised floor plan, in accordance with subsection (a), if requested by the Board or Board staff.

(3) A gaming floor reconfiguration checklist.

(4) The table game pit number or slot machine area and the proposed configuration of any table game pit or slot machine area affected.

(5) The type, location and table number of any gaming table affected.

(6) The proposed amendments, if any, to the standard or alternative staffing levels required under § 465a.35 (relating to personnel assigned to the operation and conduct of table games).

(7) The proposed amendments, if any, to surveillance required under § 465a.9.

(8) An estimated timetable for the completion of the proposed changes.

§ 467a.2. Commencement of slot and table game operations generally.

(a) Prior to the commencement of slot or table game operations at a licensed facility a slot machine licensee shall demonstrate that:

(1) The licensed facility, including the gaming floor and restricted areas servicing slot and table game operations, complies in all respects with the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(2) Slot machines, table games and associated equipment installed in the licensed facility and utilized in the conduct of slot machine and table game operations have been tested and approved by the Board in compliance with the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(3) The gaming floor plan required under § 467a.1(a) (relating to gaming floor plan) has been approved by the Board in compliance with the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(4) The slot machine licensee's proposed site plan and internal control systems and audit protocols have been approved by the Board in compliance with the act, this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

(5) The slot machine licensee is prepared to implement necessary management controls, surveillance and security precautions to insure the efficient conduct of slot and table game operations.

(6) The slot machine licensee's employees are licensed or permitted by the Board and trained in the performance of their responsibilities.

(7) The slot machine licensee has complied with any conditions prerequisite to commencement of slot or table game operations contained in the Statement of Conditions executed under § 423a.6 (relating to license, permit, registration and certification issuance and statement of conditions).

(8) The licensed facility is prepared in all respects to receive the public.

(9) The slot machine licensee has successfully completed a test period.

(10) For Category 1 licensees, the slot machine licensee has a written live racing agreement as required under section 1303(d) of the act (relating to additional category 1 slot machine license requirements).

(b) Upon a slot machine licensee's successful demonstration of the criteria enumerated in subsection (a), the Board may authorize the date and time at which the slot machine licensee may commence slot and table game operations at the licensed facility and will fix the maximum square footage of gaming floor and maximum number of slot machines and table games which may be operated by the slot machine licensee pursuant to that authorization.

Subpart F. FEES

CHAPTER 471a. FILING FEES

Sec.

471a.1. Fees generally.
471a.2. Schedules of fees.
471a.3. Adjustment of fees.

§ 471a.1. Fees generally.

(a) A document for which a fee is required will be received, but will not be deemed filed, until the filing fee, bond, letter of credit or other cost has been paid.

(b) The fees collected by the Board will be deposited into the State Gaming Fund as established in section 1403 of the act (relating to establishment of State Gaming Fund and net slot machine revenue distribution).

(c) Fees shall be paid by money order or check made payable to the "Commonwealth of Pennsylvania." Cash will not be accepted by the Board.

(d) To recover the initial cost of the investigation and processing of applications, each application for a license, permit, certification or registration must be accompanied by a nonrefundable fee.

(e) An applicant may be subject to additional fees based on the actual expenses incurred by the Board in conducting the background investigation.

§ 471a.2. Schedules of fees.

Fee schedules established by the Board and changes thereto will be published in the *Pennsylvania Bulletin* and will be available on the Board's website (www.pgcb. state.pa.us).

§ 471a.3. Adjustment of fees.

On or after July 5, 2006, and annually thereafter, the Board may increase the fees, charges, costs or administrative penalties specified in the act by an amount not to exceed an annual cost-of-living adjustment calculated under section 1208(2) of the act (relating to collection of fees and fines).

Subpart G. MINORITY AND WOMEN'S BUSINESS ENTERPRISES

CHAPTER 481a. DIVERSITY

Sec.

481a.1. Statement of purpose, policy and applicability.
481a.2. Definitions.
481a.3. Diversity participation.
481a.4. Establishment of diversity plan required.
481a.5. Report of participation.
481a.6. Diversity reviews.

§ 481a.1. Statement of purpose, policy and applicability.

(a) This chapter establishes the procedures for promoting and ensuring that regulated entities foster participation and diversity in all aspects of their operations in this Commonwealth.

(b) It is the policy of the Board to promote and ensure that regulated entities conduct all aspects of their operations in a manner that assures diversity of opportunity as follows:

(1) In the ownership, participation and operation of regulated entities in this Commonwealth.

(2) Through the ownership, participation and operation of business enterprises associated with or utilized by regulated entities.

(3) Through the provision of goods and services utilized by regulated entities.

(c) It is further the policy of the Board to promote and ensure diversity in employment and contracting by each regulated entity and its contractors, subcontractors, assignees, lessees and agents.

§ 481a.2. Definitions.

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

Diversity plan--A plan that promotes and ensures diversity in ownership, participation and operation of regulated entities; and in employment and contracting by regulated entities.

Minority--The ethnic/racial categories identified in employer survey reports that are required by the United States Equal Opportunity Commission and the Office of Federal Contract

Compliance Programs of the United States Department of Labor under section 709 of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000(e)-8) or by subsequent amendments to that Federal act.

Participation plan--An obligation imposed by a regulated entity as part of its contract with a contractor that requires the contractor to utilize minority or women owned business enterprises.

Regulated entity--An applicant for or holder of the following:

(i) Slot machine license.

(ii) Manufacturer license.

(iii) Supplier license.

(iv) Gaming service provider certification.

(v) Gaming junket enterprise license.

(vi) Management company license.

§ 481a.3. Diversity participation.

(a) The list of the minority and women's business enterprises that are verified by the Bureau of Small Business Opportunities of the Department of General Services under 62 Pa.C.S. Part I (relating to Commonwealth Procurement Code) may be used by a regulated entity to establish the eligibility of an enterprise as a minority or women's business enterprise for the purpose of promoting and ensuring minority and women's business participation.

(b) It is the responsibility of the regulated entity to verify that a minority or women's business enterprise that is not verified by the Bureau of Small Business Opportunities of the Department of General Services is a minority or women's business enterprise as defined in 4 Pa. Code § 58.302 (relating to definitions).

§ 481a.4. Establishment of diversity plan required.

(a) Each regulated entity shall include in its application for licensure or certification a diversity plan that establishes a separate goal of diversity in the ownership, participation and operation of, and employment at the regulated entity. The Board will determine whether the stated goals set forth in each diversity plan are reasonable and represent a good faith effort to assure that all persons are accorded equality of opportunity in contracting and employment by the regulated entity and its contractors, subcontractors, assignees, lessees and agents.

(b) A regulated entity may demonstrate achievement of its diversity goals through one or both of the following:

(1) Contracting or transacting directly with minority and women's business enterprises.

(2) Contracting with a nonminority business enterprise under terms and conditions that establish a participation plan.

§ 481a.5. Report of participation.

(a) As part of an application to renew a license or certification, a regulated entity shall file a report with the Board concerning the performance of its diversity plan. The report must contain the following:

(1) Employment data, including information on the following:

(i) Minority and women representation in the regulated entity's workforce in all job classifications.

(ii) Salary information.

(iii) Recruitment and training information, including executive and managerial level recruitment and training.

(iv) Retention and outreach efforts.

(2) The total number and value of all contracts or transactions awarded by the regulated entity for goods and services.

(3) The total number and value of all contracts or transactions awarded by the regulated entity to minority and women's business enterprises.

(4) A list of each contract or transaction awarded by the regulated entity to a minority or women's business enterprise and the actual value of each contract or transaction.

(5) The total number and value of all contracts awarded that contain a participation plan.

(6) The total number and value of all subcontracts awarded to minority and women's business enterprises under contracts containing a participation plan.

(7) A list of each subcontract awarded to a minority or women's business enterprise under contracts containing a participation plan and the actual value of each subcontract.

(8) A comprehensive description of all efforts made by the regulated entity to monitor and enforce the participation plan.

(9) Information on minority and women investment, equity ownership, and other ownership or management opportunities initiated or promoted by the regulated entity.

(10) Other information requested in writing by the Board to ensure compliance with the act and this part.

(b) In addition to the reports required under subsection (a), slot machine licensees, manufacturer licensees and supplier licensees shall file updated versions of the reports required under subsection (a) quarterly.

(c) A licensed management company may file a consolidated report with the slot machine licensee with whom the management company has a management contract.

(d) A regulated entity may request that proprietary information required to be submitted to the Board under this section be treated as confidential information. A regulated entity shall clearly mark information that it requests to be treated as confidential information.

(e) The Board will use the reports required under subsections (a), (b) and (c) to monitor compliance with the act and this part. The Board may request the assistance of the Bureau of Minority and Women's Business Enterprises, of the Department of General Services, in the review of regulated entities' compliance with the requirements of the act and this part.

§ 481a.6. Diversity reviews.

(a) Onsite diversity reviews may be performed on an annual basis or at the discretion of Board staff to ensure compliance with this chapter.

(b) Advanced written notice will be provided to a regulated entity prior to the conduct of an onsite diversity review by Board staff.

Subpart H. PRACTICE AND PROCEDURE

CHAPTER 491a. GENERAL RULES OF PRACTICE

Sec.

491a.1. Generally.
491a.2. Definitions.
491a.3. Office of the Clerk.
491a.4. Filing generally.
491a.5. Service.
491a.6. (Reserved).
491a.7. Presiding officers.
491a.8. Hearings generally.
491a.9. Prehearing and other conferences.
491a.10. Presentation and effect of stipulations.

§ 491a.1. Generally.

This subpart governs practice and procedure before the Board and the OHA, and is intended to supplement 2 Pa.C.S. (relating to administrative law and procedure) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

§ 491a.2. Definitions.

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

Adjudication--An order, decree, decision, determination or ruling by the Board affecting the personal or property rights, privileges, immunities, duties, liabilities or obligations of the parties to the proceeding in which the adjudication is made.

Complainant--The Bureau or other persons authorized by the Board to file a complaint.

Consent agreement—A voluntary agreement or proposal to act based on specific terms which are entered into by all parties to a proceeding to resolve a disputed matter.

Documentary evidence--Any document or paper which is presented and accepted as evidence in a proceeding.

Documentary hearing--A proceeding limited to a review of documentary evidence submitted by the parties, including pleadings, documents, depositions, affidavits, interrogatories and transcripts.

Exception--A formal objection to a report or report and recommendation of a presiding officer.

Intervener--A person who petitioned to intervene in a proceeding and who was admitted by the Board as a participant to the proceeding.

OHA--Office of Hearings and Appeals--A division of the Board charged with administrating and conducting hearings or other matters as the Board may direct.

Oral hearing--A proceeding wherein the parties may present sworn testimony, documents or other evidence, and of which a verbatim record is made.

Participant--A person admitted by the Board to limited participation in a proceeding.

Party--A person who is named in or admitted to a proceeding before the Board and who has a direct interest in the subject matter of the proceeding.

Prehearing conference--A proceeding to establish a schedule, discuss offers of settlement and identify other issues the Board or presiding officer may direct.

Respondent—A person to whom an order or notice is issued by the Board or the Bureau instituting a proceeding or investigation.

§ 491a.3. Office of the Clerk.

(a) The Board's Office of the Clerk (Clerk) will have the following duties:

(1) Provide information as to practice and procedure before the Board, under this subpart.

(2) Receive and docket pleadings and other documents required by the Board to be filed with the Clerk.

(b) Filings and requests for practice and procedure information should be directed to the Clerk by any of the following means:

(1) *United States Postal Service*:

Office of the Clerk
Pennsylvania Gaming Control Board
P. O. Box 69060
Harrisburg, Pennsylvania 17106-9060

(2) *E-mail*: boardclerk@pa.gov

(3) *In person*:

Hearings and Appeals Office
303 Walnut Street
2nd Floor, Strawberry Square
Harrisburg, Pennsylvania 17101

(c) The Clerk will maintain a docket of proceedings. Each proceeding as initiated will be assigned a docket number. The docket will be available for inspection and copying by the public during the Board's office hours.

§ 491a.4. Filing generally.

(a) Pleadings and other documents filed with the Clerk must clearly designate the docket number, if one has been assigned, and a short title identifying the pleading or other document. The identity of the individual making the submission, including name, mailing address, status (for example, party or attorney for a party) and Board issued credential number, if applicable, must appear on the document.

(b) Pleadings, including documents filed under this chapter, must also comply with Chapter 495a (relating to documentary filings).

(c) If a pleading tendered for filing does not comply with this subpart, does not sufficiently set forth required material or is otherwise insufficient, the Clerk may decline to accept it for filing and may return it without filing, or the Clerk may accept it for filing and advise the person tendering it of the deficiency and require that the deficiency be corrected.

(d) The Clerk may require redundant, immaterial, obscene or otherwise inappropriate comments stricken from documents filed.

§ 491a.5. Service.

(a) *Applicability.* This section applies to service of an order, notice or other document from the OHA or the Office of Enforcement Counsel.

(b) *Service of a document initiating a proceeding.*

(1) *Registered or certified mail.* Service may be made by both first class and registered or certified mail, return receipt requested.

(2) *Personal.* Service may be made personally by delivering a copy:

(i) Directly to the person named in the notice, pleading or order.

(ii) At the residence of the person named in the notice, pleading or order, to an adult member of the family with whom the person named resides. If no adult member of the family is found, then to an adult person in charge of the residence.

(iii) At the residence of the person named in the notice, pleading or order, to the clerk or manager of the hotel, inn, apartment house, boarding house or other place of lodging at which the person named resides.

(iv) At any office or usual place of business of the person named in the notice, pleading or order, to his agent or to the person who for the time being is in charge thereof. For purposes of this subsection, the phrase "any office or usual place of business of the person named in the notice, pleading or order" will include the following locations:

(A) The licensed facility at which the person named is employed, licensed in connection therewith, or routinely performs his duties of employment.

(B) The office of the agent identified by the person named to receive service of process.

(c) *Proof of service.* Proof of service shall be evidenced by a return of service filed with the Clerk.

(d) *Subsequent service.* Service of any document made subsequent to the initial filing in a proceeding may be made by first class mail at the last known address of record of the person named in the notice, pleading or order.

(e) *Change of address.* It is the duty of a party to apprise the Clerk of changes to the party's current address.

(f) *Supersession.* Subsections (a)—(c) supersede 1 Pa. Code § 33.31 (relating to service by the agency).

§ 491a.6. (Reserved).

§ 491a.7. Presiding officers.

(a) When evidence is to be taken in a hearing, the Board or a presiding officer may conduct the hearing.

(b) The Board and presiding officers shall have the power and authority to:

(1) Regulate the course of hearings, including the scheduling thereof, and the recessing, reconvening and the adjournment thereof, unless otherwise provided by the Board, as provided in § 494a.1 (a) (relating to generally).

(2) Administer oaths and affirmations.

(3) Issue subpoenas.

(4) Rule upon offers of proof and receive evidence.

(5) Preside over or cause depositions to be taken.

(6) Hold conferences before or during hearings.

(7) Dispose of procedural matters, but not before a proposed report, if any, to dispose of motions made during hearings to dismiss proceedings or other motions which involve final determination of proceedings has been submitted to the Board.

(8) Certify any question to the Board for consideration and disposition, within the presiding officer's discretion, or upon direction of the Board.

(9) Submit proposed reports or reports and recommendations in accordance with this subpart.

(10) Take other action appropriate to the discharge of their duties as may be designated by the Board and authorized by the act.

(c) Except as authorized by law and by this subpart, a presiding officer may not, in a proceeding, consult with a party on a fact in issue or issue of law unless notice and opportunity for parties to participate has been given.

(d) Presiding officers will conduct fair and impartial hearings and maintain order. Disregard by parties or counsel of rulings of the presiding officer on matters of order and procedure will be noted on the record, and if the presiding officer deems necessary, it will be made the subject of a special written report to the Board.

(e) If parties or counsel engage in disrespectful, disorderly or contumacious language or conduct in connection with any hearing, the presiding officer may immediately submit to the Board a report thereon, together with recommendations, and, in the presiding officer's discretion, suspend the hearing.

(f) Rulings of presiding officers may not be appealed to the Board while the matter is pending before the presiding officer.

(g) This section supersedes 1 Pa. Code §§ 35.185—35.190 (relating to presiding officers).

§ 491a.8. Hearings generally.

(a) Unless the Board hears the matter directly, all matters, except for hearings under § 441a.7 (relating to licensing hearings for slot machine licenses), will be assigned to the OHA.

The Board may designate a member of the Board or other qualified person to serve as presiding officer in a particular matter.

(b) Hearings will be public unless a party invokes protection afforded to the party under section 1206 of the act (relating to Board minutes and records) or § 407a.3(a) (relating to confidential information).

(c) Hearings may provide for:

(1) Receipt of sworn testimony.

(2) Receipt of all relevant oral or documentary evidence.

(3) Opportunity for parties to be heard.

(4) A complete evidentiary record.

(5) Submission by the presiding officer of a report or report and recommendation to the Board.

(d) Unless required by this part or authorized by law, a party may not engage in an ex parte communication with the Board or presiding officer.

(e) Unless otherwise specified in the written notice, hearings will be conducted in Harrisburg, Pennsylvania, and may be conducted by video conference or by telephone as directed by the Board, Executive Director or presiding officer.

(f) Written notice of hearings will be provided to all parties, and served by the Clerk by first class mail.

(g) Motions shall be filed with the Clerk, served upon the parties and will be docketed and referred to the Board, Executive Director or presiding officer for disposition.

(h) Hearings will be scheduled by the OHA, except for hearings under § 441a.7 which will be scheduled as directed by the Board.

(i) A party may waive the right to a hearing before the Board, Executive Director or presiding officer by filing with the Clerk a Notice of Waiver of Hearing. The matter will then be forwarded to the appropriate bureau for action or to the Board for disposition. This section supersedes 1 Pa. Code § 35.101 (relating to waiver of hearing).

(j) Hearing transcripts will be available for public inspection. If the Board receives a request for a transcript of a hearing for which a transcript has not been prepared, the Board will prepare a transcript and make it available for inspection within 30 days.

(k) This section supplements 1 Pa. Code Chapter 35, Subchapter B (relating to hearings and conferences).

§ 491a.9. Prehearing and other conferences.

(a) A prehearing conference may be scheduled by the Board or presiding officer at his discretion. The Board or a presiding officer may also schedule a prehearing conference at the request of one party or by agreement of the parties.

(b) When the Board or presiding officer directs that a prehearing conference be held, all parties shall appear at the time and place designated. Notice of the time and place of the conference will be given to all parties. At the discretion of the Board or presiding officer, the conferences may be conducted telephonically or by video conference.

(c) The following matters will be considered at a prehearing conference:

(1) The possibilities for settlement of the proceeding, subject to the approval of the Board.

(2) The amount of hearing time which will be required to dispose of the proceeding and the establishment of a schedule of hearing dates.

(3) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of the public interest, including, but not limited to:

(i) The simplification of the issues.

(ii) The exchange and acceptance of service of exhibits proposed to be offered in evidence.

(iii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents.

(iv) The number of witnesses and any limitation imposed thereon.

(v) The discovery or production of data.

(vi) Other matters as may properly be dealt with to aid in expediting the orderly conduct and disposition of the proceeding.

(d) This section supplements 1 Pa. Code §§ 35.111--35.116 (relating to prehearing conferences).

§ 491a.10. Presentation and effect of stipulations.

(a) Independently of the orders or rulings issued by the Board or presiding officer relating to prehearing and other conferences, the parties may stipulate as to relevant matters of fact or the authenticity of relevant documents. The stipulations may be received in evidence at a hearing, and when received shall be binding on the parties with respect to the matters stipulated.

(b) This section supersedes 1 Pa. Code § 35.155 (relating to presentation and effect of stipulations).

CHAPTER 493a. PLEADINGS

Sec.

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§ 493a.1. Generally.

(a) Pleadings permitted are as follows:

(1) Complaints.

(2) Petitions.

(3) Motions.

(4) Answers to pleadings.

(5) Exceptions.

(6) Appeals of staff decisions under 1 Pa. Code § 35.20 (relating to appeals from actions of the staff). Appeals under § 491a.7(f) (relating to presiding officers) are not included.

(7) Notices.

(b) Fees for copies and other administrative requests will be in accordance with a fee schedule published by the Board in the *Pennsylvania Bulletin*, available on the Board's web site and in the Office of the Clerk.

(c) Pleadings shall be filed with the Clerk and contain a docket number and Board issued credential number of the person subject to the pleading, if applicable. The Clerk will assign a docket number if one has not been assigned.

(d) This section supplements 1 Pa. Code §§ 35.1 and 35.2 and 35.9—35.11 (relating to applications; and formal complaints).

§ 493a.2. Complaints.

(a) A proceeding against a licensee, permittee, persons registered or certified by the Board or an employee of a licensee or persons registered or certified by the Board shall be initiated by written complaint filed by the complainant, which must include a statement, in ordinary and concise language, setting forth the matter complained of and the facts supporting the complaint.

(b) Complaints may be filed by the Office of Enforcement Counsel.

(c) Complaints will be served in accordance with § 491a.5 (relating to service).

(d) This section supplements 1 Pa. Code §§ 35.9—35.11 and 35.14 (relating to formal complaints; and orders to show cause).

§ 493a.3. Satisfaction of complaints.

(a) If the respondent satisfies a complaint either before or after a hearing, a statement to that effect signed by the complainant shall be filed with the Clerk setting forth that the complaint has been satisfied and requesting dismissal or withdrawal of the complaint. Except when requested by the parties, the Board will not be required to render a final order upon the satisfaction of a complaint.

(b) This section supersedes 1 Pa. Code § 35.41 (relating to satisfaction of complaints).

§ 493a.4. Petitions generally.

(a) Petitions may be filed by the Office of Enforcement Counsel, parties, applicants, licensees, permittees, persons registered or certified by the Board, and other persons authorized by the Board.

(b) Petitions must be in writing, state clearly and concisely the grounds for the petition, the interest of the petitioner in the subject matter, the facts relied upon and the relief sought.

(c) Petitions must conform to § 491a.4 (relating to filing generally) and Chapters 495a and 497a (relating to documentary filings; and time), and be served on all persons directly affected.

(d) This section supplements 1 Pa. Code §§ 35.17 and 35.18 (relating to petitions generally; and petitions for issuance, amendment, waiver or deletion of regulations).

§ 493a.5. Answers to complaints, petitions, motions and other filings requiring a response.

(a) Answers to complaints, petitions, motions, appeals of staff decisions and other filings requiring a response shall be filed with the Clerk and served on all other parties within 30 days after the date of service of the complaint, petition, motion or other pleading, unless a different time is prescribed by the Board, presiding officer or elsewhere in the Board's regulations.

(b) Failure to file a timely answer to a complaint or petition will constitute an admission of all matters and facts contained in the filing and may result in the waiver of the right to a hearing.

(c) Answers may contain the following:

(1) Admissions of the matter complained of and the alleged facts, in whole or in part.

(2) New matter or explanation by way of defense.

(3) Legal objections.

(4) Affirmative defenses.

(5) A request for a hearing.

(d) Answers shall be in writing and shall specifically and in detail admit or deny each allegation in the pleading.

(e) This section supersedes 1 Pa. Code §§ 35.35—35.40 (relating to answers).

§ 493a.6. Consolidation.

(a) The Board or presiding officer, with or without motion, may consolidate proceedings involving a common question of law or fact.

(b) The section supersedes 1 Pa. Code § 35.45 (relating to consolidation).

§ 493a.7. Amendments and withdrawal of pleadings.

(a) Amendments and withdrawal of pleadings shall be in accordance with 1 Pa. Code §§ 35.48—35.51 (relating to amendment and withdrawal of pleadings).

(b) Answers to amended pleadings, if required, shall be filed within 30 days after the date of service of the amended pleadings. This section supersedes 1 Pa. Code § 35.40 (relating to answers to amendments of pleadings).

§ 493a.8. Motions generally.

(a) A motion may be made at any time after the initiation of a proceeding for procedural relief including a request for an extension of time, a continuance of a hearing or other scheduled proceeding, or a request for a prehearing conference.

(b) Motions may be made in writing or orally on the record. A presiding officer may require that a motion made orally also be made in writing.

(c) Answers or objections to written motions shall be made within 30 days after the date of service of the motion unless otherwise directed by the Board or presiding officer.

(d) Written motions and answers or objections to written motions shall be served upon all parties in accordance with § 491a.5 (relating to service).

(e) Motions to the Board seeking interlocutory determinations on rulings of a presiding officer are not permitted.

(f) The presiding officer may rule upon any motion filed prior to the submission of a report or report and recommendation to the Board. When a ruling on a motion would constitute a final determination of the proceedings, the ruling on the motion shall be made part of the report or report and recommendation to the Board.

(g) This section supersedes 1 Pa. Code §§ 35.177—35.180 (relating to motions).

§ 493a.9. Preliminary motions.

(a) A preliminary motion may be filed by a party. The preliminary motion must state the specific grounds relied upon, and be limited to the following:

(1) A motion questioning the jurisdiction of the Board or the presiding officer.

(2) A motion to strike a pleading that is insufficient as to form.

(3) A motion for a more specific pleading.

(b) Except when a motion for a more specific pleading is filed, an answer to a preliminary motion may be filed within the time period prescribed for answers to complaints, petitions and motions. All preliminary motions filed by a party shall be raised at the same time.

(c) If a motion for more specific pleading is filed, an answer may not be filed until further directed by the Board or presiding officer.

(d) A preliminary motion will be decided by the Board or presiding officer within 30 days of the filing of the preliminary motion.

(e) If a preliminary motion to strike is granted, the party who submitted the stricken pleading may file an amended pleading within 10 days of service of the order granting the motion to strike.

(f) This section supersedes 1 Pa. Code §§ 35.177—35.180 (relating to motions).

§ 493a.10. Motions for summary judgment and judgment on the pleadings.

(a) *Motion for judgment on the pleadings.* After the pleadings are closed, but within a time so that the hearing is not delayed, a party may move for judgment on the pleadings.

(b) *Motion for summary judgment.* After the pleadings are closed, but within a time so that the hearing is not delayed, a party may move for summary judgment based on the pleadings and depositions, answers to interrogatories, admissions and supporting affidavits.

(c) *Answers to motions.* An answer to a motion for summary judgment or a motion for judgment on the pleadings, including an opposing affidavit to a motion for summary judgment, may be filed with the Clerk and served on all other parties within 30 days of the date of service of the motion. An answer to a motion for summary judgment may be supplemented by pleadings, depositions and answers to interrogatories.

(d) *Decisions on motions.* If a motion is granted in whole or in part by a presiding officer, it will be in the form of a report or report and recommendation. The Board will make a final ruling on a motion for judgment on the pleadings or a motion for summary judgment.

(e) *Supersession.* This section supersedes 1 Pa. Code Chapter 35, Subchapter D (relating to motions).

§ 493a.10a. Motions to protect confidential information.

(a) A party or individual may designate information as confidential under § 407a.3 (relating to confidential information) in any papers filed with the Clerk by filing a Motion to Protect Confidential Information.

(b) A Motion to Protect Confidential Information must:

(1) Set forth the specific legal grounds to justify why the information should be deemed confidential and therefore protected.

(2) Include a redacted version of the entire filing which will be available for immediate release to the public.

(c) Upon the filing of the Motion to Protect Confidential Information, the Director of Hearings and Appeals will review the motion and accompanying filings and, upon determining that a substantial basis exists, shall issue an interim order to protect the information, whether in the motion or the accompanying filings, from disclosure until the Board considers the matter in accordance with 65 Pa.C.S. §§ 701—716 (relating to open meetings). At all times during the pendency of the motion, the information in the motion and the accompanying filings shall be treated as confidential except the redacted version filed in accordance with subsection (b)(2).

§ 493a.11. Discovery.

(a) The ability to obtain discovery in an administrative proceeding before the Board or presiding officer is committed to the discretion of the Board or presiding officer and will generally be limited to the information, documents and list of witnesses that any party will present during a hearing.

(b) The presiding officer may grant a request for discovery if the request will serve to facilitate an efficient and expeditious hearing process, will not unduly prejudice and burden the responding party and as may be required in the interests of justice.

(c) At the discretion of the presiding officer, discovery may be granted and limited to the following:

(1) Written interrogatories.

(2) Depositions.

(3) Production of documents or things.

(d) Each party to a proceeding shall be entitled to the name and address of any witness who may be called to testify on behalf of the opposing party and all documents or other material in the possession or control of the opposing party which the opposing party reasonably expects will be introduced into evidence. The opposing party shall be under a continuing duty to update its response to this request.

(e) The presiding officer may, upon request of a party, permit the testimony of a witness or the introduction of other evidence not disclosed pursuant to a request made under subsection (d), if following a proffer by the party seeking to present the evidence, the presiding officer determines that justice so requires.

(f) Confidential information furnished to or obtained by the Board or the Bureau from any source will not be discoverable under this subsection. If a request for discovery involves confidential information, a party may file a motion for a protective order and the presiding officer will make a determination as to what is deemed confidential.

(g) If a party fails to respond to a discovery request, which was granted by the presiding officer, the opposing party may file a motion to compel discovery with the Clerk. The presiding

officer may grant or deny the motion in accordance with § 493a.8(e) (relating to motions generally).

(h) Depositions will be conducted in accordance with 1 Pa. Code §§ 35.145—35.152 (relating to depositions).

§ 493a.12. Intervention.

(a) The decision to grant a petition to intervene in a proceeding before the Board or a presiding officer is within the sole discretion of the Board.

(b) A person wishing to intervene in a proceeding may file a petition with the Clerk which shall be served on all named parties to the underlying proceeding. When a petition to intervene is filed with the Clerk, it will be referred to the Board which will issue a determination as soon as practicable.

(c) The Board may grant a petition to intervene if it determines:

(1) The person has an interest in the proceeding which is substantial, direct and immediate.

(2) The interest is not adequately represented by a party to the proceeding.

(3) The person may be bound by the action of the Board in the proceeding.

(d) Petitions to intervene may be filed at any time following the filing of an application, petition, complaint or other document seeking Board action, but no later than 30 days prior to the date set for a hearing unless, in extraordinary circumstances for good cause shown, the Board authorizes a later filing.

(e) Petitions to intervene must be in writing and set out clearly and concisely the facts demonstrating the nature of the alleged right or interest of the petitioner, the grounds of the proposed intervention, and the position of the petitioner in the proceeding. The petitioner shall fully advise the parties and the Board of the specific issues of fact or law to be raised or controverted, by admitting, denying or otherwise answering, specifically and in detail, each material allegation of fact or law asserted in the petition or complaint initiating the proceeding, and citing by appropriate reference provisions or other authority relied on.

(f) A party may file an answer to a petition to intervene, and in default thereof, will be deemed to have waived any objection to the granting of the petition. Answers shall be filed within 10 days after the date of service of the petition, unless for cause the Board prescribes a different time.

(g) Except when the Board determines that it is necessary to develop a comprehensive evidentiary record, the participation of a person granted the right to intervene in a proceeding

will be limited to the presentation of evidence through the submission of written statements attested to under oath. The written statements shall be part of the evidentiary record.

(h) Notwithstanding the provisions of this section, petitions to intervene in licensing hearings for slot machine licenses shall be governed by § 441a.7(z) (relating to licensing hearings for slot machine licenses).

(i) This section supersedes 1 Pa. Code §§ 35.27—35.32 and 35.36 (relating to intervention; and answers to petitions to intervene).

§ 493a.13. Consent agreements.

(a) Parties may propose consent agreements at any time prior to the entry of a final order.

(b) Consent agreements must be in writing, signed by all parties and accurately reflect the terms of the consent agreement, including the facts agreed to by the parties constituting the grounds for the action proposed in the consent agreement.

(c) If the consent agreement is proposed in a matter that is the subject of a proceeding before a presiding officer, the proposal of the consent agreement will stay the proceeding until the consent agreement is acted upon by the Board.

(d) The consent agreement shall be presented to the Board for its approval or disapproval. If the Board approves the consent agreement, it will become the final order of the Board. If the Board disapproves the consent agreement, the parties will be notified and the consent agreement and any documents solely relating to the consent agreement will not constitute part of the record.

CHAPTER 494a. HEARING PROCEDURE

Sec.

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§ 494a.1. Generally.

(a) A hearing calendar of all matters set for hearing will be maintained by the Clerk and will be in order of assignment as far as practicable. All matters will be conducted from Harrisburg, in person, by means of video conference or by telephone, unless a different site is designated by the Board, Executive Director or the presiding officer. The Board, Executive Director or the presiding officer, in its discretion with or without motion, may at any time with due notice to the parties advance or postpone any proceeding on the hearing calendar.

(b) Hearings will be held before the Board or presiding officer, and all appearances, including staff counsel participating, will be entered upon the record, with a notation on whose behalf each appearance is made. A notation will be made in the record of the names of the members of the staff of the Board participating, including accountants, and other experts who are assisting in the investigation of the matter. This section supersedes 1 Pa. Code §§ 35.123 and 35.124 (relating to conduct of hearings; and appearances).

(c) In hearings, neither the Board nor the presiding officer will be bound by technical rules of evidence, and all relevant evidence of reasonably probative value may be received. Reasonable examination and cross-examination will be permitted at all oral hearings. If a party does not testify on his own behalf, the party may be called and examined as if under cross-examination.

(d) Subsection (a) supersedes 1 Pa. Code § 35.102 (relating to hearing calendar).

§ 494a.2. Oral hearings.

Oral hearings will be conducted in accordance with 1 Pa. Code §§ 35.121--35.126 and Subchapter C (relating to evidence and witnesses).

§ 494a.3. (Reserved).

§ 494a.4. Report or report and recommendation of the presiding officer.

(a) Following a hearing, a report or report and recommendation of the presiding officer may be required by the Board, except that recommendations will not be made in proceedings involving the issuance, approval, renewal, revocation, suspension or conditioning of a license.

(b) The presiding officer will, through the Clerk, certify to the Board a verbatim record of any oral hearing, all documents submitted for consideration, and a report or report and recommendation, when required, as soon as practicable after the conclusion of the hearing and expiration of the time for filing of briefs.

(c) The presiding officer's report or report and recommendation will include a statement of:

(1) Findings and conclusions, as well as the reasons or basis therefore, for all the material issues of fact, law or discretion presented on the record.

(2) The appropriate statutory provision, regulation, order, sanction, relief or denial thereof.

(3) Facts officially noticed under 1 Pa. Code § 35.173 (relating to official notice of facts), relied upon in the decision.

(d) The report or report and recommendation will be in writing, provided to all parties, and will be part of the public record, except for matters and materials designated as confidential. Service will be in accordance with § 491a.5(d) (relating to service).

(e) This section supersedes 1 Pa. Code §§ 35.201—35.206 (relating to proposed reports generally).

§ 494a.5. Review.

(a) The Clerk will transmit the record of the hearing to the Board and will make it available to all parties.

(b) The Board will review the record of the hearing and the report or report and recommendation of the presiding officer. The Board may adopt some or all of the recommendations, conduct a full or partial de novo hearing, or remand all or part of the matter to a presiding officer for the taking of additional evidence or clarification of issues, or make an adjudication based on the record.

§ 494a.6. Reopening of record.

(a) After the conclusion of the hearing, a party in a proceeding may file with the Clerk, prior to the issuance of an order of the Board or a report or report and recommendation, a motion to reopen the record for the purpose of taking additional evidence. The motion must set forth clearly the facts claimed to constitute grounds requiring reopening of the record, including material changes of fact or law alleged to have occurred since the record was concluded.

(b) After the issuance of a report or report and recommendation by a presiding officer and before the Board issues its final order, a party in a proceeding may file with the Clerk, a motion to reopen the record for the purpose of taking additional evidence. The motion must set forth clearly the facts claimed to constitute grounds requiring reopening of the record, including material changes of fact or law alleged to have occurred since the issuance of a report or report and recommendation.

(c) Answers may be filed within 10 days of service of the motion. If no answers are filed, objections to the granting of the motion are waived.

(d) After the filing of the motion and answer, the Board or presiding officer will grant or deny the motion.

(e) Prior to filing a report or report and recommendation, the presiding officer, after notice to the parties, may reopen the record for the receipt of further evidence on his own motion, if the presiding officer has reason to believe that the facts or law have changed as to require, or that the public interest requires, the reopening of the record.

(f) Prior to the issuance of a final order, the Board, after notice to the parties, may reopen the record for the receipt of further evidence, if the Board has reason to believe that the facts or law have changed as to require, or that the public interest requires, the reopening of the record.

(g) This section supersedes 1 Pa. Code §§ 35.231—35.233 (relating to reopening of record).

§ 494a.7. Exceptions.

(a) A party may file exceptions to the report or report and recommendation of the presiding officer within 15 days of the date of the report or report and recommendation, unless the time is extended upon good cause shown.

(b) Exceptions must be in writing, filed with the Clerk, and state with particularity the matter objected to, including the portion of the record where the basis of the objection may be found, and any supporting legal argument.

(c) A response to exceptions shall be filed within 15 days of the date of service of the exceptions.

(d) The record, including exceptions and responses thereto, will be forwarded to the Board for its consideration.

(e) This section supersedes 1 Pa. Code §§ 35.211—35.214 (relating to exceptions to proposed reports).

§ 494a.8. Rehearing or reconsideration.

(a) A party to a proceeding may file an application for rehearing or reconsideration by filing a motion within 15 days after the final order of the Board.

(b) Filing a motion for rehearing or reconsideration does not toll or stay the 30-day appeal period.

(c) The motion must state concisely the alleged errors in the adjudication or other order of the Board. If a final order or other order of the Board is sought to be vacated, reversed or modified by reason of matters that have arisen since the hearing and decision or order, or by reason of a consequence that would result from compliance therewith, the matters relied upon by the petitioner must be set forth in the motion.

(d) Answers to motions for rehearing or reconsideration will not be entertained by the Board. If the Board grants the rehearing or reconsideration, an answer may be filed by a participant within 15 days after the issuance of the order granting rehearing or reconsideration. The response will be confined to the issues upon which rehearing or reconsideration has been granted.

(e) If the Board does not act upon the motion for rehearing or reconsideration within 30 days after it is filed, the motion will be deemed to have been denied.

(f) This section does not apply to proceedings resulting in any final order, determination or decision of the Board involving the approval, issuance, denial or conditioning of licensed entity applications which are subject to the appellate requirements of 4 Pa.C.S. § 1204 (relating to licensed gaming entity application appeals from board).

(g) This section supersedes 1 Pa. Code § 35.241 (relating to application for rehearing or reconsideration).

§ 494a.9. Briefs and oral argument.

(a) All parties shall be afforded an opportunity to submit briefs prior to the issuance of a report or report and recommendation in accordance with a briefing schedule established by the OHA. Briefs shall be filed with the Clerk and served on the parties.

(b) Oral argument may be heard at the discretion of the Board or presiding officer

§ 494a.10. (Reserved).

§ 494a.11. Appeals.

(a) A party may appeal final orders of the Board in accordance with the act, in the form prescribed in the Pennsylvania Rules of Appellate Procedure (See 210 Pa. Code).

(b) The filing of an appeal will not stay enforcement of the decision or final order of the Board unless a stay is obtained from the court upon application in accordance with the Rules of Appellate Procedure, or the Board grants a stay prior to the filing of the appeal.

CHAPTER 495a. DOCUMENTARY FILINGS

Sec.

495a.1. Form of documentary filings generally.
495a.2. Form of documents.
495a.3. Single pleading covering more than one matter.
495a.4. Execution of documents.
495a.5. Verification.
495a.6. Number of copies.

§ 495a.1. Form of documentary filings generally.

(a) Pleadings or other documents must be divided into numbered paragraphs.

(b) Copies of contracts, agreements, permits or other writings referred to in pleadings or other documents may be attached as exhibits. Copies of writings or orders already of record with the Board in the proceeding need not be attached.

(c) Pleadings or other documents filed with the Clerk in a proceeding must clearly designate the docket number if one has been assigned, and a short title identifying the pleading or document. The identity of the individual making the submission, including name, mailing address, status (for example, party or attorney for a party) and Board issued credential number of the person subject to the pleading, if applicable, must appear on the document.

(d) Pleadings or other documents must include an address, fax number or e-mail address where papers may be served in connection with the proceedings.

(e) Notation of counsel's current Supreme Court identification number issued by the Court Administrator of Pennsylvania constitutes proof of the right to practice in this Commonwealth.

(f) Subsections (a)—(c) supersede 1 Pa. Code §§ 31.5 and 33.3 (relating to communications and filings generally; and incorporation by reference).

§ 495a.2. Form of documents.

(a) The Board may establish the paper, printing and binding requirements for pleadings filed with the Clerk. If the Board establishes paper, printing and binding requirements, the requirements will be printed in the *Pennsylvania Bulletin* and posted on the Board's web site.

(b) Subsection (a) supersedes 1 Pa. Code § 33.2 (relating to form).

§ 495a.3. Single pleading covering more than one matter.

(a) Except as otherwise provided under this chapter (relating to formal proceedings), a single pleading may be accepted for filing with respect to a particular transaction and one or more related transactions and shall be deemed to be a single filing for purposes of the computation of fees under Chapter 471a (relating to schedule of fees payable to the Board).

(b) If, upon review, the Board determines that the transactions are not closely related or otherwise properly joined, the Board will direct that the single pleading be refiled as two or more separate pleadings. Each pleading will be subject to a separate filing fee.

(c) Subsection (a) supersedes 1 Pa. Code § 33.4 (relating to single pleading or submittal covering more than one matter).

§ 495a.4. Execution of documents.

(a) *Signature*. Except as may be otherwise ordered or requested by the Board, the original and all copies of a pleading, or other documents shall be signed in ink by the party in interest, or by his attorney, as required by subsection (b), and show the office and post office address of the party or attorney.

(b) *Subscription*.

(1) A pleading or other document filed with the Board shall be subscribed by one of the following:

(i) The persons filing the documents.

(ii) An officer if it is a corporation, trust, association or other organized group.

(iii) An officer or authorized employee thereof if it is another agency, a political subdivision, or other governmental authority, agency or instrumentality.

(iv) An attorney authorized to subscribe on behalf of the client.

(2) A document filed by a corporation, trust, association or other organized group, may be required to be supplemented by appropriate evidence of the authority of the officer or attorney subscribing the documents.

(c) *Effect*.

(1) The signature of the person subscribing a document filed with the Board constitutes a certificate by the individual that:

(i) The person has read the document being subscribed and filed, and knows the contents thereof.

(ii) The document has been subscribed and executed in the capacity specified upon the document with full power and authority to do so, if executed in a representative capacity.

(iii) The document is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law, to the best of the person's knowledge, information and belief formed after reasonable inquiry.

(iv) The document is not interposed for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) If a document is signed in violation of this subsection, the Board, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include striking the document, dismissal of the proceeding or the imposition of civil penalties under 4 Pa.C.S. § 1518 (relating to prohibited acts; penalties).

(d) *Supersession*. Subsections (a)--(c) supersede 1 Pa. Code § 33.11 (relating to execution).

§ 495a.5. Verification.

(a) Pleadings or other documents containing an averment of fact not appearing of record in the action or containing a denial of fact shall be personally verified by a party thereto or by an authorized officer of the party if a corporation or association. Verification means a signed, written statement of fact supported by oath or affirmation or made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). If verification is required, notarization is not necessary.

(b) The verification form should comply substantially with the following:

VERIFICATION

I, _____ , hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief). I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: _____

(Signature)

(c) When an affidavit is used, the form should comply substantially with the following:

AFFIDAVIT

I, _____ (Affiant) being duly sworn (affirmed) according to law, depose and say that (I am authorized to make this affidavit on behalf of _____ corporation, being the holder of the office of _____ with that corporation,) and that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief).

_____
(Signature of affiant)

Sworn and subscribed before me this _____ day of _____ , 20____.

_____
(Signature of official administering oath)

(d) An individual who executes a pleading or other document knowing that it contains a false statement and who causes it to be filed with the Board shall be subject to prosecution of a misdemeanor of the second degree in violation of 18 Pa.C.S. § 4904(a).

(e) Subsections (a)--(d) supersede 1 Pa. Code § 33.12 (relating to verification).

§ 495a.6. Number of copies.

(a) An original copy of pleadings or documents other than correspondence shall be furnished to the Clerk at the time of filing, except as may be otherwise ordered or requested by the Board or the presiding officer.

(b) Pleadings and documents filed electronically, in accordance with § 497a.1(a)(4) (relating to date of filing), will be considered the original for purposes of this section. If filed electronically with the Clerk at boardclerk@pa.gov, a paper submission is not required.

(c) Subsection (a) supersedes 1 Pa. Code § 33.15 (relating to number of copies).

CHAPTER 497a. TIME

Sec.

497a.1. Date of filing.
497a.2. Computation of time.
497a.3. Issuance of Board orders.
497a.4. Effective dates of Board orders.
497a.5. Extensions of time and continuances.

§ 497a.1. Date of filing.

(a) Whenever a pleading or other document is required or permitted to be filed under this part or by statute, it will be deemed to be filed on one of the following dates:

(1) On the date actually received in the Office of the Clerk.

(2) On the date deposited with an overnight express package delivery service as shown on the express delivery receipt attached to or included within the envelope containing the document.

(3) On the date deposited in the United States mail as shown by the United States Postal Service stamp on the envelope or on a United States Postal Service Form 3817 certificate of mailing. A mailing envelope stamped by an in-house postage meter does not constitute proof of the date of mailing.

(4) On the date that the pleading or other document is received by electronic transmission, sent to boardclerk@ pa.gov, in the Office of the Clerk.

(b) Failure to include a legible delivery receipt with the document may result in an untimely filing.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 31.11 (relating to timely filing required).

§ 497a.2. Computation of time.

(a) In computing a period of time prescribed or allowed by the act or this part, the day of the act, event or default after which the designated period of time begins to run is not included. The last day of the period is included, unless it is Saturday, Sunday or a legal holiday in this Commonwealth, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or holiday. Intermediate Saturdays, Sundays and legal holidays shall be included in the computation.

(b) In computing a period of time prescribed or allowed by the act or this part which is measured by counting a specified number of days backward from a scheduled future act, event or default, the day of the scheduled future act, event or default is not included. The day on which the prescribed or allowed action is to occur shall be included, unless it is a Saturday, Sunday or a legal holiday in this Commonwealth, in which event the day of the prescribed or allowed action shall run until the next preceding day which is neither a Saturday, Sunday or holiday. A part-day holiday shall be considered as a holiday. Intermediate Saturdays, Sundays and legal holidays are included in the computation.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 31.12 (relating to computation of time).

§ 497a.3. Issuance of Board orders.

(a) In computing a period of time involving the date of the issuance of an order by the Board, the day of issuance of an order will be the date the Clerk enters the order. An order will not be made public prior to its entry except when, in the Board's judgment, the public interest so requires. The date of entry of an order may or may not be the day of its adoption by the Board. The Clerk will clearly indicate on each order the date of its adoption by the Board and the date of its entry.

(b) The date of entry of an order which is subject to review by the Supreme Court of Pennsylvania is governed by 2 Pa.C.S. Chapter 7, Subchapter A (relating to judicial review of Commonwealth agency action). The date of issuance of an order shall be deemed to be the date of entry for the purposes of computing the time for appeal under an applicable statute relating to judicial review of Board action.

(c) Subsections (a) and (b) are identical to 1 Pa. Code § 31.13 (relating to issuance of agency orders).

§ 497a.4. Effective dates of Board orders.

(a) An order of the Board promulgating regulations will be effective upon publication in the *Pennsylvania Bulletin* unless otherwise specially provided in the order.

(b) Except as provided in subsection (a), an order of the Board will be effective as of the date of entry unless otherwise specially provided in the order.

(c) Subsections (a) and (b) supersede 1 Pa. Code § 31.14 (relating to effective dates of agency orders).

§ 497a.5. Extensions of time and continuances.

(a) Extensions of time will be governed by the following:

(1) Whenever under this part or by order of the Board, or notice given thereunder, an act is required or allowed to be done at or within a specified time, the time fixed or the period of time prescribed may be extended by the Board, for good cause, upon a motion made before expiration of the period originally prescribed or as previously extended. Upon a motion made after the expiration of the specified period, the time period within which the act may be permitted to be done may be extended when reasonable grounds are shown for the failure to act.

(2) Requests for an extension of time in which to file briefs shall be filed at least 5 days before the time fixed for filing the briefs unless the Board or presiding officer, for good cause shown allows a shorter time.

(3) Requests for a continuance of a hearing shall be made orally or in writing to the presiding officer, stating the facts on which the request rests. Requests for continuance will be considered only for good cause shown.

(b) Subsection (a) supersedes 1 Pa. Code § 31.15 (relating to extensions of time).

CHAPTER 499a. REPRESENTATION BEFORE THE BOARD

Sec.

499a.1. Appearance in person.
499a.2. Appearance by attorney.
499a.3. Other representation prohibited at hearings.
499a.4. Notice of appearance or withdrawal.
499a.5. Form of notice of appearance.
499a.6. Contemptuous conduct.
499a.7. Suspension and disbarment.

§ 499a.1. Appearance in person.

(a) An individual who is a party in a proceeding before the Board may represent himself before the Board.

(b) A party, other than an individual appearing on his own behalf, in an adversarial proceeding before the Board shall be represented by an attorney authorized to appear before the Board in accordance with § 499a.2 (relating to appearance by attorney).

(c) This section supersedes 1 Pa. Code § 31.21 (relating to appearance in person).

§ 499a.2. Appearance by attorney.

(a) A party in a proceeding before the Board who elects to be represented by an attorney in the proceeding, or who is required under § 499a.1 (relating to appearance in person) to be represented by an attorney in the proceeding, shall be represented by:

(1) An attorney at law admitted to practice before the Pennsylvania Supreme Court.

(2) An attorney admitted to practice before the highest court of a jurisdiction other than this Commonwealth which permits attorneys licensed in this Commonwealth to practice before its courts and agencies without benefit of licensure in that state.

(3) An attorney authorized in accordance with subsection (b) to appear in connection with the proceeding.

(b) An attorney admitted to practice before the highest court of a jurisdiction other than this Commonwealth which does not permit attorneys licensed in this Commonwealth to appear before its courts and agencies may, at the discretion of the Board, be authorized to appear in

connection with a particular proceeding. The Board will determine whether to grant the authorization upon the filing of a motion with the Clerk by an attorney admitted to practice law before the Pennsylvania Supreme Court and in good standing therewith, which contains the information required to satisfy the written notice provision of Pa.B.A.R. 301 (relating to admission pro hac vice), and provided that the attorney filing the motion shall be and remain the attorney of record in the proceeding and further provided that both the attorney of record and the attorney admitted under this subsection shall both sign all documents submitted or filed in connection with the proceeding.

(c) Subsection (a) supersedes 1 Pa. Code § 31.22 (relating to appearance by attorney).

§ 499a.3. Other representation prohibited at hearings.

(a) Participants, individuals, partnerships, associations, corporations or governmental entities may not be represented at a hearing before the Board except:

(1) As stated in §§ 499a.1 and 499a.2 (relating to appearance in person; and appearance by attorney).

(2) As otherwise permitted by the Board in a specific case.

(b) Subsection (a) supersedes 1 Pa. Code § 31.23 (relating to other representation prohibited at hearings).

§ 499a.4. Notice of appearance or withdrawal.

(a) An individual appearing without representation before the Board shall file with the Office of the Clerk an address for service of a notice or other written communication. A change in address which occurs during the course of the proceeding shall be reported to the Office of the Clerk within 3 business days.

(b) An attorney whose name and address appear in a representative capacity on an initial pleading filed with the Office of the Clerk shall be considered to have entered an appearance in that proceeding. An attorney who enters the matter at a later stage of the proceeding shall file with the Office of the Clerk a written notice of the appearance as required under § 499a.5 (relating to form of notice of appearance). The notice shall be served on the other parties in the proceeding. A change in address which occurs during the course of the proceeding shall be reported to the Office of the Clerk within 3 business days.

(c) Except as provided in subsection (e), an attorney may not withdraw his appearance without leave of the Board or presiding officer. An attorney may request leave to withdraw his appearance through petition to the Board or presiding officer. Copies of the petition shall be served on all parties. The attorney requesting withdrawal shall immediately notify the party previously represented by ordinary mail of an order granting leave to withdraw.

(d) An attorney may withdraw his appearance without leave of the Board or presiding officer if one of the following occurs:

(1) Another attorney has previously entered his appearance on behalf of the party.

(2) Another attorney is simultaneously entering an appearance on behalf of the party, and the change of attorneys does not delay any stage of the litigation.

(e) An attorney who wishes to withdraw an appearance under subsection (d) shall file with the Office of the Clerk. The notice shall be served on the other parties.

(f) Subsections (a) and (d) supersede 1 Pa. Code § 31.24 (relating to notice of appearance).

§ 499a.5. Form of notice of appearance.

(a) The form of notice of appearance is as follows:

COMMONWEALTH OF PENNSYLVANIA

BEFORE THE PENNSYLVANIA GAMING CONTROL BOARD

In the Matter of:

[File, Docket or Other Identifying No.:]

NOTICE OF APPEARANCE

Please enter my appearance in the above designated matter on behalf of _____ .

I am authorized to accept service on behalf of said participant in this matter.

[CHECK ONE]

[ ] On the basis of this notice, I request a copy of each document hereafter issued by the Board in this matter.

[ ] I am already receiving or have access to a copy of each document issued by the Board in this matter and do not on the basis of this notice require an additional copy.

_____
Signature

_____
Attorney Identification Number

_____
Name (Printed)

_____
P. O. address

_____
City, state and zip code

_____
Telephone number (including area code)

_____
Fax Number (including area code)

_____
Email address

(b) Subsection (a) supersedes 1 Pa. Code § 31.25 (relating to form of notice of appearance).

§ 499a.6. Contemptuous conduct.

(a) Contemptuous conduct at a hearing before the Board or a presiding officer will be grounds for exclusion from the hearing and for summary suspension without a hearing for the duration of the hearing.

(b) Subsection (a) is identical to 1 Pa. Code § 31.27 (relating to contemptuous conduct).

§ 499a.7. Suspension and disbarment.

(a) The Board may deny, temporarily or permanently, the privilege of appearing or practicing before the Board to a person who is found by the Board, after notice and opportunity for hearing in the matter, to have done one or more of the following:

(1) Lacked the requisite qualifications to represent others.

(2) Engaged in unethical, contemptuous or improper conduct before the Board.

(3) Repeatedly failed to follow Board directives.

(b) For the purpose of subsection (a), practicing before the Board includes the following:

(1) Transacting business with the Board.

(2) The preparation of a statement, opinion or other paper by an attorney, accountant, engineer or other expert, filed with the Board in a pleading or other document with the consent of the attorney, accountant, engineer or other expert.

(3) Appearances at a hearing before the Board.

(c) Subsections (a) and (b) are identical to 1 Pa. Code § 31.28 (relating to suspension and disbarment).

Subpart I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 501a. COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS

Sec.

501a.1. Definitions.
501a.2. Compulsive and problem gambling plan.
501a.3. Employee training program.
501a.4. Reports.
501a.5. Signage requirements.
501a.6. (Reserved).
501a.7. Advertising.

§ 501a.1. Definitions.

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

Advertisement --Gaming related marketing materials including a notice or communication by a licensee, certified or registered entity or its agent to the public through signs, billboards, broadcasts, publications, mail, e-mail, text message, tweet or other means of dissemination.

OCPG--The Office of Compulsive and Problem Gambling.

§ 501a.2. Compulsive and problem gambling plan.

(a) An applicant for a slot machine license shall submit a compulsive and problem gambling plan for review at the time of submission of the application. The plan must, at a minimum, contain the elements listed in subsection (d).

(b) The compulsive and problem gambling plan of an applicant for a slot machine license that has been approved to receive a slot machine license must be approved by the Director of OCPG. An applicant for a slot machine license who has been approved to receive a slot machine license will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the plan.

(c) Compliance with the plan approved under this chapter will be a condition of license renewal.

(d) A compulsive and problem gambling plan must include the following:

(1) The goals of the plan and procedures and timetables to implement the plan.

(2) The identification of the individual who will be responsible for the implementation and maintenance of the plan.

(3) Policies and procedures including the following:

(i) The commitment of the licensee to train appropriate employees.

(ii) The duties and responsibilities of the employees designated to implement or participate in the plan.

(iii) The responsibility of patrons with respect to responsible gambling.

(iv) Procedures to identify patrons and employees with suspected or known compulsive and problem gambling behavior.

(v) Procedures for providing information to individuals regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.

(vi) Procedures for responding to patron requests for information regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members. The provisions of this subsection do not create a duty for a slot machine licensee or its employees to refer compulsive and problem gamblers to qualified treatment professionals.

(4) The provision of printed material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The slot machine licensee shall provide examples of the materials to be used as part of its plan, including signs required under § 501a.5 (relating to signage requirements), brochures and other printed material and a description of how the material will be disseminated.

(5) An employee training program as required under § 501a.3 (relating to employee training program), including training materials to be utilized and a plan for periodic reinforcement training.

(6) A certification process established by the slot machine licensee to verify that each employee has completed the training required by the plan.

(7) An estimation of the cost of development, implementation and administration of the plan.

(8) A list of community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.

(9) Procedures to prevent underage gambling as required under § 513a.3(b) (relating to responsibilities of licensees, permittees, registrants and certification holders).

(10) Procedures to prevent excluded persons from gambling.

(11) Procedures to prevent intoxicated patrons from gambling.

(12) Details of outreach programs which the slot machine licensee intends to offer to employees and individuals who are not employees of the slot machine licensee.

(13) The plan for posting signs required under § 501a.5 within the licensed facility, containing gambling treatment information.

(e) A slot machine licensee shall also submit other policies and procedures the slot machine licensee intends to use beyond what is required under subsection (d) to prevent and raise awareness of compulsive and problem gambling.

(f) The Board may provide the plan submitted by the slot machine licensee to the Department of Health for its use in administering the act. The Department of Health may provide comments and recommendations to the OCPG and the licensee relating to the plan.

(g) A slot machine licensee shall submit amendments to the compulsive and problem gambling plan to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing the amendments unless the slot machine licensee receives a notice under subsection (h) objecting to the amendments.

(h) If during the 30-day review period the Director of OCPG determines that the amendments may not promote the prevention of compulsive and problem gambling or assist in the proper administration of responsible gaming programs, the Director of OCPG may, by written notice to the slot machine licensee, object to the amendments. The objection will:

(1) Specify the nature of the objection and, when possible, an acceptable alternative.

(2) Direct that the amendments not be implemented until approved by the Director of OCPG.

(i) When amendments have been objected to under subsection (h), the slot machine licensee may submit revised amendments for review in accordance with subsections (g) and (h).

§ 501a.3. Employee training program.

(a) The employee training program required under § 501a.2(d)(5) (relating to compulsive and problem gaming plan) must include instruction in the following:

(1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.

(2) The relationship of compulsive and problem gambling to other addictive behavior.

(3) The social and economic consequences of compulsive and problem gambling, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.

(4) Techniques to be used when compulsive and problem gambling is suspected or identified.

(5) Techniques to be used to discuss compulsive and problem gambling with patrons and advise patrons regarding community, public and private treatment services.

(6) Procedures designed to prevent serving alcohol to visibly intoxicated gaming patrons.

(7) Procedures designed to prevent persons from gaming after having been determined to be visibly intoxicated.

(8) Procedures for the dissemination of written materials to patrons explaining the self-exclusion program.

(9) Procedures for removing an excluded person, an underage individual or a person on the self-exclusion list from a licensed facility including, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.

(10) Procedures for preventing an excluded person or a person on the self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the excluded person or self-exclusion list.

(11) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.

(12) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from having access to or from receiving complimentary services, or other like benefits.

(13) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from cashing checks.

(b) Training and training materials shall be updated annually and include current research and information on responsible and problem gambling.

(c) Training for employees shall be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs as part of the employee's orientation.

(d) Employees who have received training shall be certified by the slot machine licensee under § 501a.2(d)(6) upon completion of the training.

(e) Employees are required to receive periodic reinforcement training at least once every calendar year starting with the year following the year in which the employee was hired. The date of the reinforcement training shall be recorded in each employee's personnel file.

(f) Employees shall report suspected or identified compulsive or problem gamblers to a designated key employee or other supervisory employee.

(g) The identity of an individual suspected of known compulsive or problem gambling shall be confidential except as provided under § 503a.3(f) (relating to self-exclusion list) and section 1516(d) of the act (relating to list of persons self-excluded from gaming activities).

(h) Slot machine licensees may collaborate with a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs to develop an in-house or Internet-based employee training program to provide the training and reinforcement training required under this chapter.

§ 501a.4. Reports.

(a) A slot machine licensee shall submit to the Director of the OCPG an annual summary of its compulsive and problem gambling program by the last business day of July.

(b) The annual summary must contain, at a minimum, detailed information regarding:

(1) Employee training, including:

(i) The dates of live new hire and annual reinforcement compulsive gambling training.

(ii) The individual or group who conducted the training.

(iii) The number of employees who completed the new hire compulsive gambling training.

(iv) The number of employees who completed the annual reinforcement compulsive gambling training.

(v) The dates of responsible alcohol training.

(vi) The individual or group who conducted the responsible alcohol training.

(vii) The number of employees who completed the responsible alcohol training.

(2) An estimated amount of printed materials provided to patrons regarding:

(i) Compulsive and problem gambling.

(ii) The self-exclusion program.

(iii) Responsible gaming.

(iv) Available treatment services.

(3) The amount spent on the Compulsive and Problem Gambling Plan for:

(i) Employee training.

(ii) Printed materials.

(iii) Outreach including community training and sponsorships.

(4) Additional information including:

(i) The number of underage individuals who were denied access to the gaming floor.

(ii) The number of self-excluded individuals who were discovered on the gaming floor at the licensed facility.

(iii) The number of signs within the licensed facility that contain the approved problem gambling statement and helpline number.

(iv) A summary of any community outreach conducted by the licensee.

§ 501a.5. Signage requirements.

Under section 1509(c) of the act (relating to compulsive and problem gambling program), each slot machine licensee shall post at least 20 signs that include a gambling assistance message that complies with § 501a.7(d) (relating to advertising). The complete text of the sign shall be submitted for approval to the Director of OCPG utilizing the process contained in § 501a.2(g) (relating to compulsive and problem gambling plan). The signs must be prominently posted at the following locations:

(1) Within 50 feet of each entrance and exit of the facility.

(2) Above or below the cash dispensing opening on all automated teller machines, automated gaming voucher and coupon redemption machines, and other machines that dispense cash to patrons in the licensed facility.

§ 501a.6. (Reserved).

§ 501a.7. Advertising.

(a) A licensee, certified or registered entity, or its agent may not employ or contract with an individual or entity to persuade or convince a person to engage in gaming or play a specific slot machine or table game while on the gaming floor of a licensed facility.

(b) A licensee, certified or registered entity, or its agent shall discontinue as expeditiously as possible the use of a particular advertisement upon receipt of written notice that the OCPG has determined that the use of the particular advertisement in, or with respect to, this Commonwealth could adversely impact the public or the integrity of gaming.

(c) Advertisements used by a licensee, certified or registered entity, or its agent may not:

(1) Contain false or misleading information.

(2) Fail to disclose conditions or limiting factors associated with the advertisement.

(3) Use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement or the statement required under subsection (d).

(d) Advertisements must contain a gambling assistance message that is similar to one of the following:

(1) If you or someone you know has a gambling problem, help is available. Call (toll free telephone number).

(2) Gambling Problem? Please call (toll free telephone number).

(3) Gambling Problem? Call (toll free telephone number).

(e) The complete text of the gambling assistance message and the font to be used for the statement, if it has not been previously approved, shall be submitted to the Director of OCPG for approval utilizing the process in § 501a.2(g) (relating to compulsive and problem gambling plan) and comply with the following:

(1) For signs, direct mail marketing materials, posters and other print advertisements, the height of the font used for the gambling assistance message must be the greater of:

(i) The same size as the majority of the text used in the sign, direct mail marketing material, poster or other print advertisement.

(ii) Two percent of the height or width, whichever is greater, of the sign, direct mail marketing material, poster or other print advertisement.

(2) For billboards, the height of the font used for the gambling assistance message must be at least 5% of the height or width, whichever is greater, of the face of the billboard.

(3) For video and television, the gambling assistance message must be visible for either:

(i) The entire time the video or television advertisement is displayed. The height of the font used for the gambling assistance message must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.

(ii) From the first time a table game, table game device, slot machine, associated equipment or casino name is displayed or verbally referenced, and on a dedicated screen shot visible for at least the last 3 seconds of the video or television advertisement. If the licensee elects to utilize this option, the height of the font used for the gambling assistance message displayed:

(A) During the advertisement must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.

(B) On the dedicated screen shot must be at least 8% of the height or width, whichever is greater, of the image that will be displayed.

(4) For web sites, including social media sites:

(i) The gambling assistance message must be posted on each webpage or profile page and on a gaming related advertisement posted on the webpage or profile page.

(ii) The height of the font used for the gambling assistance message must be at least the same size as the majority of the text used in the webpage or profile page.

(iii) For advertisements posted on the webpage or profile page, the height of the font used for the gaming assistance message must comply with paragraph (1).

CHAPTER 503a. SELF-EXCLUSION

Sec.

503a.1. Definitions.
503a.2. Request for self-exclusion.
503a.3. Self-exclusion list.
503a.4. Duties of slot machine licensees.
503a.5. Removal from self-exclusion list.
503a.6. Exceptions for individuals on the self-exclusion list.
503a.7. Disclosure of information related to persons on the self-exclusion list.

§ 503a.1. Definitions.

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

Fully executed gaming transaction—An activity involving a slot machine, table game or associated equipment which occurs on the gaming floor of a licensed facility or in areas off the gaming floor where contests or tournaments are conducted which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a slot machine licensee or slot system operator.

Gaming activity—The play of slot machines or table games including play during contests, tournaments or promotional events.

Gaming related activity—An activity related to the play of slot machines or table games including applying for player club memberships or credit, cashing checks, or accepting a complimentary gift, service, promotional item or other thing of value at a licensed facility.

OCPG—Office of Compulsive and Program Gambling.

Self-excluded person—A person whose name and identifying information is included, at the person's own request, on the self-exclusion list maintained by the Board.

Self-exclusion list—A list of names and identifying information of persons who, under this chapter, have voluntarily agreed to be:

(i) Excluded from the gaming floor and areas off the gaming floor where gaming activity is conducted.

(ii) Excluded from engaging in all gaming related activities at a licensed facility.

(iii) Prohibited from collecting any winnings or recovering any losses resulting from gaming activity.

Winnings—Any money or thing of value received from, or owed by, a slot machine licensee or slot system operator as a result of a fully executed gaming transaction.

§ 503a.2. Request for self-exclusion.

(a) A person requesting placement on the self-exclusion list shall submit, in person, a completed Request for Voluntary Self-exclusion from Gaming Activities Form to the Board. The submission may be made by scheduling an appointment at the Board's Harrisburg office, one of the Board's other offices or at a licensed facility. To make an appointment, a person may contact the OCPG at (717) 346-8300.

(b) A request for self-exclusion must include the following identifying information:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Address of current residence.

(4) Telephone number.

(5) Social Security number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).

(6) Physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person.

(c) The information provided in subsection (b) shall be updated by the self-excluded person within 30 days of a change. Updated information shall be submitted on a Change of Information Form to the following address. A copy of the form can be obtained by calling the OPCG at (717) 346-8300 or by writing to:

PENNSYLVANIA GAMING CONTROL BOARD
OFFICE OF COMPULSIVE AND PROBLEM GAMBLING
P. O. BOX 69060
HARRISBURG, PA 17106-9060

(d) The length of self-exclusion requested by a person must be one of the following:

(1) One year (12 months).

(2) Five years.

(3) Lifetime.

(e) A request for self-exclusion must include a signed release which:

(1) Acknowledges that the request for self-exclusion has been made voluntarily.

(2) Certifies that the information provided in the request for self-exclusion is true and accurate.

(3) Acknowledges that the individual requesting self-exclusion is a problem gambler.

(4) Acknowledges that a person requesting a lifetime exclusion is prohibited from requesting removal from the self-exclusion list and that a person requesting a 1-year or 5-year exclusion will remain on the self-exclusion list until a request for removal under § 503a.5 (relating to removal from self-exclusion list) is approved.

(5) Acknowledges that if the individual is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities at any licensed facility, that the individual will be subject to removal and arrest for criminal trespass under 18 Pa.C.S. § 3503 (relating to criminal trespass) and the individual's winnings will be subject to confiscation and remittance to support compulsive and problem gambling programs.

(6) Releases, indemnifies, holds harmless and forever discharges the Commonwealth, the Board and all slot machine licensees from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of one or more of the following:

(i) The failure of a slot machine licensee to withhold gaming privileges from or restore gaming privileges to a self-excluded person.

(ii) Otherwise permitting or not permitting a self-excluded person to engage in gaming activity in a licensed facility while on the list of self-excluded persons.

(iii) Confiscation of the individual's winnings.

(f) Self-exclusions for 1 year or 5 years remain in effect until the period of self-exclusion concludes and the person requests removal from the Board's self-exclusion list under § 503a.5.

(g) A person submitting a self-exclusion request shall present a valid government-issued photo identification containing the person's signature and photograph when the person submits the request.

(h) A person requesting self-exclusion under this chapter shall have a photograph taken by the Board, or agent thereof, upon acceptance of the request to be on the list.

§ 503a.3. Self-exclusion list.

(a) The Board will maintain the official self-exclusion list and notify each slot machine licensee of additions to or deletions from the list within 5 business days of the verification of the information received under § 503a.2 (relating to request for self-exclusion) by first class mail or by transmitting the self-exclusion list electronically directly to each slot machine licensee.

(b) The notice provided to slot machine licensees by the Board will include the following information concerning a person who has been added to the self-exclusion list:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Address of current residence.

(4) Telephone number.

(5) Social Security number, when voluntarily provided by the person requesting self-exclusion under section 7 of the Privacy Act of 1974 (5 U.S.C. § 552a).

(6) Physical description of the person, including height, weight, gender, hair color, eye color and other physical characteristic, that may assist in the identification of the person.

(7) A copy of the photograph taken by the Board under § 503a.2(i).

(c) The notice provided to slot machine licensees by the Board concerning a person whose name has been removed from the self-exclusion list will include the name and date of birth of the person.

(d) A slot machine licensee shall maintain a copy of the self-exclusion list and establish procedures to ensure that the copy of the self-exclusion list is updated and that all appropriate employees and agents of the slot machine licensee are notified of any addition to or deletion from the list within 5 business days after the day notice is mailed to each slot machine licensee or transmitted electronically under subsection (a).

(e) Information furnished to or obtained by the Board under this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter.

(f) Slot machine licensees, employees or agents thereof may not disclose the name of, or any information about, a person who has requested self-exclusion to anyone other than employees and agents of the slot machine licensee whose duties and functions require access to

the information. Notwithstanding the foregoing, a slot machine licensee may disclose the identity of a self-excluded person to appropriate employees of other slot machine licensees in this Commonwealth or affiliated gaming entities in other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs.

(g) A self-excluded person may not collect in any manner or in any proceeding any winnings or recover any losses arising as a result of any gaming activity for the entire period of time that the person is on the Board's self-exclusion list.

(h) Winnings incurred by a self-excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(i) For the purposes of this section, winnings issued to, found on or about, or redeemed by a self-excluded person shall be presumed to constitute winnings subject to remittance to the Board.

§ 503a.4. Duties of slot machine licensees.

(a) A slot machine licensee shall train its employees and establish procedures to:

(1) Identify a self-excluded person when present on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities and, upon identification, immediately notify the following persons:

(i) Employees of the slot machine licensee whose duties include the removal of self-excluded persons.

(ii) Casino compliance representatives at the licensed facility.

(iii) The Pennsylvania State Police.

(2) Refuse wagers from and deny gaming privileges to a self-excluded person.

(3) Deny gaming related activities, gaming junket participation and other similar privileges and benefits to a self-excluded person.

(4) Ensure that self-excluded persons do not receive, either from the slot machine licensee or any agent thereof, gaming junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed facility as required under § 501a.3(a)(10) (relating to employee training program).

(5) Comply with § 503a.3(d) (relating to self-exclusion list).

(6) Make available to patrons written materials explaining the self-exclusion program.

(b) A slot machine licensee shall submit a copy of its procedures and training materials established under subsection (a) to the Director of OCPG for review and approval at least 30 days prior to initiation of gaming activities at the licensed facility. The slot machine licensee will be notified in writing of any deficiencies in the procedures and training materials and may submit revisions to the procedures and training materials to the Director of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the procedures and training.

(c) A slot machine licensee shall submit amendments to the procedures and training materials required under subsection (b) to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing of the amendments unless the slot machine licensee receives a notice under subsection (d) objecting to the amendments.

(d) If during the 30-day review period the Director of OCPG determines that the amendments to the procedures and training materials may not promote the prevention of gaming by self-excluded individuals or assist in the proper administration of the self-exclusion program, the Director of OCPG may, by written notice to the slot machine licensee, object to the amendments. The objection will:

(1) Specify the nature of the objection and, when possible, an acceptable alternative.

(2) Direct that the amendments not be implemented until approved by the Director of OCPG.

(e) When the amendments to the procedures and training materials have been objected to under subsection (d), the slot machine licensee may submit revised amendments in accordance with subsections (c) and (d).

(f) A slot machine licensee shall post signs at all entrances to a licensed facility indicating that a person who is on the self-exclusion list will be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass) if the person is on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities in the licensed facility. The text and font size of the signs shall be submitted for approval to the Director of OCPG under the procedures specified in subsection (b).

(g) The list of self-excluded persons is confidential, and any distribution of the list to an unauthorized source constitutes a violation of the act.

(h) Under section 1516 of the act (relating to list of persons self-excluded from gaming activities), slot machine licensees and employees thereof may not be liable for damages in any civil action, which is based on the following:

(1) Failure to withhold gaming privileges from or restore gaming privileges to a self-excluded person.

(2) Permitting or not permitting a self-excluded person to gamble.

(3) Good faith disclosure of the identity of a self-excluded person to someone, other than those authorized by this chapter, for the purpose of complying with this chapter.

(i) A slot machine licensee shall report the discovery of a self-excluded person on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities to the Director of OCPG within 24 hours.

§ 503a.5. Removal from self-exclusion list.

(a) For individuals who are self-excluded for 1 year or 5 years, upon the conclusion of the period of self-exclusion, the individual may request removal from the self-exclusion list by scheduling an appointment with the OCPG at (717) 346-8300. At the scheduled appointment time, the individual requesting removal shall submit, in person, a completed Request for Removal from Voluntary Self-Exclusion Form as required under subsections (b) and (c). With an appointment, removal from the list may be conducted at the Board's Harrisburg office, one of the Board's regional offices or other location approved by the OCPG.

(b) A Request for Removal from Voluntary Self-Exclusion Form must include:

(1) The identifying information specified in § 503a.2(b) (relating to request for self-exclusion).

(2) The signature of the person requesting removal from the self-exclusion list indicating acknowledgment of the following statement:

"I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for self-exclusion, and I authorize the Board to permit all slot machine licensees of the Commonwealth of Pennsylvania to reinstate my gaming privileges at licensed facilities."

(c) A person submitting a Request for Removal from Voluntary Self-Exclusion Form shall be required to present a valid government-issued photo identification containing the person's signature when the form is submitted during the person's scheduled appointment.

(d) Within 15 business days after the Request for Removal from Voluntary Self-Exclusion Form is accepted by Board staff, the OCPG will delete the name of the individual from the self-exclusion list and notify each slot machine licensee of the removal. An individual who was removed from the voluntary self-exclusion list may not enter the gaming floor, areas off the gaming floor where contests or tournaments are conducted or engage in gaming related activities for 15 business days from the date Board staff accepts the request to be removed from

the voluntary self-exclusion list or may be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass).

§ 503a.6. Exceptions for individuals on the self-exclusion list.

The prohibition against allowing self-excluded persons to be on the gaming floor or in areas off the gaming floor where gaming activity is conducted does not apply to an individual who is on the self-exclusion list if all of the following apply:

(1) The individual is carrying out the duties of employment or incidental activities related to employment.

(2) The slot machine licensee's security department and the Board's office located at the licensed facility have received prior notice.

(3) Access to the gaming floor or areas off the gaming floor where gaming activity is conducted is limited to the time necessary to complete the individual's assigned duties.

(4) The individual does not otherwise engage in any gaming activities.

§ 503a.7. Disclosure of information related to persons on the self-exclusion list.

(a) The Board may periodically release to the public demographics and general information regarding the self-exclusion list such as the total number of individuals on the list, gender breakdown and age range.

(b) The Board may make selected data available, upon request, for the limited purpose of assisting in the proper administration of responsible gaming programs.

(c) The Board will not disclose identifying information or confirm or deny the existence of an individual's name on the Board's voluntary self-exclusion list.

Subpart J. EXCLUSION OF PERSONS

CHAPTER 511a. PERSONS REQUIRED TO BE EXCLUDED

Sec.

511a.1. Definitions.
511a.2. Maintenance and distribution of the exclusion list.
511a.3. Criteria for exclusion or ejection.
511a.4. Duties of the Bureau and the Office of Enforcement Counsel.
511a.5. Placement on the exclusion list.
511a.6. Demand for hearing on the placement of a person on the exclusion list.
511a.7. Board review.
511a.8. Duties of slot machine licensees.
511a.9. Petition to remove name from the exclusion list.

§ 511a.1. Definitions.

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

Career or professional offender—A person, who for the purpose of economic gain, engages in activities that are deemed criminal violations under 18 Pa.C.S. (relating to crimes and offenses) or equivalent criminal violations in other jurisdictions, or engages in unlawful activities in 4 Pa.C.S. § 1518(a) (relating to prohibited acts; penalties).

Cheat—

(i) To defraud or steal from any player or slot machine licensee of the Commonwealth while operating or playing a slot machine or table game, including causing, aiding, abetting or conspiring with another person to do so.

(ii) To alter or causing, aiding, abetting or conspiring with another person, without authorization, to alter the elements of chance, method of selection or criteria which determine:

(A) The result of a slot machine game or table game.

(B) The amount or frequency of payment in a slot machine game or table game.

(C) The value of a wagering instrument.

(D) The value of a wagering credit.

(iii) The term does not include altering a slot machine, table game, table game device or associated equipment for required maintenance and repair.

(iv) The term includes an act in any jurisdiction that would constitute an offense under 4 Pa.C.S. § 1518(a)(6), (7), (7.1) and (17).

Excluded person—A person who has been placed upon the exclusion list and who is required to be excluded or ejected from a licensed facility.

Exclusion list—A list of names of persons who are required to be excluded or ejected from a licensed facility.

OCPG—The Office of Compulsive and Problem Gambling.

§ 511a.2. Maintenance and distribution of the exclusion list.

(a) The Board will maintain a list of persons to be excluded or ejected from a licensed facility.

(b) The exclusion list will be open to public inspection at the Board's central office during normal business hours, posted on the Board's web site and will be distributed to every slot machine licensee within this Commonwealth, who shall acknowledge receipt thereof in writing or electronically.

(c) The following information will be provided to the slot machine licensees for each person on the exclusion list:

(1) The full name and all aliases the person is believed to have used.

(2) A description of the person's physical appearance, including height, weight, type of build, color of hair and eyes and other physical characteristics which may assist in the identification of the person.

(3) The person's date of birth.

(4) The date the person was added to the list.

(5) A recent photograph, if available.

(6) The last known address of record.

(7) Other identifying information available to the Board.

(8) The reason for placement on the excluded persons list.

(d) The following information will be made available to the public for each excluded person on the exclusion list:

(1) The full name and all aliases the person is believed to have used.

(2) A description of the person's physical appearance, including height, weight, type of build, color of hair and eyes and any other physical characteristics which may assist in the identification of the person.

(3) A recent photograph, if available.

(4) Birth year.

§ 511a.3. Criteria for exclusion or ejection.

(a) The exclusion list may include a person who meets one or more of the following criteria:

(1) A career or professional offender whose presence in a licensed facility would, in the opinion of the Board, be inimical to the interest of the Commonwealth or of licensed gaming therein, or both.

(2) An individual with a known relationship or connection with a career or professional offender whose presence in a licensed facility would be inimical to the interest of the Commonwealth or of licensed gaming therein, or both.

(3) A person who has been convicted of a criminal offense under the laws of any state, or of the United States, which is punishable by more than 1 year in prison, or who has been convicted of any crime or offense involving moral turpitude, and whose presence in a licensed facility would be inimical to the interest of the Commonwealth or of licensed gaming therein, or both.

(4) A person whose presence in a licensed facility would be inimical to the interest of the Commonwealth or of licensed gaming therein, or both, including:

(i) Cheats.

(ii) Persons whose gaming privileges have been suspended by the Board.

(iii) Persons whose Board permits, licenses, registrations, certifications or other approvals have been revoked.

(iv) Persons who pose a threat to the safety of the patrons, employees or persons on the property of a slot machine licensee.

(v) Persons with a history of conduct involving the disruption of the gaming operations within a licensed facility.

(vi) Persons subject to an order of a court of competent jurisdiction in this Commonwealth excluding those persons from licensed facilities.

(vii) Persons with pending charges or indictments for a gambling crime or a crime related to the integrity of gaming operations in this Commonwealth or another jurisdiction.

(viii) Persons who have been convicted of a gambling crime or crime related to the integrity of gaming operations in this Commonwealth or another jurisdiction.

(ix) Persons who have performed an act or have a notorious or unsavory reputation that would adversely affect public confidence and trust in gaming, including, being identified with criminal activities in published reports of various Federal and State legislative and executive bodies that have inquired into criminal or organized criminal activities.

(b) For purposes of subsection (a), a person's presence may be considered "inimical to the interest of the Commonwealth or of licensed gaming therein, or both" if known attributes of the person's character and background meet one or more of the following criteria:

(1) Are incompatible with the maintenance of public confidence and trust in the credibility, integrity and stability of the operation of a licensed facility.

(2) May reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by the act.

(3) Create or enhance a risk of the fact or appearance of unsuitable, unfair or illegal practices, methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto.

(c) A finding of inimicality may be based upon the following:

(1) The nature and notoriety of the character or background of the person.

(2) The history and nature of the involvement of the person with licensed gaming in this Commonwealth or another jurisdiction, or with a particular slot machine licensee or licensees or an affiliate, intermediary, subsidiary or holding company thereof.

(3) The nature and frequency of contacts or associations of the person with a slot machine licensee or licensees, or with employees or agents thereof.

(4) Other factors reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the gaming industry and its employees.

(d) A person's race, color, creed, national origin or ancestry, or sex will not be a reason for placing the name of a person upon the exclusion list.

§ 511a.4. Duties of the Bureau and the Office of Enforcement Counsel.

(a) The Bureau will, on its own initiative, or upon referral by a law enforcement agency or a slot machine licensee investigate a person to determine whether the person meets the criteria for exclusion provided in 4 Pa.C.S. § 1514 (relating to regulation requiring exclusion or ejection of certain persons) and § 511a.3 (relating to criteria for exclusion or ejection).

(b) If, upon completion of an investigation, the Bureau determines that an individual should be placed on the exclusion list, the Office of Enforcement Counsel will file a petition for exclusion with the Clerk, identifying the candidate and setting forth a factual basis for the petition. The petition must include information demonstrating that the individual satisfies the criteria for exclusion or ejection under section 1514 of the act or this chapter.

(c) In addition to filing the petition for exclusion, if exigent circumstances exist, the Office of Enforcement Counsel may file a request for a temporary emergency order in accordance with § 403a.7 (relating to temporary emergency orders) provided that:

(1) The procedures in § 403a.7(a)—(i) are applicable to requests for temporary emergency orders filed in conjunction with petitions for exclusion.

(2) If the request for a temporary emergency order is granted, the person named in the emergency order will be temporarily placed on the exclusion list until the Board acts upon the underlying petition.

(3) If the person named in the emergency order files a request for an informal hearing under § 403a.7(h), the request for an informal hearing does not toll or stay the time period to request a formal hearing in accordance with § 511a.6 (relating to demand for hearing on the placement of a person on the exclusion list).

§ 511a.5. Placement on the exclusion list.

(a) A person may be placed on the exclusion list upon any of the following:

(1) Entry of an order of the Board.

(2) Receipt of an order from a court of competent jurisdiction within this Commonwealth, excluding or ejecting the person from licensed facilities in this Commonwealth.

(3) Issuance of a temporary emergency order by the Executive Director in accordance with § 403a.7 (relating to temporary emergency orders).

(b) The placement of a person on the exclusion list shall have the effect of requiring the exclusion or ejection of the excluded person from licensed facilities.

(c) An excluded person may not collect in any manner or in any proceeding any winnings or recover any losses arising as a result of any gaming activity for the entire period of time that the person is on the Board's exclusion list.

(d) Winnings incurred by an excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(e) For the purposes of this section, any winnings issued to, found on or about, or redeemed by an excluded person shall be presumed to constitute winnings subject to remittance to the Board.

§ 511a.6. Demand for hearing on the placement of a person on the exclusion list.

(a) Upon the filing of a petition for exclusion, the Office of Enforcement Counsel will serve the petition upon the person by personal service or certified mail at the last known address of the person. The notice must inform the person of the right to a hearing under 4 Pa.C.S. § 1514(g) (relating to regulation requiring exclusion or ejection of certain persons) and include a copy of the petition.

(b) Upon service of the petition, the person subject to the petition shall have 30 days to demand a hearing before the Board or presiding officer. Failure to demand a hearing within 30 days after service will be deemed an admission of all matters and facts alleged in the Office of Enforcement Counsel's petition for exclusion and preclude the person from having an administrative hearing.

(c) If a formal hearing is demanded by the person named in the petition for exclusion, a hearing will be scheduled as provided in § 491a.8 (relating to hearings generally). At the hearing, the Office of Enforcement Counsel will have the affirmative obligation to demonstrate that the person named in the petition for exclusion satisfies the criteria for exclusion in 4 Pa.C.S. § 1514 or § 511a.3 (relating to criteria for exclusion or ejection). Unless the matter is heard directly by the Board, the presiding officer will prepare a report and recommendation as provided in § 494a.4 (relating to report or report and recommendation of the presiding officer) for consideration by the Board.

§ 511a.7. Board review.

After a hearing, or if a hearing was not requested and the facts in the petition are deemed admitted, the Board may:

(1) Issue an order placing the person's name on the exclusion list.

(2) Issue an order removing or denying the placement of the person's name on the exclusion list.

(3) Refer the matter to a presiding officer for further hearing.

§ 511a.8. Duties of slot machine licensees.

(a) Slot machine licensees shall establish procedures to prevent violations of this chapter and submit a copy of the procedures to the Director of OCPG 30 days prior to initiation of gaming activities at the licensed facility. A slot machine licensee will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of OCPG. The slot machine licensee may not commence operations until the Director of OCPG approves its procedures. Amendments to these procedures shall be submitted to and approved by the Director of OCPG prior to implementation.

(b) A slot machine licensee shall distribute copies of the exclusion list to the appropriate employees. Additions, deletions or other updates to the list shall be distributed by a slot machine licensee to its employees within 2 business days of the slot machine licensee's receipt of the updates from the Board.

(c) A slot machine licensee shall exclude or eject the following persons form its licensed facility:

(1) An excluded person.

(2) A person known to the slot machine licensee to satisfy the criteria for exclusion in section 1514 of the act (relating to regulation requiring exclusion or ejection of certain persons) and § 511a.3 (relating to criteria for exclusion or ejection).

(d) If an excluded person enters, attempts to enter, or is in a licensed facility and is recognized by employees of the slot machine licensee, the slot machine licensee shall:

(1) Immediately notify the casino compliance representatives at the licensed facility.

(2) Notify the Director of OCPG in writing within 24 hours.

(e) It shall be the continuing duty of a slot machine licensee to inform the Bureau, in writing, of the names of persons the slot machine licensee believes are appropriate for placement on the exclusion list or a person who has been excluded or ejected under subsection (c)(2) and the reason for placement on the exclusion list.

§ 511a.9. Petition to remove name from the exclusion list.

(a) An excluded person may file a petition with the Clerk to request a hearing for removal of his name from the exclusion list at any time after 5 years from the placement of his name on the exclusion list.

(b) The petition must be signed by the excluded person, contain supporting affidavits, and state the specific grounds believed by the petitioner to constitute good cause for removal from the exclusion list. Upon receipt of the petition, the Office of Enforcement Counsel may file an answer in accordance with § 493a.5 (relating to answers to complaints, petitions, motions and other filings requiring a response).

(c) An excluded person who is barred from requesting a hearing concerning his removal from the exclusion list by the 5-year period of exclusion in subsection (a) may petition the Board for early consideration at any time. However, an excluded person may not, within the 5-year period of exclusion, file more than one petition for early consideration.

(d) A petition for early consideration must contain the information required under subsection (b). Upon receipt of the petition, the Office of Enforcement Counsel may file an answer in accordance with § 493a.5.

(e) The Board will consider the following criteria when making its decision on a petition for early consideration:

(1) Whether there are extraordinary facts and circumstances warranting early consideration of the excluded person's request for removal from the exclusion list.

(2) If exclusion was ordered under § 511a.5(a)(2) (relating to placement on the exclusion list), whether the excluded person has completed the period of probation or otherwise satisfied the terms of the court-ordered exclusion.

CHAPTER 513a. UNDERAGE GAMING

Sec.

513a.1. Definitions.
513a.2. Exclusion requirements.
513a.3. Responsibilities of licensees, permittees, registrants and certification holders.
513a.4. Signage requirements.
513a.5. Enforcement.

§ 513a.1. Definitions.

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

Fully executed gaming transaction—An activity involving a slot machine, table game or associated equipment which occurs on the gaming floor of a licensed facility or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a slot machine licensee.

OCPG—The Office of Compulsive and Problem Gambling.

Winnings—Any money or thing of value received from, or owed by, a slot machine licensee as a result of a fully executed gaming transaction.

§ 513a.2. Exclusion requirements.

(a) An individual under 21 years of age may not enter or be on the gaming floor of a licensed facility except that an individual 18 years of age or older who is employed by a slot machine licensee, a gaming service provider, the Board or other regulatory or emergency response agency may enter and remain in that area while engaged in the performance of the individual's employment duties.

(b) An individual under 21 years of age, whether personally or through an agent, may not operate, use, play or place a wager on, a slot machine in a licensed facility.

(c) An individual under 21 years of age may not receive check cashing privileges, be rated as a player, or receive any complimentary service, item or discount as a result of, or in anticipation of, gaming activity.

(d) An individual under 21 years of age may not collect in any manner or in any proceeding, whether personally or through an agent, winnings or recover losses arising as a result of any gaming activity.

(e) Winnings incurred by an individual under 21 years of age shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(f) For the purposes of this section, winnings issued to, found on or about or redeemed by an individual under 21 years of age shall be presumed to constitute winnings and be subject to remittance to the Board.

§ 513a.3. Responsibilities of licensees, permittees, registrants and certification holders.

(a) A person holding a license, permit, certification or registration issued by the Board is prohibited from permitting or enabling an individual to engage in conduct that violates § 513a.2(a), (b), (c) or (d) (relating to exclusion requirements).

(b) The slot machine licensee shall train its employees and establish procedures to:

(1) Identify and remove individuals who are less than 21 years of age and not otherwise authorized to be in the licensed facility as provided in § 513a.2(a).

(2) Immediately notify the casino compliance representatives at the licensed facility and the Pennsylvania State Police when an individual less than 21 years of age is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities.

(3) Refuse wagers from and deny gaming privileges to an individual less than 21 years of age.

(4) Deny check cashing privileges, player club memberships, extensions of credit, complementary goods and services, junket participation, and other similar privileges and benefits to an individual less than 21 years of age.

(5) Ensure that individuals less than 21 years of age do not receive, either from the slot machine licensee or an agent thereof, junket solicitations, targeted mailing, telemarketing promotions, player club membership materials or other promotional materials relating to gaming activities.

(c) Slot machine licensees shall establish procedures to prevent violations of this chapter and submit a copy of the procedures to the Director of OCPG 30 days prior to initiation of gaming activities at the licensed facility. A slot machine licensee will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of OCPG. The slot machine licensee may not commence operations until the Director of OCPG approves its procedures. Amendments to these procedures must be submitted to and approved by the Director of OCPG prior to implementation.

(d) A slot machine licensee may be subject to Board imposed administrative sanctions if a person engages in conduct that violates § 513a.2(a), (b), (c) or (d) at its licensed facility. Under

§ 513a.2(e), winnings obtained by a slot machine licensee from or held on account of a person under 21 years of age shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(e) A person holding a license, permit, registration or certification issued by the Board who violates a provision of this chapter may be held jointly or severally liable for the violation.

§ 513a.4. Signage requirements.

A slot machine licensee shall post signs that include a statement that is similar to the following: "It is unlawful for any individual under 21 years of age to enter or remain in any area where slot machines or table games are operated. It is unlawful for any individual under the age of 21 to wager, play or attempt to play a slot machine or table game. Individuals violating this prohibition will be removed and may be subject to arrest and criminal prosecution." The complete text of the sign shall be submitted to and approved by the Director of OCPG as part of the procedures required under § 513a.3(b) (relating to responsibilities of licensees, permittees, registrants and certification holders). The signs shall be prominently posted within 50 feet of each entrance and exit of the gaming floor.

§ 513a.5. Enforcement.

In a prosecution or other proceeding against a person for a violation of this chapter, it will not be a defense that the person believed an individual to be 21 years of age or older.

Subpart K. TABLE GAMES

CHAPTER 601a. GENERAL TABLE GAMES PROVISIONS

Sec.

601a.1. Definitions.
601a.2. Table games Rules Submissions.
601a.3. Request to offer a new table game or new feature for an existing table game.
601a.4. Waiver of existing table game regulations.
601a.5. Electronic, electrical and mechanical devices prohibited.
601a.6. Minimum and maximum wagers; additional wagering requirements; payout odds.
601a.7. Rules of the games; notice.
601a.8. Patron access to the rules of the games; gaming guides.
601a.9. Table game taxes and gross table game revenue.
601a.10. Approval of table game layouts, signage and equipment.

§ 601a.1. Definitions.

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

Ante—The wager that a player may be required to make prior to any cards being dealt to participate in the round of play.

Assistant table games shift manager—An employee of a certificate holder whose primary function is to supervise all of the table games in a licensed facility and who may be authorized to act as the table games shift manager in his absence.

Automated card shuffling device—A software compatible mechanical or electronic contrivance that automatically randomizes playing cards, either continuously or on command, to be utilized for table gaming activity.

Counter Check—A form provided to a patron who receives a credit advance which contains the account information for the personal bank account designated in the patron's application for credit under § 609a.3(a)(4) (relating to application and verification procedures for granting credit).

Cover card—An opaque card that is a solid color readily distinguishable from the color of the backs and edges of the playing cards.

Dealer—An employee of a certificate holder whose primary function is to directly operate and conduct table games.

Electronic gaming table—

(i) An approved gaming table that is a mechanical, electrical or computerized contrivance, terminal, machine or other device which, upon insertion or placement of cash or cash equivalents therein or thereon, or upon a wager or payment of any consideration whatsoever, is available for play or operation by one or more players as a table game.

(ii) The term includes any gaming table where a wager or payment is made using an electronic or computerized wagering or payment system.

(iii) The term does not include a slot machine.

Floorperson—An employee of a certificate holder whose primary function is to supervise the conduct of table games at multiple tables on the gaming floor.

Fully automated electronic gaming table—An electronic gaming table determined by the Board to be playable or operable as a table game without the assistance or participation of a person acting on behalf of a certificate holder.

Gaming chip—A Roulette chip, Poker rake chip, tournament chip or value chip.

Pit clerk—An employee of a certificate holder whose primary function is to prepare documentation required for the operation of table games, including requests for fills, requests for credits, Counter Checks or other documents that evidence the exchange of gaming chips.

Pit manager—An employee of a certificate holder whose primary function is to supervise all of the table games in one or more gaming pits.

Plaque—A rectangular, square or oval marker that can be used instead of value chips.

Poker rake chip—A chip used by dealers to facilitate the collection of the rake in the Poker room.

Poker shift manager—An employee of a certificate holder whose primary function is to supervise all of the Poker tables in a Poker room.

Progressive table game system—The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, report and audit data with regard to activity at fully automated electronic gaming tables, electronic gaming tables or live table games offering a jackpot that increases corresponding to an additional wager on the table.

Roulette chip—A nonvalue chip which does not contain a denomination on either face which is used for wagering at the game of Roulette.

Round of play—One complete cycle of play during which all wagers have been placed, all cards have been dealt and all wagers have been settled in accordance with the rules of the game.

Stub—The remaining portion of a deck or decks after all cards in a round of play have been dealt.

Suit—One of the four categories of cards: clubs, diamonds, hearts or spades.

Table game device—Gaming tables, cards, dice, chips, shufflers, tiles, wheels, drop boxes or any mechanical, electrical or computerized contrivance, terminal, machine or other device, apparatus, equipment or supplies approved by the Board and used to conduct a table game.

Table games shift manager—An employee of a certificate holder whose primary function is to supervise all of the table game operations in a licensed facility during a shift.

Table inventory container—The area of a gaming table where a boxman or dealer keeps gaming chips, coins or plaques used for the operation of a table game.

Tournament chip—A chip used for wagering in a table game tournament or Poker tournament.

Value chip—A chip that contains a denomination on each face.

Vigorish—A percentage commission that is taken by a certificate holder from a wager placed by a player or the winnings of a player.

Washing—Mixing of a deck or decks of cards or tiles by placing the cards or tiles face down on a table and mixing them around with both hands so that they are in no particular order.

§ 601a.2. Table games Rules Submissions.

(a) Prior to offering any table game authorized under this subpart, which provides a certificate holder with options for the conduct of the table game, the certificate holder shall submit and obtain approval of a Rules Submission which specifies which options the certificate holder will use in the conduct of the table game.

(b) The initial Rules Submission for any table game and any amendment to the Rules Submission shall be submitted electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form on the Board's web site at www.pgcb.pa.gov.

(c) A certificate holder may implement the provisions in a Rules Submission upon receipt of written notice of approval from the Board's Executive Director or on the 15th calendar day following the filing of the Rules Submission unless the certificate holder receives written notice under subsection (d) tolling the Rules Submission or written notice of disapproval from the Board's Executive Director.

(d) If during the 15-day review period in subsection (c), the Bureau of Gaming Operations determines that a provision in the Rules Submission is inconsistent with the regulations for the conduct of that table game, the Bureau of Gaming Operations, by written notice to the certificate holder, will:

(1) Specify the nature of the inconsistency and, when possible, an acceptable alternative procedure.

(2) Direct that the 15 calendar day review period in subsection (c) be tolled and that the Rules Submission not be implemented until approved under subsection (e).

(e) When a Rules Submission has been tolled under subsection (d), the certificate holder may submit a revised Rules Submission within 15 days of receipt of the written notice from the Bureau of Gaming Operations. The certificate holder may implement the revised Rules Submission upon receipt of written notice of approval from the Board's Executive Director or on the 15th calendar day following the filing of the revised Rule Submission unless the certificate holder receives written notice under subsection (d) tolling the revised Rules Submission or written notice of disapproval from the Board's Executive Director.

(f) The current version of each Rules Submission of a certificate holder shall be maintained and made available in electronic form through secure computer access to the internal audit and surveillance departments of the certificate holder and the Board's casino compliance representatives and other Board employees. Each page of the Rules Submission must indicate the date on which it was approved by the Board's Executive Director.

(g) A certificate holder shall maintain a copy, either in paper or electronic form, of any superseded Rules Submission for a minimum of 5 years.

§ 601a.3. Request to offer a new table game or new feature for an existing table game.

(a) A table game device manufacturer, gaming related gaming service provider or a certificate holder that desires to offer a new table game that is not in this subpart or offer a new wager, paytable or feature as part of a table game included in this subpart shall file a written request with the Board's Executive Director. The request must contain, at a minimum:

(1) A detailed description of the table game or feature including the rules of play and wagering that would be used for the new table game or feature. In addition, the table game device manufacturer, gaming related gaming service provider or certificate holder shall:

(i) Indicate whether the game is a variation of an authorized game, a composite of authorized games or a new game.

(ii) Provide the true odds, the payout odds and the house advantage for each wager.

(iii) Provide a sketch or picture of the game layout, if any.

(iv) Provide sketches or pictures of the equipment used to play the game.

(2) The reason why the new table game or feature is being proposed and, if the request is not filed by a certificate holder, the name of the certificate holder that is currently interested in offering the new table game or feature.

(3) A list of other gaming jurisdictions where the new table game or feature is currently being offered.

(4) Whether the game, its name or any of the equipment used to play the game is covered by any copyrights, trademarks or patents, either issued or pending.

(b) In addition to filing a request with the Executive Director, the table game device manufacturer, gaming related gaming service provider or certificate holder shall submit the new table game, new wager or feature to the Bureau of Gaming Laboratory Operations for its review in accordance with § 461a.4 (relating to submission for testing and approval).

(c) Following testing by the Bureau of Gaming Laboratory Operations, the Executive Director will notify the table game device manufacturer, gaming related gaming service provider or certificate holder, in accordance with § 461a.4, that the new table game, new wager or feature has been approved, approved with conditions or rejected.

§ 601a.4. Waiver of existing table game regulations.

(a) A certificate holder that desires to conduct a table game in a manner that is inconsistent with the Board's regulations shall file a petition in accordance with § 493a.4 (relating to petitions generally) seeking approval of the Board. The petition must contain, at a minimum:

(1) A detailed description of the modification to the table game.

(2) The reason why the modification to the table game is being requested.

(3) A list of other gaming jurisdictions where the modification to the table game is currently being used.

(b) Notwithstanding subsection (a), a certificate holder that desires to offer an authorized table game on an electronic gaming table in a manner that is inconsistent with the Board's regulations but does not affect the outcome of play shall file a written request seeking approval of the Board's Executive Director. The request must contain a detailed description of how the authorized table game played on an electronic gaming table varies from the Board's regulations. An approval to conduct the table game in a manner that is inconsistent with the Board's regulations will be limited to only those variations approved by the Board's Executive Director. Any subsequent alterations to the table game that are inconsistent with the Board's regulations

will require submission of an additional written request to the Board's Executive Director or a petition to the Board in accordance with subsection (a).

§ 601a.5. Electronic, electrical and mechanical devices prohibited.

A patron or other person acting in concert with a patron may not possess with the intent to use, or actually use, at any table game a calculator, computer or other electronic, electrical or mechanical device to assist in projecting an outcome at any table game or in keeping track of or analyzing the cards having been dealt, the changing probabilities of any table game or the playing strategies to be utilized.

§ 601a.6. Minimum and maximum wagers; additional wagering requirements; payout odds.

(a) Certificate holders shall establish minimum and maximum wagers for any authorized table game in a licensed facility.

(b) A certificate holder shall provide notice of the minimum and maximum wagers in effect at each gaming table, and any changes thereto, in accordance with § 601a.7 (relating to rules of the games; notice).

(c) Any wager accepted by a dealer that exceeds the current table maximum or is lower than the current table minimum shall be paid or lost in its entirety in accordance with the rules of the game.

(d) Nothing in this section precludes a certificate holder from establishing additional wagering requirements that are consistent with the rules of the game, such as a requirement that wagers be made in specified increments, provided that the wagering requirements are specified in the rules of the game or in the certificate holder's Rule Submission under § 601a.2 (relating to table games Rules Submissions).

(e) The payout odds for wagers printed on any layout, signage, brochure or other publication distributed by the certificate holder shall be stated through the use of the word "to" and may not be stated through use of the word "for" unless otherwise specified in an approved paytable.

§ 601a.7. Rules of the games; notice.

(a) Whenever a certificate holder is required by regulation to provide notice of the rules under which a particular table game will be operated, the certificate holder shall post a sign at the gaming table advising patrons of the rules in effect at that table.

(b) Except as provided in subsection (c), a certificate holder may not change the rules under which a particular table game is being operated unless the certificate holder files and receives approval of an amendment to its Rules Submission under § 601a.2 (relating to table games Rules Submissions).

(c) A certificate holder may increase or decrease the permissible maximum wager or decrease the permissible minimum wager at a table game at any time. A permissible minimum wager may be increased at a table game:

(1) At any time, if no patrons are playing at the table.

(2) When patrons are playing the game, if the certificate holder:

(i) Provides at least a 30 minute advance notice of the change.

(ii) Posts a sign at the gaming table advising patrons of the change and the time that it will go into effect.

(iii) Announces the change to patrons who are at the table.

(d) The location, size and language of each sign required by this section shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) prior to its use.

§ 601a.8. Patron access to the rules of the games; gaming guides.

(a) Each certificate holder shall maintain, at its security podium or other location approved by the Bureau of Casino Compliance, in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment), a printed copy of the complete text of the rules of all authorized games. This information shall be made available to the public for inspection upon request.

(b) Each certificate holder shall make available to patrons upon request a gaming guide which contains an abridged version of the information required to be made available under subsection (a) in a printed format.

(c) The gaming guide required under subsection (b) may not be issued, displayed or distributed by a certificate holder until a sample of the gaming guide has been submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

(d) Prior to issuing, distributing or displaying a gaming guide that is materially different from the approved gaming guide, a certificate holder shall submit to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) a sample of the revised gaming guide which contains the changes.

(e) A certificate holder may display an approved gaming guide at any location in its licensed facility.

(f) Each certificate holder shall make the gaming guide required under subsection (b) available on its web site.

§ 601a.9. Table game taxes and gross table game revenue.

(a) The tax on table game revenue shall be payable to the Department on a weekly basis and must be based upon the gross table game revenue derived during the previous week reported on forms and in the manner prescribed by the Department.

(b) Gross table game revenue includes the following:

(1) The net revenue from all banking table games including electronic gaming tables which are not fully automated electronic gaming tables.

(2) The net revenue from nonbanking table games.

(3) The net revenue from fully automated electronic gaming tables.

(4) The net revenue from contests or tournaments.

(c) Net revenue from banking table games, including electronic gaming tables which are not fully automated electronic gaming tables, must be the sum of the net revenue determined for each banking table game, which is not a fully automated electronic gaming table, individually. The net revenue for an individual banking table game which is not a fully automated electronic gaming table must be equal to the total of paragraphs (1) through (3) minus the total of paragraphs (4) and (5):

(1) The ending inventory of value chips and coins at the gaming table as reported on the Table Inventory Slip prepared in accordance with § 465a.41 (relating to procedures for drops at open table games) for a table game that remained open for gaming activity when the table was being dropped at the end of the gaming day or the Table Inventory Slip prepared in accordance with § 465a.42 (relating to procedures for closing table games) for a table game that was closed prior to the end of the gaming day.

(2) The sum of all Credit Slips for the gaming table for that gaming day.

(3) The total of the currency and Counter Checks collected from the drop box for that gaming table.

(4) The inventory of value chips and coins at the gaming table as reported on the Table Inventory Slip prepared in accordance with § 465a.41 for a table game that remained open for gaming activity when the table was being dropped at the end of the previous gaming day or the Table Inventory Slip prepared in accordance with § 465a.37 (relating to procedures for opening table games) for a table game that was opened during the gaming day.

(5) The sum of all Fill Slips for the gaming table for that gaming day.

(d) Net revenue from nonbanking table games shall be the sum of the net revenue determined for each nonbanking table game individually. The net revenue for an individual

nonbanking table game shall be equal to the Poker rake recorded in accordance with § 465a.25 (relating to counting and recording of slot cash storage boxes and table game drop boxes).

(e) Net revenue from fully automated electronic gaming tables shall be determined through the Department's central control computer system.

(f) Net revenue from any contest or tournament must be the sum of the net revenue determined for each contest or tournament individually. The net revenue for an individual contest or tournament must be equal to the sum of all entry fees, buy-ins, re-buy-ins and administrative fees imposed by the certificate holder on the contest or tournament participants, minus:

(1) The cash paid by the certificate holder to the contest or tournament winners as prizes.

(2) The actual cost paid by the certificate holder for noncash prizes awarded to the contest or tournament winners.

(g) If the net revenue from a contest or tournament results in a loss, that loss may not offset the net revenue from another contest or tournament and may not be deducted from the calculation of gross table game revenue.

(h) Gross table game revenue may not include:

(1) Counterfeit cash or counterfeit value chips.

(2) Coins or currency of other countries that is not readily convertible to cash.

(3) Cash taken in a fraudulent act perpetrated against a certificate holder for which the certificate holder is not reimbursed.

§ 601a.10. Approval of table game layouts, signage and equipment.

(a) Table game staffing plans, tournament schedules, dealer training programs and schematics of gaming guides, table game layouts, signage and equipment that require the approval of the Board's Executive Director shall be submitted electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form on the Board's web site at www.pgcb.pa.gov.

(b) For purposes of this subpart, schematics of table game equipment that shall be submitted to the Bureau of Gaming Operations for review and Executive Director approval include:

(1) Cards.

(2) Dice.

(3) Pai Gow tiles.

(4) Gaming chips.

(5) Plaques.

(6) Commemorative chips.

(7) Pai Gow and Sic Bo shakers.

(8) Big Six and Roulette wheels.

(9) Envelopes and containers used to hold or transport table game equipment.

(10) Other table game devices that are not otherwise required to be submitted to the Bureau of Gaming Laboratory Operations for approval in accordance with § 461a.4(c)(12) (relating to submission for testing and approval).

(c) Within 15 calendar days following the filing of a table game staffing plan, tournament schedule, dealer training program or a prototype of gaming guides, table game layouts, signage or equipment, the Bureau of Gaming Operations will review the submission and report the results to the Board's Executive Director.

(d) If during the 15-day review period in subsection (c), the Bureau of Gaming Operations determines that the table game staffing plan, tournament schedule, dealer training program, prototype of a gaming guide, table game layout, signage or equipment is deficient or inconsistent with the regulations, the Bureau of Gaming Operations, by written notice to the certificate holder, will specify the nature of the deficiency or inconsistency and, when possible, an acceptable alternative. The certificate holder shall then submit a revised plan, schedule, program or prototype using the Internal Controls & Table Games Submission Form.

(e) A certificate holder may implement a table game staffing plan, tournament schedule or dealer training program and may utilize a gaming guide, table game layout, signage or equipment in the licensed facility upon receipt of written approval from the Board's Executive Director.

(f) The Bureau of Casino Compliance will conduct an onsite inspection of equipment storage and destruction areas which may not be utilized by the certificate holder until the location and physical characteristics have been approved by the Director of Casino Compliance.

(g) A certificate holder shall obtain onsite approval from the casino compliance supervisor at the licensed facility for the following:

(1) Alternative locations for:

(i) Equipment that is required to be on the gaming table, including drop boxes, shakers, shufflers, discard racks and tip boxes, prior to the commencement of operations at that gaming table.

(ii) The complete text of the rules of all authorized games, as required under § 601a.8(a) (relating to patron access to the rules of the games; gaming guides).

(2) Amendments to the licensee's plan for the distribution and collection of slot cash storage boxes, table game drop boxes or bad beat boxes in accordance with § 465a.25(b) (relating to counting and recording of slot cash storage boxes and table game drop boxes).

(3) Sample sets of gaming chips and plaques manufactured in accordance with approved design specifications as required under §§ 603a.2(b)(2) and 603a.9(b)(2) (relating to gaming chips; physical characteristics applicable to all gaming chips, issuance and use, promotional nongaming chips; and plaques; issuance and use, denominations and physical characteristics).

(4) The collection times for dice, cards, tiles and other table game equipment from the gaming floor.

CHAPTER 603a. TABLE GAME EQUIPMENT

Sec.

603a.1. Definitions.
603a.2. Gaming chips; physical characteristics applicable to all gaming chips, issuance and use, promotional nongaming chips.
603a.3. Value chips; denominations and physical characteristics.
603a.4. Roulette chips; physical characteristics.
603a.5 Roulette chips; permitted uses, inventory and impressment.
603a.6. Tournament chips.
603a.7. Poker rake chips.
603a.8. Additional sets of gaming chips; removal from active use.
603a.9. Plaques; issuance and use, denominations and physical characteristics.
603a.10. Permissible wagering; exchange and redemption of gaming chips and plaques.
603a.11. Receipt of gaming chips or plaques from a manufacturer or supplier; inventory, security, storage and destruction of chips and plaques.
603a.12. Dice; physical characteristics.
603a.13. Dice; receipt, storage, inspection and removal from use.
603a.14. Sic Bo shaker security procedures.
603a.15. Cards; physical characteristics.
603a.16. Cards; receipt, storage, inspection and removal from use.
603a.17. Dealing shoes; automated card shuffling devices.
603a.18. Pai Gow tiles; physical characteristics.
603a.19. Pai Gow tiles; receipt, storage, inspection and removal from use.
603a.20. Match Play Coupons; physical characteristics and issuance.
603a.21. Match Play Coupon use.

§ 603a.1. Definitions.

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

Chip runner—An employee of a certificate holder whose job duties include transporting cash to the Poker room cage or the Poker cashier window at the main cage for dealers or patrons of the Poker room to be exchanged for value chips.

Edge—The surface of a gaming chip across which its thickness can be measured in a perpendicular line from one face to the other.

Edge spot—An identifying characteristic used on the edge of each value chip issued by a certificate holder.

Face—Each of the two surfaces of a gaming chip across which the diameter of the gaming chip can be measured.

Impress—The Roulette chips, which are used for gaming, that remain at each Roulette table.

Impressment—An inventory conducted on each impress.

Match Play Coupon—A noncash equivalent with a stated value imprinted thereon that when presented at a gaming table with gaming chips equal to or greater than the value of the coupon shall be included in the amount of the patron's wager.

Primary color—The predominant color used on a gaming chip.

RFID chip—A value or Roulette chip which contains a radio-frequency identification tag which can be used to determine the authenticity of the chip.

Secondary color—Any color on the face or edge of the gaming chip that is used as a contrast to the gaming chip's primary color.

§ 603a.2. Gaming chips; physical characteristics applicable to all gaming chips, issuance and use, promotional nongaming chips.

(a) Each gaming chip issued by a certificate holder must be in the form of a disk.

(b) A gaming chip may not be issued by a certificate holder or utilized in a licensed facility until:

(1) The design specifications of the proposed gaming chip are submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). The design specifications submitted to the Bureau of Gaming Operations must include a detailed schematic depicting the actual size and, as appropriate, location of the following:

(i) Each face, including any indentations or impressions.

(ii) The edge.

(iii) Any colors, words, designs, graphics or security measures contained on the gaming chip.

(2) A sample of each gaming chip, manufactured in accordance with its approved design specifications, made available to the Bureau of Casino Compliance in accordance with § 601a.10(g) for its inspection and approval at the certificate holder's licensed facility.

(c) Each gaming chip issued by a certificate holder shall be designed and manufactured with sufficient graphics or other security measures, including, at a minimum, those items specifically required to appear on the face or edge of a value chip under this section and § 603a.3

(relating to value chips; denominations and physical characteristics), to prevent, to the greatest extent possible, the counterfeiting of the gaming chip.

(d) A certificate holder may not issue, use or allow a patron to use in its licensed facility any gaming chip that it knows, or reasonably should know, is materially different from the sample of that gaming chip approved in accordance with subsection (b).

(e) A certificate holder or other person licensed by the Board may not manufacture, sell to, distribute to or use in any licensed facility outside of this Commonwealth any gaming chips having the same edge spot or design specifications as those approved for use in a licensed facility in this Commonwealth.

(f) A certificate holder may issue promotional nongaming chips that are prohibited from use in gaming in any licensed facility. The physical characteristics of promotional nongaming chips must be sufficiently distinguishable from approved gaming chips issued by any certificate holder in this Commonwealth so as to reasonably ensure that the promotional nongaming chips will not be confused with approved gaming chips. A certificate holder shall submit for approval, in accordance with § 601a.10(a), a detailed schematic depicting the actual size, face and any colors, words, designs or graphics on the promotional nongaming chip. At a minimum, promotional nongaming chips must:

(1) Be unique in terms of size or color.

(2) Have no edge designs.

(3) Bear the name of the certificate holder issuing the promotional nongaming chips and language on both faces stating that the promotional nongaming chips have no redeemable value.

§ 603a.3. Value chips; denominations and physical characteristics.

(a) Certificate holders may issue and use value chips in denominations of $1, $2, $2.50, $5, $20, $25, $100, $500, $1,000 and $5,000 and other denominations approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

(b) The primary color used for each denomination of value chip must be in accordance with the colors specified in subsection (c). A primary color may not be used as a secondary color on a value chip of another denomination if its use on the edge is reasonably likely to cause confusion as to the chip's denomination when the edge alone is visible.

(c) Each gaming chip manufacturer shall submit sample color disks to the Bureau of Gaming Operations that identify all primary and secondary colors to be used for the manufacture of value chips for certificate holders in this Commonwealth. Once a gaming chip manufacturer has received approval for a primary or secondary color, those colors shall be consistently manufactured in accordance with the approved samples. For a primary color to be approved for

use, it must visually appear, when viewed either in daylight or under incandescent light, to comply with the following colors:

(1) $1—White.

(2) $2—Blue.

(3) $2.50—Pink.

(4) $5—Red.

(5) $20—Yellow.

(6) $25—Green.

(7) $100—Black.

(8) $500—Purple.

(9) $1,000—Fire Orange.

(10) $5,000—Gray.

(d) Each value chip issued by a certificate holder must contain identifying characteristics that may appear in any location at least once on each face of the value chip and are applied in a manner which ensures that each identifying characteristic is clearly visible and remains a permanent part of the value chip. These characteristics must be visible to surveillance employees using the licensed facility's surveillance system and include, at a minimum:

(1) The denomination of the value chip, expressed in numbers.

(2) The name, logo or other approved identification of the certificate holder issuing the value chip.

(3) The letters "PA" and the name of the city or county in which the licensed facility is located.

(e) In addition to the characteristics specified in subsection (d), each value chip in a denomination of $100 or more must contain a design or other identifying characteristic that is unique to the gaming chip manufacturer. Upon approval of a particular design or characteristic, in accordance with § 601a.10(a), the gaming chip manufacturer shall thereafter have the exclusive right to use that design or characteristic on any denomination of value chip. The approved unique design or characteristic may be used on all value chips manufactured for use in this Commonwealth and may be changed only after receiving written approval of the new unique design or other identifying characteristic from the Board's Executive Director in accordance with § 601a.10(a).

(f) Each value chip issued by a certificate holder must contain an edge spot that:

(1) Is applied in a manner that ensures that the edge spot:

(i) Is clearly visible on the edge and on each face of the value chip.

(ii) Remains a permanent part of the value chip.

(2) Is created using both:

(i) The primary color of the chip.

(ii) One or more secondary colors.

(3) Includes a design, pattern or other feature that an individual with adequate training could readily use to identify, when viewed through the surveillance system of the certificate holder, the denomination of the particular value chip when placed in a stack of gaming chips, in the table inventory or in any other location when only the edge of the value chip is visible. The design, pattern or feature created by the primary and secondary colors required under paragraph (2) is sufficient by itself to satisfy the requirements of this paragraph.

(g) When determining the secondary colors to be used to make the edge spot on a particular denomination of value chip, a certificate holder shall use only those secondary colors that are reasonably likely to differentiate the certificate holder's value chip from the same denomination of value chip issued by any other certificate holder.

(h) If an approved value chip uses a single secondary color, no other certificate holder may use a similar secondary color as the sole secondary color on the same denomination of value chip unless it is used in a different approved pattern or design.

(i) If an approved value chip uses a combination of two or more secondary colors, no other certificate holder may use that identical combination of secondary colors on the same denomination of value chip unless it is used in a different approved pattern or design.

(j) Any value chip issued by a certificate holder in the denomination of:

(1) Less than $500 must have a uniform diameter of 1 9/16 inch.

(2) $500 and $1,000 must have a uniform diameter of 1 9/16 inch or 1 11/16 inch.

(3) $5,000 or more must have a uniform diameter of 1 11/16 inch.

(k) In addition to the items in this section that are specifically required to appear on the face and edge of a value chip, each value chip with a denomination below $100 must contain at

least one anticounterfeiting measure and each value chip with a denomination of $100 or more must contain at least three anticounterfeiting measures.

§ 603a.4. Roulette chips; physical characteristics.

(a) Each Roulette chip utilized in a licensed facility shall be issued solely for the purpose of gaming at Roulette.

(b) Each Roulette chip issued by a certificate holder must contain identifying characteristics that may appear in any location at least once on each face of the chip and are applied in a manner which ensures that each identifying characteristic is clearly visible and remains a permanent part of the chip. These characteristics must be visible to surveillance employees using the licensed facility's surveillance system and include, at a minimum:

(1) The name, logo or other approved identification of the certificate holder issuing the Roulette chip.

(2) A unique design, insert or symbol that will permit a set of Roulette chips being used at a particular Roulette table to be distinguished from the Roulette chips being used at every other Roulette table in the licensed facility.

(3) The word "Roulette."

(4) Color and design combinations so as to readily distinguish the Roulette chips of each player at a particular Roulette table from:

(i) The Roulette chips of every other player at the same Roulette table.

(ii) The value chips issued by any certificate holder.

(c) Each Roulette chip issued by a certificate holder must contain an edge spot that:

(1) Is applied in a manner which ensures that the edge spot:

(i) Is clearly visible on the edge and on each face of the Roulette chip.

(ii) Remains a permanent part of the Roulette chip.

(2) Is created by using the colors approved for the face of the particular Roulette chip under subsection (b)(4) in combination with one or more other colors that provides a contrast with the color on the face of the Roulette chip and that enables the Roulette chip to be distinguished from the Roulette chips issued by any other certificate holder.

(3) Includes a design, pattern or other feature that an individual with adequate training could readily use to identify, when viewed through the surveillance system of the certificate holder, the player to whom the Roulette chip has been assigned when the Roulette

chip is placed in a stack of gaming chips or in any other location when only the edge of the Roulette chip is visible. The design, pattern or feature created by the primary and secondary colors required under paragraph (2) is sufficient by itself to satisfy the requirements of this paragraph.

§ 603a.5. Roulette chips; permitted uses, inventory and impressment.

(a) Each Roulette chip shall be assigned to a particular Roulette table and be issued and used for gaming at that table only. All Roulette chips utilized at a particular Roulette table must have the same design, insert or symbol as required under § 603a.4(b)(2) (relating to Roulette chips; physical characteristics). A certificate holder or any employee thereof may not knowingly allow a patron to remove a Roulette chip from the Roulette table at which it was issued.

(b) A patron at a Roulette table may not be issued or permitted to game with Roulette chips that are identical in color and design to any Roulette chip issued to any other patron at the same table. When a patron purchases Roulette chips, a Roulette chip of the same color and design shall be placed in a slot or receptacle attached to the outer rim of the Roulette wheel or in another device or location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). At that time, a marker button denoting the value of a stack of 20 Roulette chips of the same color and design shall be placed in the slot, receptacle or other device. For example, a marker button with 100 imprinted on it would be placed in the receptacle to designate that, during the patron's play on that occasion, the Roulette chips of that color and design are each worth $5.

(c) An impressment of the Roulette chips assigned to each Roulette table shall be completed by a floorperson or above at least once every 3 months as specified in the certificate holder's internal controls required under § 465a.2 (relating to internal control systems and audit protocols). The certificate holder shall record the results of the impressment in the chip inventory ledger required under § 603a.11 (relating to receipt of gaming chips or plaques from a manufacturer or supplier; inventory, security, storage and destruction of chips and plaques).

(d) If additional roulette chips are required to restore the impress, the floorperson or above shall complete a Roulette Chip Impressment Form. The completed Roulette Chip Impressment Form shall be maintained by the accounting department and contain the following, at a minimum:

(1) The date and time of preparation.

(2) The design schematic of the chip including its primary color and the applicable table number.

(3) The number of Roulette chips needed to restore the impress.

(4) The signature of the floorperson or above who completes the Roulette Chip Impressment Form and the impressment for the table.

(5) The signature of the main bank cashier or chip bank cashier who issued the Roulette chips to restore the impress.

(e) Discrepancies in the impressment shall immediately be reported to the casino compliance representatives. The discrepancy report must include, at a minimum, the following information for each Roulette chip color and design:

(1) The balance on hand at the beginning of the 3-month period.

(2) The number of Roulette chips distributed to the Roulette table during the 3-month period.

(3) The number of Roulette chips returned to inventory during the 3-month period.

(4) The balance on hand at the end of the 3-month period.

§ 603a.6. Tournament chips.

(a) If a certificate holder conducts table game tournaments, the tournaments shall be conducted using tournament chips.

(b) The identifying characteristics of a tournament chip must include, at a minimum:

(1) The name, logo or other approved identification of the certificate holder issuing the tournament chip.

(2) The word "Tournament."

(3) The denomination of the chip.

(4) The phrase "No Cash Value."

(5) Color or design combinations so as to readily distinguish the tournament chips from:

(i) The Roulette chips used for the play of Roulette at the licensed facility.

(ii) The value chips issued by any certificate holder.

(iii) Poker room rake chips.

(c) Tournament chips shall be stored in a secure area approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment).

(d) An inventory of all tournament chips shall be conducted by the certificate holder prior to the start and after the completion of each tournament.

(e) Discrepancies in the inventory shall be immediately reported to the casino compliance representatives. The discrepancy report must include the balance for each denomination of tournament chip on hand at the beginning of the tournament and the balance on hand at the end of each tournament.

§ 603a.7. Poker rake chips.

(a) To facilitate the collection of the rake, a certificate holder may use Poker rake chips in the Poker room.

(b) Poker rake chips shall only be used by dealers and may only be substituted for value chips that have been collected as part of the rake prior to the rake being placed in the drop box.

(c) Unused Poker rake chips shall be kept by the dealer in the table inventory container.

(d) The denominations that may be used for Poker rake chips are $2, $3 or $4.

(e) The identifying characteristics of a Poker rake chip must include, at a minimum:

(1) The name, logo or other approved identification of the certificate holder.

(2) The words “Poker Rake Chip.”

(3) One of the following denominations: “$2,” “$3” or “$4.”

(4) Color or design combinations to readily distinguish the Poker rake chips from:

(i) The Roulette chips used for the play of Roulette at the licensed facility.

(ii) The tournament chips used for tournament play at the licensed facility.

(iii) The value chips issued by any certificate holder.

§ 603a.8. Additional sets of gaming chips; removal from active use.

(a) Within 120 days of the commencement of table games at a licensed facility, the certificate holder shall also have at least one approved set of value chips that may be used as a back-up for the $100 and $500 value chips in active use. Each back-up set of value chips maintained for use by a certificate holder must have secondary colors that are different from the secondary colors of the value chips in active use and may use a different shade of the primary

color. All back-up sets of value chips must conform to the color and design requirements in this chapter.

(b) Each certificate holder shall have at least one reserve set of Roulette chips for each color utilized in the licensed facility with a design insert or symbol different from the Roulette chips comprising the primary sets. All back-up sets of Roulette chips must conform to the color and design requirements in this chapter.

(c) If a certificate holder uses RFID chips for its value or Roulette chips, the certificate holder may request that the Board waive the requirements in subsection (a) or (b) by filing a petition in accordance with § 493a.4 (relating to petitions generally). The petition must include, at a minimum:

(1) A detailed description of the RFID technology and devices that will be used at the licensed facility.

(2) A detailed description of how the RFID chips and related equipment will be used in the licensed facility.

(3) A detailed explanation of how the use of the RFID chips and related equipment will reduce or eliminate the potential use of counterfeit value or Roulette chips.

(4) The approximate length of time it will take the certificate holder to install the necessary devices and related equipment for the RFID technology to be operational in the licensed facility.

(d) The certificate holder shall remove a set of gaming chips in use from active play whenever:

(1) It is believed the licensed facility is taking on multiple counterfeit chips valued at $100 or more.

(2) Any other impropriety or defect in the utilization of a set of chips makes removal of the chips in active use necessary.

(3) The Board or its Executive Director directs that a set of chips be removed from active use.

(e) An approved back-up set of value chips or a reserve set of Roulette chips required under subsections (a) and (b) shall be placed into active play whenever an active set is removed.

(f) Whenever a set of chips in active use are removed from play, the certificate holder shall immediately notify the casino compliance representatives of the impending removal and the reasons for the removal.

(g) A certificate holder shall immediately notify the casino compliance representatives of the discovery of counterfeit value chips.

§ 603a.9. Plaques; issuance and use, denominations and physical characteristics.

(a) Plaques issued by a certificate holder must be a solid, one-piece object constructed entirely of plastic or other substance and have at least two but no more than six smooth, plane surfaces. At least two of the plane surfaces, each to be known as a face, must be opposite and parallel to each other and identical in shape, which must be either a square, rectangle or ellipse. Other surfaces of a plaque shall be known collectively as the edge.

(b) Plaques may not be issued by a certificate holder or utilized in a licensed facility unless:

(1) The design specifications of the proposed plaque are submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). The submission must include a detailed schematic depicting the actual size and, as appropriate, location of the following:

(i) Each face.

(ii) The edge.

(iii) Any colors, words, designs, graphics or security measures on the plaque including the minimum identifying characteristics listed in subsection (f).

(2) A sample plaque of each denomination to be used, manufactured in accordance with its approved design specifications, is made available to the Bureau of Casino Compliance in accordance with § 601a.10(g) for its inspection and approval at the certificate holder's licensed facility.

(3) A system of internal procedures and administrative and accounting controls governing the distribution, redemption, receipt and inventory of plaques, by serial number, is submitted and approved as part of the certificate holder's internal controls, in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(c) The face of a square plaque must have a surface area of no less than 9 square inches. The face of a rectangular or elliptical plaque may not be smaller than 3 inches in length by 2 inches in width. In the case of an elliptical plaque, the length and width of the plaque shall be measured by its axes.

(d) A plaque issued by a certificate holder shall be designed and manufactured with sufficient graphics or other security measures to prevent, to the greatest extent possible, the counterfeiting of the plaque.

(e) A certificate holder may issue and use plaques in denominations of $5,000 or $10,000 and other denominations approved by the Board's Executive Director in accordance with § 601a.10(a). Each plaque of a specific denomination utilized by a certificate holder must be in a shape and of a size that is identical to the shape and size of all other plaques of that denomination issued by the certificate holder. The size and shape of each denomination of plaque issued by a certificate holder must be readily distinguishable from the size and shape of every other denomination of plaque issued by the certificate holder.

(f) Each plaque issued by a certificate holder must contain identifying characteristics that appear at least once on each face of the plaque and are applied in a manner which ensures that each identifying characteristic is clearly visible and remains a permanent part of the plaque. These characteristics must be visible to surveillance employees using the licensed facility's surveillance system and include, at a minimum:

(1) The denomination of the plaque, expressed in numbers of at least 3/8 inch in height.

(2) The name, logo or other approved identification of the certificate holder issuing the plaque.

(3) A unique serial number.

(g) A certificate holder may not issue, use or allow a patron to use in its licensed facility any plaque that it knows, or reasonably should know, is materially different from the sample of that plaque approved in accordance with subsection (b).

§ 603a.10. Permissible wagering; exchange and redemption of gaming chips and plaques.

(a) Wagering at table games in a licensed facility shall be conducted with gaming chips, plaques, electronic wagering credits or gaming vouchers, provided that noncashable promotional or free-play credits on a gaming voucher may be used only for the purpose of slot machine gaming, Match Play Coupons and other wagering instruments approved by the Board.

(b) Value chips previously issued by a certificate holder, which are not in active use by that certificate holder, may not be used for wagering or any other purpose in a licensed facility and shall be redeemed only at the cage as provided in subsection (i).

(c) Gaming chips or plaques shall be issued to a patron only at the request of the patron and may not be given as change in any transaction other than a gaming transaction. Gaming chips and plaques shall be issued to patrons by:

(1) Dealers at a banking or nonbanking table game.

(2) The Poker room cage or the Poker window cashier at the main cage.

(3) Chip runners to patrons seated at a Poker table at which a game is in progress.

(d) Plaques and value chips shall be redeemed by patrons only at the cage.

(e) Except as provided in subsections (k) and (l), and as otherwise may be specifically approved by the Board, each certificate holder shall redeem its gaming chips and plaques only from patrons and may not knowingly redeem gaming chips and plaques from any nonpatron source.

(f) Roulette chips shall be presented for redemption only at the Roulette table from which they were issued and may not be redeemed or exchanged at any other Roulette table or any other location within a licensed facility. When Roulette chips are presented for redemption, the dealer shall accept them in exchange for an equivalent amount of value chips.

(g) A certificate holder shall have the discretion to permit, limit or prohibit the use of value chips in gaming at Roulette in accordance with its Rules Submission submitted under § 601a.2 (relating to table games Rules Submissions). When value chips are in use at Roulette, it shall be the responsibility of the certificate holder and its employees to keep accurate account of the wagers being made with value chips so that the wagers made by one player are not confused with the wagers made by another player at the table.

(h) Each gaming chip and plaque is solely evidence of a debt that the issuing certificate holder owes to the person legally in possession of the gaming chip or plaque, and shall remain the property of the issuing certificate holder. A certificate holder shall have the right at any time to demand that a person in possession of a gaming chip or plaque surrender the gaming chip or plaque for redemption in accordance with subsection (i).

(i) A certificate holder shall redeem promptly its own genuine gaming chips and plaques presented by a patron in person, unless the gaming chips or plaques were obtained or are being used unlawfully. A certificate holder shall redeem its value chips or plaques by:

(1) Exchanging the value chips or plaques for an equivalent amount of cash.

(2) Exchanging the value chips or plaques for a check issued by the certificate holder in the amount of the value chips or plaques surrendered and dated the day of the redemption upon request by a patron.

(j) Notwithstanding subsection (i), if a patron requests by mail to redeem value chips in any amount, a certificate holder may effectuate the redemption in accordance with internal controls approved in accordance with § 465a.2 (relating to internal control systems and audit protocols), which, at a minimum, must detail procedures for the issuance of a check from the certificate holder and the transfer of the surrendered value chips to the chip bank in a transaction supported by proper documentation.

(k) A certificate holder shall accept, exchange, use or redeem only gaming chips or plaques that the certificate holder has issued and may not knowingly accept, exchange, use or

redeem gaming chips or plaques, or objects purporting to be gaming chips or plaques, that have been issued by any other certificate holder.

(l) Notwithstanding subsection (k), a certificate holder may accept and redeem:

(1) Value chips issued by another certificate holder from a patron upon the patron's representation that the value chips had been purchased or received as payment in a gaming transaction from an employee of the certificate holder working on the premises of the certificate holder.

(2) Value chips issued by any other certificate holder from one of the certificate holder's employees who is authorized to receive gratuities, upon the employee's representation that the chips were received as gratuities in the normal course of his duties while on the premises of the certificate holder.

(m) Employees of a certificate holder may be authorized to receive value chips as personal gratuities. Additionally, cocktail servers and other employees who are on the gaming floor may be authorized to receive value chips in exchange for food and beverage purchased and served to patrons on the gaming floor. Employees of a certificate holder who are authorized to receive value chips as personal gratuities or in exchange for food and beverage shall redeem the value chips at the cage or at another secure location, as approved by the Board's Executive Director, prior to leaving the licensed facility. Value chips redeemed at a noncage employee redemption site shall be exchanged on a daily basis with the cage. Each certificate holder shall submit internal controls, in accordance with § 465a.2, to ensure the proper exchange and accounting of the value chips received as personal gratuities or for the purchase of food and beverage on the gaming floor.

(n) A certificate holder shall redeem promptly its own genuine value chips presented to it by any other legally operated certificate holder upon the representation that the value chips were received or accepted unknowingly, inadvertently or in error or were redeemed in accordance with subsection (l). Each certificate holder shall submit for approval as part of the certificate holder's internal controls a system for the exchange, with other legally operated certificate holders, of value chips:

(1) In the certificate holder's possession that have been issued by any other legally operated certificate holder.

(2) The certificate holder has issued that are presented to it for redemption by any other legally operated certificate holder.

(o) Each certificate holder shall post, in a prominent place on the front of the main cage, any satellite cage and the Poker room cage, a sign that reads as follows: "Gaming chips or plaques issued by another licensed facility may not be used, exchanged or redeemed in this licensed facility."

§ 603a.11. Receipt of gaming chips or plaques from a manufacturer or supplier; inventory, security, storage and destruction of chips and plaques.

(a) When gaming chips or plaques are received from a manufacturer or supplier, the chips or plaques shall be unloaded under the supervision of at least two people, one of whom shall be a supervisor from the finance department and one employee from the security department, and transported to a secure area which is covered by the slot machine licensee's surveillance system. The chips or plaques shall then be opened and checked by at least two people, one of whom shall be a supervisor from the finance department and one employee from the security department. Any deviation between the invoice accompanying the gaming chips and plaques and the actual chips or plaques received or any defects found in the chips or plaques shall be reported promptly to the casino compliance representatives.

(b) After checking the gaming chips or plaques received, the certificate holder shall record, in a chip inventory ledger, the denomination of the value chips and plaques received, the number of each denomination, and, when applicable, the serial numbers of the value chips and plaques received, the number and description of all Roulette chips received, the date of the receipt and the signatures and Board-issued credential numbers of the individuals who checked the chips and plaques. If the value chips or Roulette chips are not to be put into active use, the ledger must also identify the storage location.

(c) Gaming chips or plaques not in active use shall be stored in one of the following areas:

(1) A vault located in the main bank.

(2) Locked cabinets in the main cage.

(3) Other restricted storage area approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment).

(d) Gaming chips or plaques may not be stored in the same storage area as dice, cards, Pai Gow tiles or any other gaming equipment.

(e) Whenever any gaming chips or plaques are taken from or returned to an approved storage area, at least two individuals, one of whom shall be a supervisor from the finance department and one employee from the security department, shall be present, and the following information shall be recorded in the chip inventory ledger together with the date, signatures and Board-issued credential numbers of the individuals involved:

(1) The quantity, and when applicable, the serial numbers and dollar amounts for each denomination of value chip or plaque removed or returned.

(2) The number and description of the Roulette chips removed or returned.

(3) The specific storage area being entered.

(4) The reason for the entry into the storage area.

(f) At the end of each gaming day, a certificate holder shall compute and record the unredeemed liability for each denomination of value chip and plaque. The procedures to be utilized to compute the unredeemed liability shall be submitted for approval as part of the certificate holder's internal controls in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(g) Each certificate holder shall inventory all sets of value chips, Roulette chips and plaques in its possession and record the result of the inventory in the chip inventory ledger. The inventory shall be conducted at least once every month for value chips and plaques and at least once every 3 months for Roulette chips. A physical inventory of value chips, Roulette chips and plaques not in active use shall only be required annually if the inventory procedures incorporate the sealing of the locked compartment containing the value chips, Roulette chips and plaques not in active use. The procedures to be utilized to inventory value chips, Roulette chips and plaques shall be submitted for approval as part of the certificate holder's internal controls.

(h) At least 5 days prior to the destruction of gaming chips or plaques, the certificate holder shall notify the casino compliance representatives of the date and the location at which the destruction will be performed, the denomination, number, and when applicable, the serial number and amount of value chips or plaques to be destroyed, the description and number of Roulette chips to be destroyed and a detailed explanation of the method of destruction.

(i) The destruction of gaming chips or plaques shall be carried out in the presence of at least two employees of the certificate holder, one of whom shall be from the finance department and one of whom shall be from any other mandatory department of the certificate holder. The certificate holder shall maintain a written log of the names and Board-issued credential numbers of all employees involved in each destruction, as well as the names and addresses of all nonemployees involved. The certificate holder shall record in the chip inventory ledger the following:

(1) The denomination, quantity, total value and serial number, if applicable, of all value chips or plaques destroyed.

(2) The description and number of Roulette chips destroyed.

(3) The signatures and Board-issued credential numbers of the individuals who carried out the destruction.

(4) The date and location where the destruction took place.

(j) A certificate holder shall ensure that at all times there is adequate security, in accordance with § 465a.14 (relating to security department minimum staffing), for all gaming chips and plaques in the certificate holder's possession.

§ 603a.12. Dice; physical characteristics.

(a) Except as otherwise provided in subsections (b) and (c), each die used in the play of table games must:

(1) Be formed in the shape of a perfect cube and of a size no smaller than 0.750 inch on each side nor any larger than 0.775 inch on each side, with a tolerance of +/- 0.005.

(2) Be transparent and made exclusively of cellulose except for the spots, name or logo of the certificate holder and serial number or letters contained thereon.

(3) Have the surface of each of its sides perfectly flat and the spots contained in each side flush with the area surrounding them.

(4) Have all edges and corners perfectly square and forming 90° angles.

(5) Have the texture and finish of each side exactly identical to the texture and finish of all other sides.

(6) Have its weight equally distributed throughout the cube with no side of the cube heavier or lighter than any other side of the cube.

(7) Have the six sides bearing white circular spots from one to six respectively with the diameter of each spot equal to the diameter of every other spot on the die.

(8) Have spots arranged so that:

(i) The side containing one spot is directly opposite the side containing six spots.

(ii) The side containing two spots is directly opposite the side containing five spots.

(iii) The side containing three spots is directly opposite the side containing four spots.

(9) Each spot shall be placed on the die by drilling into the surface of the cube and filling the drilled out portion with a compound which is equal in weight to the weight of the cellulose drilled out and which forms a permanent bond with the cellulose cube and extends into the cube exactly the same distance as every other spot extends into the cube to an accuracy tolerance of 0.0004 inch.

(10) Have imprinted or impressed thereon a serial number or letters and the name or logo of the certificate holder in whose licensed facility the die is being used.

(b) Dice used in the table games of Pai Gow and Pai Gow Poker must comply with the requirements of subsection (a) except as follows:

(1) Each die must be formed in the shape of a perfect cube and of a size no smaller than 0.637 inch on each side nor any larger than 0.643 inch on each side.

(2) Instead of the name or logo of the certificate holder, a certificate holder may, with the approval of the Board's Executive Director in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), have an identifying mark imprinted or impressed on each die.

(3) The spots on each die do not have to be equal in diameter.

(c) Dice used in the table game of Sic Bo must comply with subsection (a) except each die may be formed in the shape of a cube 0.625 inch on each side with ball edge corners.

(d) Dice may not be utilized in a licensed facility unless a detailed schematic depicting the actual size, color of the dice as well as the location of serial numbers, letters or logos has been submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

§ 603a.13. Dice; receipt, storage, inspection and removal from use.

(a) When dice are received from a manufacturer or supplier, the dice shall immediately be unloaded under the supervision of at least two people, one of whom shall be an assistant table games shift manager or above and one employee from the security department, and transported to a secure area which is covered by the slot machine licensee's surveillance system. The boxes of dice shall then be inspected by an assistant table games shift manager or above and one employee from the security department to assure that the seals on each box are intact, unbroken and free from tampering. Boxes that do not satisfy these criteria shall be inspected at this time to assure that the dice contained therein conform to the requirements of this chapter and there is no evidence of tampering. Boxes satisfying these criteria, together with boxes having unbroken, intact and untampered seals shall then be placed for storage in a storage area, the location and physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment).

(b) Dice which are to be distributed to gaming pits or tables for use in gaming shall be distributed from the approved storage area.

(c) The approved storage area must have two separate locks. The security department shall maintain one key and the table games department shall maintain the other key. A person employed by the table games department below an assistant table games shift manager in the organization hierarchy may not have access to the table games department key.

(d) Immediately prior to the commencement of each gaming day and at other times as may be necessary, an assistant table games shift manager or above, in the presence of a security department employee, shall remove the appropriate number of dice for that gaming day from the approved storage area.

(e) Envelopes and containers used to hold or transport dice must be:

(1) Transparent.

(2) Designed or constructed with seals so that any tampering is evident.

(3) Submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

(f) Dice shall be inspected and distributed to the gaming tables in accordance with one of the following applicable alternatives:

(1) Alternative No. 1.

(i) The assistant table games shift manager or above and the security department employee who removed the dice from the approved storage area shall distribute sufficient dice directly to the pit manager or above in each pit, or place them in a locked compartment in the pit stand, the keys to which shall be in the possession of the pit manager or above.

(ii) Immediately upon opening a table for gaming, the pit manager or above shall distribute a set of dice to the table. At the time of receipt, a boxperson at each Craps table and the floorperson at each Pai Gow, Pai Gow Poker, Sic Bo, Three Dice Football or Mini-Craps table, to ensure that the dice are in a condition to assure fair play and otherwise conform to the requirements of this chapter, shall, in the presence of the dealer, inspect the dice given to him with a micrometer or any other instrument approved by the Board's Executive Director which performs the same function, a balancing caliper, a steel set square and a magnet. These instruments shall be kept in a compartment at each Craps table or pit stand and shall be at all times readily available for use by the casino compliance representatives or other Board employees upon request. The inspection shall be performed on a flat surface which allows the dice inspection to be observed through the slot machine licensee's surveillance system and by any persons in the immediate vicinity of the table.

(iii) Following the inspection required under subparagraph (ii):

(A) For Craps, the boxperson shall, in the presence of a dealer, place the dice in a cup on the table for use in gaming.

(B) For Mini-Craps and Three Dice Football, the floorperson shall, in the presence of a dealer, place the dice in a cup on the table for use in gaming.

(C) For Sic Bo, the floorperson shall, in the presence of the dealer, place the required number of dice into the shaker and seal or lock the shaker. The floorperson shall then secure the Sic Bo shaker to the table in the presence of the dealer who observed the inspection.

(D) For Pai Gow and Pai Gow Poker, the floorperson shall, in the presence of the dealer, place the dice in the Pai Gow shaker.

(iv) The pit manager or above shall place extra dice for the dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the pit manager or above. No dice taken from the pit stand reserve may be used for actual gaming until the dice have been inspected in accordance with subparagraph (ii).

(2) Alternative No. 2.

(i) The assistant table games shift manager or above and the security department employee who removed the dice from the approved storage area shall distribute the dice directly to the following certificate holder's employees who shall perform the inspection in each pit:

(A) For Craps and Mini-Craps, a boxperson or floorperson in the presence of another boxperson or floorperson, both of whom are assigned the responsibility of supervising the operation and conduct of a Craps or Mini-Craps game.

(B) For Sic Bo, Three Dice Football, Pai Gow and Pai Gow Poker, a floorperson, in the presence of another floorperson, both of whom are assigned the responsibility of supervising the operation and conduct of Sic Bo, Three Dice Football, Pai Gow or Pai Gow Poker games.

(C) For storage of the dice for the dice reserve in the pit stand, to the pit manager or above.

(ii) To ensure that the dice are in a condition to assure fair play and otherwise conform to the requirements of this chapter, the dice shall be inspected by one of the individuals listed in subparagraph (i)(A) or (B) with a micrometer or other instrument approved by the Board's Executive Director which performs the same function, a balancing caliper, a steel set square and a magnet. These instruments shall be kept at the pit stand and at all times readily available for use by the casino compliance representatives or other Board employees upon request. The inspection shall be performed on a flat surface which allows the dice inspection to be observed through the slot machine licensee's surveillance system and by any persons in the immediate vicinity of the pit stand.

(iii) After completion of the inspection, the dice shall be distributed as follows:

(A) For Craps and Mini-Craps, the boxperson or floorperson who inspected the dice shall, in the presence of the other boxperson or floorperson who observed the inspection, distribute the dice to the boxperson assigned at each Craps table or to the floorperson assigned at each Mini-Craps table. The Craps boxperson or the Mini-Craps floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming.

(B) For Sic Bo, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, place the required number of dice into the shaker and seal or lock the shaker. The floorperson shall then secure the Sic Bo shaker to the table in the presence of the other floorperson who observed the inspection.

(C) For Pai Gow and Pai Gow Poker, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, distribute the dice directly to the dealer at each Pai Gow table. The dealer shall immediately place the dice in the Pai Gow shaker.

(D) For Three Dice Football, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, distribute the dice to the floorperson assigned at each Three Dice Football table. The floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming.

(iv) The pit manager or above shall place extra sets of dice for the dice reserve in the pit stand, as follows:

(A) Dice in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the pit manager or above.

(B) Except as otherwise provided in subparagraph (v), dice taken from the reserve in the pit stand shall be reinspected by a floorperson or above in the presence of another floorperson or above in accordance with the inspection procedures set forth in subparagraph (ii), prior to their use for actual gaming.

(v) Previously inspected reserve dice may be used for gaming without being reinspected if the dice are maintained in a locked compartment in the pit stand in accordance with the following procedures:

(A) For Craps, Mini-Craps and Three Dice Football, a set of five dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to the envelope or container.

(B) For Sic Bo, three dice, after being inspected, shall be placed in a sealed envelope or container or sealed or locked in a Sic Bo shaker. A label or seal that identifies the date of inspection and contains the signatures of those responsible for the inspection shall, respectively, be attached to each envelope or container or placed over the area that allows access to open the Sic Bo shaker.

(C) For Pai Gow and Pai Gow Poker, a set of three dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

(3) Alternative No. 3

(i) The inspection of dice for table games shall take place in the approved storage area in the presence of a floorperson or above, the assistant table games shift manager or above and a security department employee.

(ii) Prior to starting the inspection of the dice, notice shall be provided to the certificate holder's surveillance department.

(iii) The dice shall be inspected by the floorperson or above, or the assistant table games shift manager or above, or both, with a micrometer or another instrument approved by the Board's Executive Director which performs the same function, a balancing caliper, a steel set square and a magnet to ensure that the dice are in a condition to assure fair play and otherwise conform to this chapter. These instruments shall be maintained in the approved storage area and at all times readily available for use by the casino compliance representatives or other Board employees upon request.

(iv) After completion of the inspection, the persons performing the inspection shall seal the dice as follows:

(A) For Craps, Mini-Craps and Three Dice Football, after each set of five dice are inspected, the dice shall be placed in a sealed envelope or container. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection must be attached to each envelope or container.

(B) For Sic Bo, if a manual shaker is being utilized at the gaming table, after each set of dice are inspected, three dice shall be sealed or locked in a manual shaker. A seal that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be placed over the area that allows access to open the shaker. If an automated shaker is being utilized at the gaming table, after each set of three dice is inspected, the dice shall be placed in a sealed envelope or container. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection must be attached to each envelope or container.

(C) For Pai Gow, after each set of three dice is inspected, the dice shall be placed in a sealed envelope, container or shaker. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection must be attached to each envelope, container or shaker.

(D) Reserve dice may be placed in individual sealed envelopes or containers. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection must be attached to each envelope or container.

(v) At the beginning of each gaming day and at other times as may be necessary, an assistant table games shift manager or above and a security department employee shall distribute the dice as follows:

(A) For Craps and Mini-Craps, the sealed envelopes or containers of dice shall be distributed to a pit manager or above in each Craps or Mini-Craps pit or placed in a locked compartment in the pit stand. When the sealed dice are distributed to a Craps or Mini-Craps table, a boxperson at a Craps table or a floorperson at a Mini-Craps table, after assuring the seals are intact and free from tampering, shall open the sealed envelope or container in the presence of a dealer and place the dice in a cup on the table for use in gaming.

(B) For Sic Bo, if a manual shaker is being utilized at the gaming table, the sealed manual shakers shall be distributed to the pit manager or above supervising the game or placed in a locked compartment in the pit stand. The floor person or above, after assuring the seal on the shaker is intact and free from tampering, shall secure the manual Sic Bo shaker to the table. If an automated shaker is being utilized at the gaming table, the sealed envelope or container shall be distributed to a pit manager or above in a Sic Bo pit or placed in a locked compartment in the pit stand. When the sealed dice are distributed to the Sic Bo table by the pit manager or above, the floorperson, after assuring the seal and envelopes or containers are intact and free from tampering, shall open the sealed envelope or container in the presence of the dealer and place the dice in the Sic Bo shaker.

(C) For Pai Gow, the sealed envelope or container shall be distributed to a pit manager or above in a Pai Gow pit or placed in a locked compartment in the pit stand. When the sealed dice are distributed to the Pai Gow table by the pit manager or above, a floorperson, after assuring the seal and envelopes or containers are intact and free from tampering, shall open the sealed envelope or container in the presence of the dealer and place the dice in the Pai Gow shaker.

(vi) When an envelope, container or seal is damaged, broken or shows indication of tampering, the dice in the envelope, container or shaker may not be used for gaming activity unless the dice are reinspected in accordance with paragraph (1) or (2).

(vii) The pit manager or above shall place extra dice for the dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment. The keys to the locked compartment shall be in the possession of the pit manager or above.

(viii) A micrometer or another instrument approved by the Board's Executive Director which performs the same function, a balancing caliper, a steel set square and a magnet shall be maintained in a locked compartment in each pit stand. These instruments shall be readily available at all times for use by the casino compliance representatives or other Board employees upon request. The inspection of dice in the approved storage area in accordance with

this alternative shall be performed on a flat surface which allows the dice inspection to be observed through the slot machine licensee's surveillance system.

(g) A certificate holder shall remove any dice at any time of the gaming day and file a Dice Discrepancy Report as required under subsection (h) if there is any indication of tampering, flaws or other defects that might affect the integrity or fairness of the game, or at the request of a casino compliance representative or other Board employee.

(h) At the end of each gaming day or at other times as may be necessary, a floorperson or above, other than the individual who originally inspected the dice, shall visually inspect each die that was used for play for evidence of tampering. Evidence of tampering discovered at this time or at any other time shall be immediately reported to the casino compliance representatives by the completion and delivery of a two-part Dice Discrepancy Report and the dice.

(1) Dice showing evidence of tampering shall be placed in a sealed envelope or container.

(i) A label shall be attached to each envelope or container which identifies the table number, date and time the dice were removed and contains the signatures of the person assigned to directly operate and conduct the game at that table and the floorperson assigned the responsibility for supervising the operation and conduct of the game.

(ii) A floorperson or above or a security department employee responsible for delivering the dice to the casino compliance representatives shall also sign the label.

(iii) The casino compliance representative receiving the dice shall sign the original and duplicate copy of the Dice Discrepancy Report and retain the original copy. The duplicate copy shall be returned to the pit and maintained in a secure place within the pit until collection by a security department employee.

(2) Other dice that were used for play shall be put into envelopes or containers when removed from active use at the table.

(i) A label shall be attached to each envelope or container which identifies the table number, date and time the dice were removed and contains the signatures of the person assigned to directly operate and conduct the game at that table and the floorperson assigned the responsibility for supervising the operation and conduct of the game.

(ii) The envelope or container shall be appropriately sealed and maintained within the pit until collection by a security department employee.

(i) Reserve dice in the locked compartment in a pit stand at the end of the gaming day may be:

(1) Collected and transported to the security department for cancellation or destruction.

(2) Returned to the approved storage area.

(3) Retained in the locked compartment in the pit stand for future use.

(j) Reserve dice in the locked compartment in a pit stand at the end of the gaming day that are to be destroyed or cancelled shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the pit stand where the reserve dice were being stored, the date and time the dice where placed in the envelope or container and contains the signature of the pit manager or above.

(k) At the end of each gaming day or, in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), and at other times as may be necessary, a security department employee shall collect and sign all envelopes or containers of used dice and reserve dice that are to be destroyed or cancelled and shall transport the dice to the security department for cancellation or destruction. The security department employee shall also collect duplicate copies of Dice Discrepancy Reports, if applicable.

(l) At the end of each gaming day or, in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), and at other times as may be necessary, an assistant table games shift manager or above may collect all reserve dice in a locked compartment in a pit stand. If collected, reserve dice shall be returned to the approved storage area.

(m) If the reserve dice are not collected, all dice in the dice reserve shall be reinspected in accordance with one of the alternatives listed in subsection (f) prior to their use for gaming, except for those dice maintained in a locked compartment in accordance with subsection (f)(2)(v).

(n) Certificate holders shall submit to the Bureau of Gaming Operations in accordance with § 465a.2 (relating to internal control systems and audit protocols) for approval internal control procedures for:

(1) A dice inventory system which includes, at a minimum, records of the following:

(i) The number of three and five dice sticks, and the corresponding number of single die, received from a manufacturer or supplier.

(ii) The balance of three and five dice sticks, and the corresponding number of single die, on hand.

(iii) The number of three and five dice sticks removed from storage.

(iv) The number of three and five dice sticks returned to storage.

(v) The number of single die destroyed or canceled.

(vi) The date of each transaction.

(vii) The signatures of the individuals involved.

(2) A reconciliation on a daily basis of the number of three or five dice sticks distributed, the number of single die destroyed or cancelled, the number of three or five dice sticks returned to the approved storage area and, if any, the reserve three or five dice sticks in a locked compartment in a pit stand.

(3) A physical inventory of all dice at least once every 3 months.

(i) This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand required under paragraph (1)(i).

(ii) Discrepancies shall immediately be reported to the casino compliance representatives.

(o) Destruction or cancellation of dice, other than those retained for Board or certificate holder inspection, shall be completed within 5 days of collection.

(1) Cancellation must occur by drilling a circular hole of at least 1/4 inch in diameter through the center of the die.

(2) Destruction must occur by shredding or crushing.

(3) The destruction or cancellation of dice must take place in a secure location in the licensed facility covered by the slot machine licensee's surveillance system, the physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f).

§ 603a.14. Sic Bo shaker security procedures.

(a) Manual and automated Sic Bo shakers which have not been filled with dice may be stored in a locked compartment in a pit stand. An automated Sic Bo dice shaker which has been filled with dice must be secured to the Sic Bo table at all times.

(b) At the end of each gaming day a pit manager or above shall inspect all Sic Bo shakers that have been placed in use for gaming for evidence of tampering. Evidence of tampering discovered at this time shall be immediately reported to the casino compliance representatives. The reports must include, at a minimum:

(1) The date and time when the tampering was discovered.

(2) The name and signature of the individual discovering the tampering.

(3) The table number where the Sic Bo shaker was used.

(4) The name and signature of the person assigned to directly operate and conduct the game at the Sic Bo table and the supervisor assigned the responsibility for supervising the operation and conduct of the game at the Sic Bo table.

§ 603a.15. Cards; physical characteristics.

(a) Cards used to play table games authorized under this subpart must be in decks of 52 cards with each card identical in size and shape to every other card in the deck. Nothing in this section prohibits a manufacturer from manufacturing decks of cards with one or more jokers contained therein. Jokers may not be used by the certificate holder in the play of any game unless authorized by the rules of the game.

(b) Each deck must be composed of cards in four suits: diamonds, spades, clubs and hearts.

(c) Each suit shall be composed of 13 cards: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. The face of the ace, king, queen, jack and 10 may contain an additional marking, approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), which will permit a dealer, prior to exposing his hole card at the game of Blackjack, to determine if the value of the hole card gives the dealer a Blackjack.

(d) The backs of each card in a deck must be identical and no card may contain any marking, symbol or design that will enable a person to know the identity of any element printed on the face of the card or that will in any way differentiate the back of the card from any other card in the deck.

(e) The backs of all cards in a deck shall be designed to diminish, as far as possible, the ability of any individual to place concealed markings thereon.

(f) The design placed on the backs of cards used by certificate holders must contain the name or logo of the certificate holder.

(g) Each deck of cards shall be packaged separately or in a batch containing the number of decks authorized in this subpart and selected by a certificate holder for use in a particular table game. Each package of cards shall be sealed in a manner approved in accordance with § 601a.10(a) to provide evidence of any tampering with the package. If multiple decks of cards are packaged and sealed in a batch, the package must have a label that indicates or contain a window that reveals an adequate description of the contents of the package, including:

(1) The name of the certificate holder for which the cards were manufactured.

(2) The colors of the backs of the cards.

(3) The date that the cards were manufactured.

(4) The total number of cards in the batch.

(5) The total number of decks in the batch.

(h) Individual decks of cards that are packaged and sealed in a multideck batch may not be separated from the batch for independent use at a table game.

(i) The cards used by a certificate holder for Poker must be:

(1) Visually distinguishable from the cards used by that certificate holder to play other banked table games.

(2) Made of plastic.

(j) Each certificate holder that elects to offer the game of Poker shall have and use on a daily basis at least four decks with visually distinguishable card backings. These card backings may be distinguished by different logos, different colors or different design patterns. The certificate holder shall submit, as part of its internal controls required under § 465a.2 (relating to internal control systems and audit protocols), the procedure for distributing and rotating the four visually distinguishable decks of cards required for use in the game of Poker.

(k) Cards may not be utilized in a licensed facility unless a schematic depicting the face and backs of the cards, the colors, words, designs and graphics have been submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

§ 603a.16. Cards; receipt, storage, inspection and removal from use.

(a) When decks of cards are received from a manufacturer or supplier, the cards shall immediately be unloaded under the supervision of at least two people, one of whom shall be an assistant table games shift manager or above and one employee from the security department, and transported to a secure area which is covered by the slot machine licensee's surveillance system. The boxes of decks of cards shall then be inspected by an assistant table games shift manager or above and one employee from the security department to assure that the seals on each box are intact, unbroken and free from tampering. Boxes that do not satisfy these criteria shall be inspected at this time to assure that the decks of cards contained therein conform to the requirements of this chapter and there is no evidence of tampering. Boxes satisfying these criteria, together with boxes having unbroken, intact and untampered seals shall then be placed for storage in a storage area, the location and physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment). A certificate holder may have separate cabinets or storage areas for decks of cards to be used at the game of Poker. The location and physical

characteristics of the cabinets or separate storage areas shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f).

(b) Approved storage areas must have two separate locks. The security department shall maintain one key and the table games department shall maintain the other key. A person employed by the table games department below an assistant table games shift manager in the organizational hierarchy may not have access to the table games department key for the approved storage areas. If the certificate holder has a separate Poker storage area, a person below a Poker shift manager in the organizational hierarchy may not have access to the table games department key to the Poker storage area.

(c) Except as provided in subsection (g), immediately prior to the commencement of each gaming day and at other times as may be necessary, an assistant table games shift manager or above, in the presence of a security department employee, shall remove the appropriate number of decks of cards for that gaming day from the approved storage area. The assistant table games shift manager or above and the security department employee who removed the decks shall distribute sufficient decks to the pit managers or above and, if applicable, to the Poker shift manager. The number of decks distributed must include extra decks that shall be placed in the pit stand for the card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the pit managers or above or the Poker shift manager or above.

(d) If the decks are to be inspected at open gaming tables in accordance with subsection (h), the pit manager or above shall distribute the decks to the dealer at each table or the Poker shift manager shall transport the decks to the Poker pit stand for subsequent distribution to the dealer at each Poker table either directly by the Poker shift manager or through the floorperson assigned to supervise the dealer.

(e) If the decks are to be preinspected and preshuffled at a closed gaming table as permitted under subsection (u), the pit manager or above or Poker shift manager shall deliver the decks to the dealer and the floorperson or above at the closed gaming table where the preinspection and preshuffling shall be performed.

(f) If the decks have already been preinspected, preshuffled, sealed in containers and placed in the card storage area as permitted under subsection (u)(8)(ii) or (v), the assistant table games shift manager or above and a security department employee shall transport the number of sealed containers of cards needed for that gaming day to the gaming pits where the cards will be utilized and shall ensure that the containers are locked in the pit stand. A record of the removal of the sealed containers of cards from the approved storage area and the distribution of sealed containers to the gaming pits shall be maintained by the security department in a manner consistent with the certificate holder’s internal controls filed in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(g) If the decks of cards to be used for Poker for that gaming day are removed from the Poker storage area, the Poker shift manager or above and a security department employee shall, prior to the commencement of each gaming day and at other times as may be necessary, remove

the appropriate number of decks from the Poker storage area and distribute the decks in accordance with subsection (d), (e) or (f). The number of decks distributed must include extra decks that shall be placed in the pit stand for the card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the Poker shift manager or above.

(h) Except for decks of cards that are preinspected and preshuffled in accordance with subsection (u) or (v), the dealer shall sort the cards in each deck according to suit and in sequence to verify that all cards are present and visually inspect the backs of the cards for any defects that might compromise the integrity or fairness of the game. The floorperson or above shall verify the inspection.

(i) If while inspecting the cards in accordance with subsection (h), the dealer finds that a card is unsuitable for use, a card is missing from the deck or an extra card is found, the following procedures shall be observed:

(1) A pit manager or above or a Poker shift manager shall bring a replacement deck of cards from the card reserve in the pit stand.

(2) The unsuitable deck shall be placed in a sealed envelope or container, identified by table number, date and time and signed by the dealer and floorperson assigned to that table or above.

(3) The pit manager or above or a Poker shift manager shall maintain the envelope or container in a secure place within the pit until collection by a security department employee.

(j) Envelopes and containers used to hold or transport cards must be:

(1) Transparent.

(2) Designed or constructed with seals so that any tampering is evident.

(3) Submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

(k) If any cards in a deck appear to be damaged during the course of play, the dealer shall immediately notify a floorperson or above. If after inspection, the floorperson or above determines that the card is damaged and needs to be replaced, the floorperson shall notify the pit manager or above or the Poker shift manager.

(1) The pit manager or above or the Poker shift manager shall:

(i) Notify surveillance of a card change.

(ii) Bring a replacement deck of cards from the pit stand to replace the damaged card or cards.

(iii) Place the damaged card face up on the table and remove the matching card from the replacement deck and place it face up on the table.

(iv) Turn over both the damaged card and the replacement card to verify that the backs of the cards match.

(v) Place the replacement card in the discard rack.

(vi) Tear the damaged card down the center and place it face up in the replacement deck.

(vii) Return the replacement deck to the pit stand.

(2) At least once each gaming day, the replacement decks of cards shall be collected and placed in an envelope or container and sealed. A label shall be attached to each envelope or container which identifies the deck as a replacement deck and signed by the pit manager or above or the Poker shift manager.

(3) The pit manager or above or the Poker shift manager shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee in accordance with subsection (o).

(4) This subsection does not apply to cards showing indications of tampering, flaws or other defects that might affect the integrity or fairness of the game.

(l) Decks of cards that were used for play shall be put into envelopes or containers when removed from active use at the table.

(1) A label shall be attached to each envelope or container which identifies the table number, date and time the decks of cards where collected and signed by the dealer and floorperson assigned to the table.

(2) The Poker shift manager or pit manager or above shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee.

(m) A certificate holder shall remove any deck of cards at any time during the day if there is any indication of tampering, flaws or other defects that might affect the integrity or fairness of the game, or at the request of a casino compliance representative or other Board employee.

(n) Extra decks or packaged sets of multiple decks in the card reserve with broken seals shall be placed in a sealed envelope or container, with a label attached to each envelope or

container that contains the number of decks or packaged sets of multiple decks, as applicable, included therein, the date and time the decks were placed in the envelope or container and the signature of the floorperson or above for decks used for Poker and the pit manager or above for decks used for all other games.

(o) At the end of each gaming day or, in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), and at other times as may be necessary, a security department employee shall collect and sign all envelopes or containers with damaged decks of cards, decks of cards required to be removed that gaming day and all extra decks in the card reserve with broken seals and return the envelopes or containers to the security department.

(p) At the end of each gaming day or, in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), and at other times as may be necessary, an assistant table games shift manager or above may collect all extra decks with intact seals in the card reserve. If the certificate holder maintains a separate storage area for Poker cards, a Poker shift manager or above may collect all extra decks in the card reserve for the game of Poker. If collected, all sealed decks shall either be cancelled, destroyed or returned to the storage area.

(q) When the envelopes or containers of used cards and reserve cards with broken seals are returned to the security department, the cards shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play as follows:

(1) For cards used in Blackjack, Spanish 21, Baccarat, Midibaccarat or Minibaccarat, the certificate holder shall inspect either:

(i) All decks used during the day.

(ii) A sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample have been submitted to the Bureau of Gaming Operations and approved in accordance with § 465a.2.

(2) The certificate holder shall also inspect:

(i) Any decks of cards that the Board requested the certificate holder to remove for the purpose of inspection.

(ii) Any decks of cards the certificate holder removed for indication of tampering.

(iii) All cards used for all banked table games other than the games listed in paragraph (1).

(iv) All cards used for Poker.

(3) The procedures for inspecting all decks required to be inspected under this subsection must include, at a minimum:

(i) The sorting of cards sequentially by suit or utilizing a machine approved by the Bureau of Gaming Laboratory Operations, in accordance with § 461a.4 (relating to submission for testing and approval), capable of reading the cards to determine whether any deck contains missing or additional cards.

(ii) The inspection of the backs with an ultraviolet light.

(iii) The inspection of the sides of the cards for crimps, bends, cuts or shaving.

(iv) The inspection of the front and back of all plastic cards for consistent shading and coloring.

(4) If during the inspection procedures required for cards used in Poker, one or more of the cards in a deck are determined to be unsuitable for continued use, those cards shall be placed in a sealed envelope or container and a two-part Card Discrepancy Report shall be completed in accordance with paragraph (8).

(5) Upon completion of the inspection procedures required in paragraph (2), each deck of cards used in Poker which is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the approved or Poker storage area for subsequent use. The certificate holder shall develop internal control procedures for returning the repackaged cards to the Poker card inventory in accordance with subsection (r).

(6) An individual performing an inspection shall complete a work order form which details the procedures performed and lists the tables from which the cards were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.

(7) The certificate holder shall submit the training procedures for the employees performing the inspections required under this subsection in its internal controls.

(8) Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play discovered during an inspection, or at any other time, shall be immediately reported to the casino compliance representatives by the completion and delivery of a two-part Card Discrepancy Report.

(i) The two-part report must include the cards or decks of cards which are the subject of the report.

(ii) The cards or decks of cards shall be retained by the casino compliance representatives for further inspection.

(iii) The casino compliance representative receiving the cards shall sign the original and duplicate copy of the Card Discrepancy Report and retain the original. The duplicate copy shall be retained by the certificate holder.

(r) Certificate holders shall submit to the Bureau of Gaming Operations for approval, in accordance with § 465a.2, internal control procedures for:

(1) A card inventory system, which includes, at a minimum, the records of the following:

(i) The balance of decks of cards on hand.

(ii) The decks of cards removed from storage.

(iii) The decks of cards returned to storage or received from a manufacturer or supplier.

(iv) The date of each transaction.

(v) The signatures of the individuals involved.

(2) A reconciliation, on a daily basis, of the decks of cards distributed, destroyed or cancelled, returned to the storage area and, if any, the decks of cards in the card reserve.

(3) A physical inventory of all decks of cards at least once every 3 months.

(i) This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of decks of cards on hand required in paragraph (1)(i).

(ii) Discrepancies shall immediately be reported to the casino compliance representatives.

(s) Decks of cards in an envelope or container that are inspected as required under subsection (q) and found to be without any indication of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play, with the exception of plastic cards used at Poker which are of sufficient quality for reuse, shall be destroyed or cancelled within 5 days of collection. Cards submitted to the Board shall be destroyed or cancelled within 5 days of release from the Board.

(1) Destruction of cards must be by shredding.

(2) Cancellation of cards must be by drilling a circular hole of at least 1/4 inch in diameter through the center of each card in the deck.

(3) The destruction or cancellation of cards must take place in a secure location in the licensed facility covered by the slot machine licensee's surveillance system, the physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f).

(t) If a deck of plastic cards has been reused 12 or more times and the deck has been determined to be suitable for reuse by the individual performing the inspection procedures required under subsection (q)(3), before the deck may be reused at a Poker table, the deck shall be inspected by a Poker shift manager or floorperson. A satisfactory inspection shall be documented by the Poker shift manager or floorperson. If the Poker shift manager or floorperson determines that the deck may not be reused, the deck shall be placed in a sealed envelope or container, with a label attached which identifies the date and time the deck was placed in the envelope or container and shall be signed by the Poker shift manager or floorperson. At the end of the gaming day or at other times as may be necessary, the envelope or container shall be collected by a security department employee and returned to the security department for destruction or cancellation in accordance with subsection (s).

(u) If a certificate holder elects to preinspect and preshuffle cards at a closed gaming table prior to the delivery of the cards to an open gaming table, the procedures in this subsection shall be performed by a dealer and supervised by a floorperson or above with no concurrent supervisory responsibility for open gaming tables. A schedule of the proposed time and location for the preinspection and preshuffling shall be provided to the casino compliance representatives at least 24 hours prior to commencement of the process. The procedures required under paragraphs (1)—(7) shall be recorded by the surveillance department and each recording shall be retained by the certificate holder for at least 7 days.

(1) Upon receipt of the decks of cards in accordance with subsection (e), the dealer shall perform the procedures in paragraphs (2)—(7) independently for each batch of cards that will be sealed in a container in accordance with paragraph (7), with the number of decks of cards in each batch being equal to the number of decks of cards required for the table game in which the decks are intended to be used.

(2) The dealer shall visually inspect the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game.

(3) The dealer shall then, either by hand or by using a machine approved by the Bureau of Gaming Laboratory Operations, in accordance with § 461a.4 inspect the front of each card to insure that all cards are present and that there are no extra cards in the deck.

(4) If after inspection, a card is determined to be unsuitable for use, or the deck is missing a card or an extra card is found, the following procedures shall be observed:

(i) The deck containing the unsuitable, missing or extra card shall be placed in an envelope or container which shall be identified by table number, date and time the

deck of cards was placed in the envelope or container and signed by the dealer and floorperson or above performing the preinspection and preshuffle.

(ii) The sealed envelope or container containing the deck containing the unsuitable, missing or extra card shall be maintained by the floorperson or above until collection by a security department employee at the conclusion of the preinspection and preshuffling procedure.

(5) The dealer shall then shuffle the cards by hand or by using an automated card shuffling device.

(6) Upon completion of the preinspection and preshuffling process of the cards in the batch, the dealer and floorperson or above shall complete a two-part Preshuffled/Preinspected Form or other documentation, which includes, at a minimum, the following:

(i) The time and date the Preshuffled/Preinspected Form was prepared.

(ii) The number of decks in the batch.

(iii) The table games at which the batch will be utilized if the batch contains more or less than 52 cards per deck. For example: if the batch contains jokers, the game of Pai Gow Poker must appear on the label; if the batch does not contain 10s, Spanish 21 must appear on the label.

(iv) The signature of the dealer who preinspected and preshuffled the cards, certifying that the cards were preinspected and preshuffled in accordance with this subsection.

(v) The signature of the floorperson or above who witnessed and verified the preinspection and preshuffling.

(vi) The time, date and gaming table to which the sealed container of cards is subsequently delivered.

(vii) The signature of the floorperson or above who delivered the sealed container of cards to the gaming table in accordance with paragraph (9).

(7) The dealer shall then place the preinspected and preshuffled batch of cards, together with the Preshuffled/Preinspected Form or other documentation, in a clear container that conforms to the requirements of subsection (j) and seal the container with a prenumbered label unique to the container. Procedures for the maintenance and security of unused seals, and the distribution, return and reconciliation of seals used on containers holding preinspected and preshuffled cards shall be included in the certificate holder’s internal controls.

(8) The sealed containers of cards shall be transported by either:

(i) A pit manager or above or Poker shift manager to the gaming pit of the gaming tables where the cards will be utilized and locked in the pit stand.

(ii) An assistant table games shift manager or above and a security department employee to the approved storage area or Poker storage area where the cards shall be placed back into the card inventory and segregated from cards that have not been preinspected and preshuffled. A record of the transport of the sealed containers of cards to the approved storage area shall be maintained by the security department in a manner consistent with the certificate holder's approved internal controls.

(9) When the preinspected and preshuffled cards are needed for play, each container of cards shall be delivered by a floorperson or above to an open gaming table. Upon delivery, the floorperson or above shall unseal the container, place the decks of cards on the gaming table in front of the dealer, complete and sign the Preshuffled/Preinspected Form, drop the original Preshuffled/Preinspected Form in a locked box in the gaming pit and forward the copy of the Preshuffled/Preinspected Form to the security department.

(10) The dealer at the gaming table shall then cut the cards in the manner prescribed by the rules governing the particular table game.

(v) A certificate holder may use preinspected and preshuffled decks or batches of decks obtained from a licensed manufacturer or supplier in the same manner as decks or batches of decks that are preinspected and preshuffled under subsection (u) if the licensed manufacturer or supplier has been approved to provide preinspected and preshuffled decks or batches of decks by the Board's Executive Director.

§ 603a.17. Dealing shoes; automated card shuffling devices.

(a) The following words and terms when used in this section have the following meanings, unless the context clearly indicates otherwise:

Base plate—The interior shelf of the dealing shoe on which the cards rest.

Face plate—The front wall of the dealing shoe against which the next card to be dealt rests and which typically contains a cutout.

(b) Each manual dealing shoe must be designed and constructed to maintain the integrity of the game at which the shoe is used and include the following features, at a minimum:

(1) At least the first 4 inches of the base plate must be white.

(2) The sides of the shoe below the base plate must:

(i) Be transparent, have a transparent sealed cutout or be otherwise constructed to prevent any object from being placed into or removed from the portion of the dealing shoe below the base plate.

(ii) Permit the inspection of this portion of the shoe.

(3) A stop underneath the top of the face plate that precludes the next card to be dealt from being moved upwards for more than 1/8 inch distance.

(c) For a manual dealing shoe used in Minibaccarat, Midibaccarat or Baccarat, the dealing shoe, in addition to meeting the requirements of subsection (b), must also meet the following specifications:

(1) Have a removable lid that is opaque from the point where it meets the face plate to a point at least 4 inches from the face plate.

(2) The sides and back above the base plate must be opaque.

(3) Have a device within the shoe, which when engaged, prevents the cards from moving backward in the shoe.

(d) An automated card shuffling device may be utilized, in addition to a manual or automated dealing shoe, if the automated card shuffling device has been submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval).

(e) An automated shuffling device must meet a 95% confidence level using a standard chi-squared test for goodness of fit.

(f) An automated card shuffling device may not provide any information that can be used to aid a patron in the projecting of the outcome of a game, tracking of the cards played and cards remaining to be played, analyzing the probability of the occurrence of an event relating to a game, or analyzing the strategy for playing or betting to be used in a game.

(g) At the beginning of each gaming day and prior to any cards being placed in them, the dealing shoes and automated card shuffling devices to be used for gaming shall be inspected by the floorperson assigned to the table to assure that there has not been tampering with the shoe or automated card shuffling device. Evidence of tampering discovered at this time shall be immediately reported to the casino compliance representatives. The report must include, at a minimum:

(1) The date and time when the tampering was discovered.

(2) The name and signature of the individual discovering the tampering.

(3) The table number where the dealing shoe or shuffler was used.

(4) The name and signature of the person assigned to directly operate and conduct the game and the supervisor assigned the responsibility for supervising the operation and conduct of the game.

§ 603a.18. Pai Gow tiles; physical characteristics.

(a) Pai Gow shall be played with a set of 32 rectangular tiles. Each tile in a set must be identical in size and shading to every other tile in the set.

(b) Each tile used must:

(1) Be made of a nontransparent black material, formed in the shape of a rectangle, and be no smaller than 2 1/2 inches in length, 1 inch in width and 3/8 inch in thickness.

(2) Have the surface of each of its sides perfectly flat, except that the front side of each tile must contain spots which extend into the tile exactly the same distance as every other spot.

(3) Have on the back or front of each tile an identifying feature unique to each certificate holder.

(4) Have an identical texture and finish on each side, with the exception of the front side containing the spots.

(5) Have no tile within a set contain any markings, symbols or designs that would enable a patron to know the identity of any element on the front side of the tile or that would distinguish any tile from any other tile within a set.

(6) Have identifying spots on the front side of the tiles which are either red or white, or both.

(c) Pai Gow tiles may not be utilized in a licensed facility unless a detailed schematic depicting the actual size and identifying feature on the tiles has been submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

(d) Each set of tiles shall be packaged separately and sealed in accordance with § 603a.19 (relating to Pai Gow tiles; receipt, storage, inspection and removal from use).

§ 603a.19. Pai Gow tiles; receipt, storage, inspection and removal from use.

(a) When sets of tiles are received from a manufacturer or supplier, the tiles must immediately be unloaded under the supervision of at least two people, one of whom shall be an assistant table games shift manager or above and one employee from the security department, and transported to a secure area which is covered by the slot machine licensee's surveillance system. The boxes of tiles shall then be inspected by the assistant table games shift manager or above and one employee from the security department to assure that the seals on each box are intact, unbroken and free from tampering. Boxes that do not satisfy these criteria shall be inspected at this time to assure that the tiles contained therein conform to the requirements of this

chapter and there is no evidence of tampering. Boxes satisfying these criteria, together with boxes having unbroken, intact and untampered seals shall then be placed for storage in a storage area, the location and physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) (relating to approval of table game layouts, signage and equipment).

(b) Sets of tiles which are to be distributed to gaming pits or tables for use in gaming shall be distributed from the approved storage area.

(c) The approved storage area must have two separate locks. The security department shall maintain one key and the table games department shall maintain the other key. A person employed by the table games department below an assistant table games shift manager in the organization hierarchy may not have access to the table games department key.

(d) Immediately prior to the commencement of each gaming day and at other times as may be necessary, an assistant table games shift manager or above, in the presence of a security department employee, shall remove the appropriate number of sets of tiles for that gaming day from the approved storage area.

(e) Envelopes and containers used to hold or transport tiles must be:

(1) Transparent.

(2) Designed or constructed with seals so that any tampering is evident.

(3) Submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a).

(f) The assistant table games shift manager or above shall distribute sufficient sets of tiles to the pit manager or above in each Pai Gow pit.

(1) The pit manager or above shall then distribute the sets of tiles to the dealer at each Pai Gow table and place extra sets of tiles in the reserve in the pit stand.

(2) Sets of tiles in the reserve shall be placed in a locked compartment in the pit stand, keys to which shall be in the possession of the pit manager or above.

(g) If during the course of play any damaged tile is detected, the dealer or a floorperson shall immediately notify the pit manager or above. The pit manager or above shall bring a substitute set of tiles to the table from the reserve in the pit stand to replace the entire set of tiles.

(1) The set of damaged tiles shall be placed in an envelope or container, identified by table number, date and time the tiles were placed in the envelope or container and sealed and signed by the dealer and the floorperson responsible for supervising the table or the pit manager or above.

(2) The pit manager or above shall maintain the sealed envelope or container in a secure place within the pit until collection by a security department employee.

(h) The floorperson responsible for supervising the table or the pit manager or above shall collect used tiles which shall be placed in an envelope or container when removed from active use.

(1) A label shall be attached to each envelope or container which identifies the table number, date and time the tiles were placed in the envelope or container and sealed and signed by the dealer and the floorperson responsible for supervising the table or the pit manager or above.

(2) The pit manager or above shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee.

(i) A certificate holder shall remove any tiles at any time of the gaming day if there is any indication of tampering, flaws or other defects that might affect the integrity or fairness of the game, or at the request of a casino compliance representative or other Board employee.

(1) A label shall be attached to each envelope or container which identifies the table number, date and time the tiles were placed in the envelope or container and sealed and signed by the dealer and the floorperson responsible for supervising the table or the pit manager or above.

(2) The pit manager or above shall maintain the sealed envelopes or containers in a secure place within the pit until collection by a security department employee.

(j) Extra sets of tiles in the reserve which have been opened shall be placed in an envelope or container with a label attached to each envelope or container which identifies the date and time the tiles were placed in the envelope or container and sealed and is signed by the pit manager or above.

(k) At the end of each gaming day or in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), and at other times as may be necessary, a security department employee shall collect and sign all envelopes or containers with damaged tiles, tiles used during the gaming day, and all extra tiles in the reserve which have been opened, and return the envelopes or containers to the security department.

(l) At the end of each gaming day or in the alternative, at least once each gaming day, as designated by the certificate holder and approved by the Bureau of Casino Compliance in accordance with § 601a.10(g), at other times as may be necessary, an assistant table games shift manager or above may collect all extra sets of tiles in the reserve which have not been opened. If collected, all unopened sets of tiles shall either be cancelled, destroyed or returned to the approved storage area.

(m) When envelopes or containers of used tiles and reserve sets of tiles which have been opened are returned to the security department, the tiles shall be inspected for tampering, marks, alterations, missing or additional tiles or anything that might indicate unfair play.

(1) The procedures for inspecting sets of tiles must include the following, at a minimum:

(i) The sorting of tiles by pairs.

(ii) The visual inspection of the sides and back of each tile for tampering, markings or alterations.

(iii) The inspection of the sides and back of each tile with an ultraviolet light.

(2) The individual performing the inspection shall complete a work order form which details the procedures performed, lists the tables from which the tiles were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.

(3) The certificate holder shall submit the training procedures for the employees performing the inspections required under this subsection in its internal controls.

(4) Evidence of tampering, marks, alterations, missing or additional tiles or anything that might indicate unfair play discovered during the inspection, or at any other time, shall be immediately reported to the casino compliance representatives by the completion and delivery of a two-part Tile Discrepancy Report.

(i) The two-part report must include the tiles which are the subject of the report.

(ii) The tiles shall be retained by the casino compliance representatives for further inspection.

(iii) The casino compliance representative receiving the tiles shall sign the original and duplicate copy of the tile discrepancy report and retain the original. The duplicate copy shall be retained by the certificate holder.

(n) If after completing the inspection procedures required in subsection (m), it is determined that a complete set of 32 tiles removed from a gaming table is free from tampering, markings or alterations, the set shall be packaged separately and sealed before being returned to the Pai Gow storage area for subsequent use. The certificate holder shall develop internal control procedures for returning the repackaged tiles to the tile inventory in accordance with subsection (p).

(o) Individual tiles from different sets may not be used to make a complete set for subsequent gaming. A certificate holder may, in accordance with its approved internal controls, create replacement and reconstructed sets in accordance with the following requirements:

(1) If after completing the inspection procedures required under subsection (m), it is determined that any tiles have scratches or other markings on the back, sides or edges which make the tiles unsuitable for continued use, the tiles shall be removed from the set and destroyed in accordance with subsection (q). The remaining usable tiles from the set shall then be designated as a replacement set. The individual removing the tiles from a set shall complete a two-part form. The duplicate copy of the form shall be retained with the replacement set and the security department shall retain the original. The two-part form must:

(i) Include the date and time the tiles were removed from the set.

(ii) Identify the specific tile or tiles removed from the set and sent for destruction.

(iii) Contain the name and signature of the individuals involved.

(2) The assistant table games shift manager or above shall return the replacement set, accompanied by the duplicate copy of the form, to the tile inventory in accordance with subsection (p). Replacement sets shall be inventoried and stored separately from any stored and new, used or complete reconstructed sets.

(3) Tiles in one or more replacement sets may be used to create a complete reconstructed set of tiles in accordance with the following procedures:

(i) The assistant table games shift manager or above shall conduct an inspection of each reconstructed set in the storage area, in the presence of a security department employee, and ensure that any replacement tile possesses the same color, texture and finish as all other tiles in the reconstructed set. The assistant table games shift manager or above shall sort the tiles by pairs and verify the needed replacement tile or tiles and visually inspect the sides, backs and edges of each tile in the reconstructed set for tampering, markings and alterations and for comparison as to shading, texture and finish.

(ii) Once a complete set of tiles has been satisfactorily reconstructed from replacement sets, the assistant table games shift manager or above shall attach a label to the envelope or container for the reconstructed set. The label must include the date and time of reconstruction and contain the signature of the assistant table games shift manager or above and the security department employee who witnessed the inspection. The label must also identify the inspection steps that were followed to determine that the reconstructed set of tiles is suitable for use in gaming.

(iii) The certificate holder shall submit internal control procedures for returning the reconstructed sets into inventory, identifying all reconstructed sets and maintaining an accurate inventory balance of remaining replacement sets.

(p) Certificate holders shall submit internal control procedures, in accordance with § 465a.2 (relating to internal control systems and audit protocols), for:

(1) An inventory system which includes records of at least the following:

(i) The balance of sets of tiles on hand.

(ii) The sets of tiles removed from storage.

(iii) The sets of tiles returned to storage or received from a manufacturer or supplier.

(iv) The date of each transaction.

(v) The signatures of the individuals involved.

(2) A reconciliation on a daily basis of:

(i) The sets of tiles distributed.

(ii) The sets of tiles destroyed or cancelled.

(iii) The sets of tiles returned to the approved storage area.

(iv) The sets of tiles in the tile reserve in a pit stand.

(3) A physical inventory of the sets of tiles at least once every 3 months.

(i) The inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of the sets of tiles on hand required in paragraph (1)(i).

(ii) Discrepancies shall immediately be reported to the casino compliance representatives.

(q) Destruction or cancellation of tiles other than those retained for Board inspection, shall be completed within 5 days of collection. The method of destruction or cancellation shall be included in the certificate holder's internal controls. The destruction or cancellation of tiles shall take place in a secure location in the licensed facility covered by the slot machine licensee's surveillance system, the physical characteristics of which shall be approved by the Bureau of Casino Compliance in accordance with § 601a.10(f).

603a.20. Match Play Coupons; physical characteristics and issuance.

(a) A certificate holder may utilize Match Play Coupons in accordance with this section.

(b) Match Play Coupons may not be issued by a certificate holder or utilized in a licensed facility until:

(1) The design specifications of the proposed Match Play Coupons are submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

(2) A system of internal procedures and administrative and accounting controls governing the inventory, distribution and redemption of the Match Play Coupons is submitted and approved as part of the certificate holder's internal controls in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(c) Match Play Coupons issued by a certificate holder must contain:

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

(2) The value of the coupon which can be identified when viewing the coupon through the surveillance system of the certificate holder.

(3) A sequential serial number.

(4) Restrictions regarding redemption including the type of game or wager on which the coupon may be used.

(5) A statement specifying the date on which the coupon expires.

(6) An area designated for the placement of the required gaming chips so as to not obscure or interfere with the visibility of the denomination of the coupon.

(d) The marketing department, or other department as specified in the certificate holder's internal controls, and the finance department shall be responsible for administering the Match Play Coupon program. The marketing department shall be responsible for distributing the coupons to patrons. The finance department shall be responsible for maintaining the Match Play Coupon ledger and administering the coupon accounting procedures in subsection (m).

(e) Match Play Coupons received from a gaming service provider or produced by the certificate holder in accordance with subsection (p) shall be opened and examined by at least one member of the finance department and one member of the marketing department. Any deviation between the invoice accompanying the coupons and the actual coupons received shall be immediately reported to a supervisor from the finance department and to the Bureau of Casino Compliance.

(f) After checking the Match Play Coupon received from the gaming service provider or produced by the certificate holder, a finance department supervisor shall record the following information in the Match Play Coupon ledger:

(1) The date the coupons were received.

(2) The quantity and denomination of coupons received.

(3) The beginning and ending serial number of the coupons received.

(4) The name, signature and Board-issued credential number of the individuals who checked the coupons.

(g) A marketing department supervisor shall estimate the number of Match Play Coupons needed for each gaming day or promotion and complete a requisition document which contains the following information:

(1) The date the requisition was prepared.

(2) The date for which the coupons are needed.

(3) The denomination and quantity of coupons requested.

(4) The name, signature and Board-issued credential number of the marketing department supervisor completing the requisition.

(5) The name, signature and Board-issued credential number of the finance department supervisor authorizing the requisition.

(h) Upon receipt of the requisition document, the finance department supervisor shall record in the Match Play Coupon ledger the following information before the coupons are issued to the marketing department supervisor:

(1) The beginning and ending serial number of the coupons issued.

(2) The denomination and quantity of coupons issued.

(3) The name, signature and Board-issued credential number of the finance department supervisor who issued the coupons.

(4) A record and explanation of coupons that were voided.

(i) Match Play Coupons that are not issued to the marketing department shall be controlled by a finance department supervisor or above and stored in a secured and locked area approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The certificate holder shall include in its internal controls the location of the approved storage area.

(j) The marketing department shall maintain a daily Match Play Coupon Reconciliation Form which must contain:

(1) The date.

(2) The beginning and ending serial numbers of the coupons received from the finance department.

(3) The denomination and quantity of coupons the marketing department has to distribute to patrons.

(4) The denomination and quantity of coupons the marketing department distributed to patrons.

(5) The denomination, quantity and serial numbers of coupons remaining.

(6) The serial numbers of coupons that were voided and the reason the coupons were voided.

(7) Variations discovered and an explanation of the variations.

(8) The name, signature and Board-issued credential number of the marketing department supervisor completing the form.

(k) At the end of the gaming day or promotional period, a copy of the Match Play Coupon Reconciliation Form and Match Play Coupons that were not distributed to patrons shall be returned to the finance department. The marketing department may keep for use during the next gaming day coupons that were not distributed to patrons provided the coupons are stored in a secured and locked area approved by the Bureau of Casino Compliance in accordance with § 601a.10(f) and recoded on the daily Match Play Coupon Reconciliation Form for the next gaming day. Expired coupons shall be returned to the finance department on a daily basis.

(l) When unused and expired Match Play Coupons are returned to the finance department, a finance department supervisor shall record the following information in the Match Play Coupon ledger:

(1) The date the coupons were returned.

(2) The beginning and ending serial numbers of the coupons returned.

(3) The denomination and quantity of coupons returned.

(4) The serial numbers of any coupons that were voided and the reason the coupons were voided.

(5) The name, signature and Board-issued credential number of the marketing department supervisor returning the unused coupons and the name, signature and Board-issued credential number of the finance department supervisor who received the unused coupons.

(m) Documentation, voided coupons, redeemed coupons and coupons that were not distributed to patrons shall be forwarded on a daily basis to the finance department where the coupons shall be:

(1) Counted and examined for proper calculation and recording.

(2) Reviewed for the propriety of signatures on the documentation and cancelled.

(3) Reconciled by total number of coupons given to the marketing department for distribution to patrons, returned for reissuance, voided, distributed to patrons and redeemed.

(4) Recorded, maintained and controlled by the finance department.

(n) At least once every month, each certificate holder shall inventory the Match Play Coupons that are not distributed to patrons and record the result of the inventory in the Match Play Coupon ledger. The procedures to be utilized to inventory the Match Play Coupons shall be submitted for approval as part of the certificate holder's internal controls.

(o) Each certificate holder shall prepare and file with the Bureau of Casino Compliance a quarterly report which lists, by denomination of Match Play Coupon, the total value of the coupons redeemed by patrons.

(p) A certificate holder may internally manufacture or print Match Play Coupons provided that internal controls governing the production and subsequent reconciliation of the coupons are submitted and approved by the Board.

(q) If included in the certificate holder's internal controls, required under § 465a.2, a certificate holder may authorize a gaming service provider to print and mail Match Play Coupons directly to patrons in accordance with the following requirements:

(1) The Match Play Coupons mailed by the gaming service provider must comply with subsections (b) and (c).

(2) The certificate holder shall supply the gaming service provider, through electronic means, a list of the following information for each patron to whom the Match Play Coupon shall be mailed:

(i) The patron's name.

(ii) The patron's address.

(iii) The denomination of the Match Play Coupon.

(iv) The expiration date of the Match Play Coupon.

(v) A serial number on each Match Play Coupon.

(3) The Match Play Coupon issued must include a magnetic strip or bar code that will enable the certificate holder's computer system to identify the information required under subsection (q)(2).

(4) The information in subsection (q)(2) shall be provided to the finance department which shall maintain the information for purposes of reconciliation as required under subsection (m).

(5) Prior to the redemption of the Match Play Coupon, the dealer shall verify the expiration date and confirm that the coupon has not expired.

(6) Match Play Coupons issued must be electronically canceled in the certificate holder's computer system immediately upon redemption or during the counting of the table game drop boxes as provided in § 465a.25 (relating to counting and recording of slot cash storage boxes and table game drop boxes).

(7) The certificate holder is responsible for ensuring that the gaming service provider does not mail Match Play Coupons to individuals on the self-exclusion list under Chapter 503a (relating to self-exclusion) or the exclusion list under Chapter 511a (relating to persons required to be excluded).

(r) A certificate holder may utilize a computerized system that complies with the requirements in this section provided that:

(1) The computerized system creates Match Play Coupons that comply with the requirements in subsection (c).

(2) The computerized system provides an equivalent audit trail and allows for the segregation of duties to satisfy the requirements in this section.

(3) The certificate holder includes in its internal controls required under § 465a.2 procedures governing the production, recording and reconciliation of the computer generated Match Play Coupons.

603a.21. Match Play Coupon use.

(a) A Match Play Coupon may be redeemed only at a gaming table in which patrons wager against the house.

(b) A Match Play Coupon shall be redeemed by a dealer or boxperson if accompanied by gaming chips that are equal to or greater in value to the stated value of the coupon. The Match Play Coupon shall be placed underneath the gaming chips wagered by the patron so that the value of the coupon is visible at all times. If the gaming chips wagered by the patron are greater in value than the stated value of the Match Play Coupon, the dealer shall break down the wager by placing an amount of gaming chips equal to the stated value of the coupon directly on the

coupon and the remainder of the gaming chips wagered next to the coupon. If the wager wins, it shall be paid in accordance with the terms and conditions of the coupon.

(c) A Match Play Coupon and any gaming chips wagered shall be positioned as follows:

(1) For all games other than Craps, Mini-Craps or Roulette, in the patron's betting area.

(2) For Craps and Mini-Craps, on the Pass or Don't Pass Line.

(3) For Roulette, in the box marked “Black,” “Red,” “Odd,” “Even,” “1-18,” “19-36,” “1st 12,” “2nd 12” or “3rd 12.”

(d) A patron may use only one Match Play Coupon per round of play.

(e) Whether the wager wins or loses, the dealer shall deposit the Match Play Coupon into the drop box attached to the gaming table at the time the winning wager is paid or the losing wager is collected.

CHAPTER 605a. ELECTRONIC GAMING TABLES

Sec.

605a.1. Definitions.
605a.2. Electronic wagering systems.
605a.3. Procedures for buying in to and cashing out of a table game using an electronic wagering system.
605a.4. Electronic gaming tables.
605a.5. Fully automated electronic gaming tables.
605a.6. Integrated live Roulette wheels used on fully automated electronic gaming tables.
605a.7. Progressive table games.
605a.8. Linked progressive table games.

§ 605a.1. Definitions.

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

Electronic wagering system—A computer or server and any related hardware, software or other device that permits wagering to be conducted at a gaming table.

Game account—The funds that are available to a player for use at an electronic gaming table.

Local area progressive controller – The hardware and software used to configure, maintain and operate a shared link between progressive table games within a licensed facility.

§ 605a.2. Electronic wagering systems.

(a) A certificate holder may conduct electronic wagering at a gaming table in accordance with this chapter. Electronic wagering at a gaming table shall be conducted through the use of an electronic wagering system. If an electronic wagering system is in use at a gaming table, wagers placed at that gaming table, or only those wagers that are specified in the rules of the game, shall be made using the electronic wagering system.

(b) An electronic wagering system must be a dedicated computer system. The computer or server controlling the system shall be under dual key control, with one key controlled by the finance department and the other key controlled by the table games department or the slot operations department if the computer or server is controlling a fully automated electronic gaming table.

(c) All aspects of an electronic wagering system, including the computer or server and any related hardware, software or related devices shall be tested by the Bureau of Gaming

Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to use at any licensed facility in this Commonwealth.

(d) An electronic wagering system must:

(1) Credit funds to the game account of a player when a player buys in to a game at a particular gaming table and debit any remaining funds from the game account when a player cashes out of the game.

(2) Permit a player to wager from a game account, collect losing wagers from the game account and pay winning wagers by crediting the amount of the winnings and corresponding wager to the game account.

(3) In the game of Poker:

(i) Debit game accounts and increment pots for wagers placed, and distribute winning pots by crediting the game accounts of the winning players in the appropriate amounts.

(ii) Extract the rake from players or pots according to the rake procedures established in accordance with § 637a.17 (relating to Poker revenue) and debit the game accounts of players in the appropriate amounts.

(iii) Make each player's balance or table stakes visible to all players in the game.

(4) Depict the transactions described in paragraphs (1)—(3) through one or more electronic fund displays that are visible to each player and the dealer or boxperson.

(5) Disclose to each player at all times the current balance in the player's game account.

(6) Accurately report and audit the table game's win or loss or Poker revenue in accordance with § 637a.17.

(7) Be capable of generating reports setting forth, by gaming day, for each gaming table using the electronic wagering system:

(i) The total amount deposited into the game account of each player.

(ii) The total amount deposited into game accounts by all players.

(iii) The total amount credited to the game account of each player in payment of winnings.

(iv) The total amount credited to the game accounts of all players in payment of winnings.

(v) The total amount collected from each player as losing wagers.

(vi) The total amount collected from all players as losing wagers.

(vii) For Poker, if applicable, the total amount deducted from the game account of each player for collection of Poker rake time charges in accordance with § 637a.17.

(viii) For Poker, if applicable, the total amount collected from the accounts of all players for collection of Poker rake time charges in accordance with § 637a.17.

(ix) For Poker, if applicable, the total amount collected from Poker pots for collection of Poker rake in accordance with § 637a.17.

(x) The total amount withdrawn from game accounts by each player.

(xi) The total amount withdrawn from game accounts by all players.

(xii) The table game win or loss or Poker revenue.

(e) After installation, electronic wagering systems shall be inspected by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 prior to use at any licensed facility in this Commonwealth.

§ 605a.3. Procedures for buying in to and cashing out of a table game using an electronic wagering system.

(a) A player shall buy in to a table game using an electronic wagering system as follows:

(1) If the gaming table is equipped with a bill validator, a player shall buy in to the game by either:

(i) Inserting currency or, if the table game is a fully automated electronic gaming table, a gaming voucher, into the bill validator. The electronic wagering system must credit an equivalent amount of funds into the game account of the player, which must be displayed on the electronic fund display.

(ii) Presenting currency or value chips to the dealer or boxperson if the table game is not a fully automated electronic gaming table.

(2) If the gaming table is not equipped with a bill validator, a player shall buy in to the game by presenting currency or value chips to the dealer or boxperson.

(3) When a player presents currency or value chips to a dealer or boxperson, the dealer or boxperson shall credit an equivalent amount of funds to the game account of the player, which shall be registered on the electronic fund display and acknowledged by the player.

(b) A player shall cash out of a table game using an electronic wagering system as follows:

(1) If the gaming table is a fully automated electronic gaming table, by receiving a gaming voucher equal in value to the balance in the game account of the player.

(2) If the gaming table is not a fully automated electronic gaming table, by receiving value chips from the dealer or boxperson from the table inventory container equal in value to the balance in the game account of the player.

(3) If the gaming table is not a fully automated electronic gaming table, after cashing out the player, the dealer or boxperson shall zero out the amount on the electronic fund display of the player.

§ 605a.4. Electronic gaming tables.

(a) An electronic gaming table must comply with the requirements in § 605a.2 (relating to electronic wagering systems).

(b) An electronic gaming table system must contain a dedicated computer system. The computer or server controlling the system shall be under dual key control, with one key controlled by the finance department and the other key controlled by the table games department or the slot operations department if the computer or server is controlling a fully automated electronic gaming table. All aspects of an electronic gaming table system, including the computer or server and related hardware, software or related devices shall be tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval), for compliance with the requirements of this section, prior to use at any licensed facility in this Commonwealth.

(c) An electronic gaming table must have the capacity to allow the Bureau of Gaming Laboratory Operations to verify all relevant control software for authenticity.

(d) A certificate holder using an electronic gaming table system shall include in its internal controls, at a minimum:

(1) Procedures to ensure the physical security of the computer or server and related hardware, software and other devices.

(2) Procedures to ensure the integrity and security of all sensitive data and software.

(3) Procedures to ensure that access to sensitive data and software is limited to appropriate personnel only.

(4) Procedures to ensure the logging of the events and the availability of records to permit an effective audit of the conduct of the system and the reporting of revenue.

(e) An electronic gaming table must have the ability to authenticate the transmission of data between the various components of the electronic gaming table system.

(f) An electronic gaming table system must display a signal clearly visible to the surveillance department whenever a door or cabinet at an electronic gaming table is open, whenever there is a malfunction in the operation of the electronic gaming table system, or any component thereof, including whenever a printer or currency jam occurs.

(g) An electronic gaming table that is not a fully automated electronic gaming table must be equipped with the following meters, when applicable:

(1) *Coin in.* A meter that accumulates the total value of all wagers.

(2) *Coin out.* A meter that accumulates the total value of all amounts directly paid by the electronic gaming table as a result of winning wagers. This meter may not record amounts awarded as the result of a progressive payout.

(3) *Attendant paid jackpots.* A meter that accumulates the total value of credits paid by an attendant resulting from a single winning outcome, the amount of which is not capable of being paid by the electronic gaming table. This meter may not record amounts awarded as the result of a progressive payout.

(4) *Attendant paid cancelled credits.* A meter that accumulates the total value of all amounts paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the electronic gaming table.

(5) *Bill in.* A meter that accumulates the total value of currency accepted. The electronic gaming table must also have a specific meter for each denomination.

(6) *Electronic gaming table paid progressive payout.* For electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid as a result of progressive awards paid directly by the electronic gaming table.

(7) *Attendant paid progressive payout.* For electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid by an attendant as a result of progressive awards that are not capable of being paid by the electronic gaming table.

(8) *Additional meters.* Other meters required by technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 605a.5. Fully automated electronic gaming tables.

(a) A fully automated electronic gaming table must comply with the comprehensive protocol specifications required under section 1324 of the act (relating to protocol information) that are necessary to enable the fully automated electronic gaming table to communicate with the Department's central control computer system, for the purpose of transmitting auditing program information, real time information retrieval and fully automated table electronic game activation and disabling.

(b) A fully automated electronic gaming table must have installed software or hardware that distinguishes the fully automated electronic gaming table from a slot machine as defined by the act.

(c) A fully automated electronic gaming table must have the capability to accept currency or gaming vouchers and to issue a gaming voucher to a player for any winnings.

(d) A fully automated electronic gaming table must be equipped with the following meters, where applicable:

(1) *Coin in.* A meter that accumulates the total value of all wagers.

(2) *Coin out.* A meter that accumulates the total value of all amounts directly paid by the fully automated electronic gaming table as a result of winning wagers. This meter may not record amounts awarded as the result of a progressive payout.

(3) *Attendant paid jackpots.* A meter that accumulates the total value of credits paid by an attendant resulting from a single winning outcome, the amount of which is not capable of being paid by the fully automated electronic gaming table. This meter may not record amounts awarded as the result of a progressive payout.

(4) *Attendant paid cancelled credits.* A meter that accumulates the total value of all amounts paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the fully automated electronic gaming table.

(5) *Bill in.* A meter that accumulates the total value of currency accepted. The fully automated electronic gaming table must also have a specific meter for each denomination.

(6) *Voucher in—cashable/value.* A meter that accumulates the total value of cashable gaming vouchers accepted by the fully automated electronic gaming table.

(7) *Voucher in—cashable/count.* A meter that accumulates the total number of cashable gaming vouchers accepted by the fully automated electronic gaming table.

(8) *Voucher out—cashable/value.* A meter that accumulates the total value of cashable gaming vouchers issued by the fully automated electronic gaming table.

(9) *Voucher out—cashable/count.* A meter that accumulates the total number of cashable gaming vouchers accepted by the fully automated electronic gaming table.

(10) *Fully automated electronic gaming table paid progressive payout.* For fully automated electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid as a result of progressive awards paid directly by the fully automated electronic gaming table.

(11) *Attendant paid progressive payout.* For fully automated electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid by an attendant as a result of progressive awards that are not capable of being paid by the fully automated electronic gaming table.

(12) *Additional meters.* Other meters required by technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site.

§ 605a.6. Integrated live Roulette wheels used on fully automated electronic gaming tables.

(a) A fully automated electronic gaming table with an integrated live Roulette wheel must randomize the method by which the outcome is determined. This includes, but is not limited to the speed at which the ball is ejected onto the wheel and the speed at which the wheel rotates.

(b) A fully automated electronic gaming table with an integrated live Roulette wheel must be capable of determining if the wheel meets a 95% confidence limit using a standard chi-squared test for goodness of fit. The calculation must be made based on the following criteria:

(1) Ten thousand outcomes have been generated.

(2) A new calculation must be made for each 10,000 subsequent outcomes.

(3) The calculation must consider only the most recent 10,000 outcomes.

(c) A fully automated electronic gaming table with an integrated live Roulette wheel must be capable of displaying a visual notification, clearable by an attendant, if at any time the live Roulette wheel has failed the chi-squared test for goodness of fit under subsection (b).

(d) A fully automated electronic gaming table with an integrated live Roulette wheel must be capable of disabling play in the event that the wheel has failed to meet the 95% confidence limit for goodness of fit test required under subsection (b) for two consecutive testing periods. Attendant interaction shall be required before enabling the table for play.

(e) A fully automated electronic gaming table with an integrated live Roulette wheel must be capable of providing a report that shows the results of the last chi-squared test as well as the previous 9 chi-squared tests. The report must contain the following:

(1) The time and date the test was performed.

(2) The table ID or any comparable identifier.

(3) The number of games used to perform the test.

(4) The outcome of the test.

§ 605a.7. Progressive table games.

(a) Each progressive on a fully automated electronic gaming table, electronic gaming table or live table game must have:

(1) A progressive meter visible from the front of the gaming table, which must increase in value based upon wagers, that advises the players of the amount which can be won if the player receives the corresponding outcome.

(2) A meter that accumulates the total value of credits paid as a result of progressive awards paid directly by a fully automated electronic gaming table or electronic gaming table.

(3) A meter that accumulates the total value of credits paid as a result of progressive awards paid directly by an attendant as a result of progressive awards that are not capable of being paid by a fully automated electronic gaming table or electronic gaming table.

(4) A cumulative progressive payout meter that continuously and automatically records the total value of progressive jackpots paid directly by a fully automated electronic gaming table, electronic gaming table, or attendant.

(5) A key and keyed switch to reset the progressive meter or meters or other reset mechanism.

(6) A key locking the compartment housing the progressive meter or meters or other means by which to preclude unauthorized alterations to the progressive meters. The key or alternative security method must be different than the key or reset mechanism in paragraph (5).

(b) A table game that offers a progressive jackpot may not be placed on the gaming floor until the certificate holder or, if applicable, the progressive system operator, has submitted the following to the Bureau of Gaming Laboratory Operations for review and approval, in accordance with § 461a.4 (relating to submission for testing and approval):

(1) The initial and reset amounts at which the progressive meter or meters will be set.

(2) The proposed system for controlling the keys and applicable logical access controls to the table games.

(3) The proposed rate of progression for each progressive jackpot.

(4) The proposed incrementation rate for a reserve pool, if any, to fund the next reset amount.

(c) A table game that offers either a new progressive jackpot or a modification of an existing progressive jackpot may not be made available for play by the public until the table game has been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 and § 461a.26 (relating to testing and software installation on the live gaming floor).

(d) Progressive meters may not be turned back to a lesser amount or removed unless one of the following occurs:

(1) The amount indicated has been paid to a winning patron and the amount won has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).

(2) The progressive jackpot has, upon written approval in accordance with § 461a.4, been transferred to another progressive table game.

(3) A table game or progressive meter malfunctions, in which case, a written explanation shall be sent to the Bureau of Gaming Laboratory Operations and the entire progressive jackpot amount shall be placed back onto the progressive jackpot meter.

(e) A certificate holder that offers progressive jackpots:

(1) May not place a limit or cap on the progressive jackpot amount.

(2) May not offer more than one progressive jackpot on the same table game.

(3) Shall require that on any table with a linked progressive, the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. The progressive wager amount required may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).

(4) Shall submit internal controls in accordance with § 465a.2 specifying how the licensee will reconcile simultaneous or multiple progressive meter wins from the same progressive meter.

(5) May not remove a progressive jackpot from the gaming floor without written approval from the Board's Executive Director.

§ 605a.8. Linked progressive table games.

(a) Two or more table games that are located within the same licensed facility and offer a shared progressive jackpot must be linked using an approved local area progressive (LAP) controller.

(b) The LAP controller:

(1) Must be capable of uniquely identifying each linked progressive table game.

(2) Must become inoperable if any of the following errors occur:

(i) RAM failures.

(ii) Power failures.

(iii) Self-check errors.

(iv) Incorrect configurations.

(v) Lost jackpot configurations.

(3) Must be designed to:

(i) Recover from an error or communication failure and, when recovered, to return to the state it was in prior to the error or communication failure.

(ii) Automatically and accurately calculate the progressive jackpot amount based on a configured rate of progression and to continuously update the required displays and meters.

(iii) Accurately identify and record the order of winning progressive jackpots when two or more linked progressive table games achieve the same winning game outcome at nearly the same time.

(iv) Complete a self-check when powered-up. A LAP controller must be designed so that it becomes operational only if it has successfully passed a self-check. A self-check must include an authentication of the LAP controller software by means of, at a minimum, a 16-bit cyclical redundancy check.

(4) May not allow progressive parameter changes while a progressive link is in operation.

(c) Progressives connected to a LAP controller must become unplayable when the LAP controller is disabled or inoperable or if the progressive loses communication with the LAP controller.

(d) The certificate holder shall specify in its internal controls required under § 465a.2 (relating to internal control systems and audit protocols):

(1) The mechanism by which the certificate holder and the patrons will be notified if the LAP controller or the linked progressive on a table game becomes inoperable.

(2) The secure location within the licensed facility where the LAP controller will be stored.

(3) An access matrix containing a list of users and a description of their access rights to the LAP controller software.

(4) Key controls over the cabinet or rack which houses the LAP controller.

(e) A certificate holder is required to physically house, in each location where a LAP controller is stored, an entry authorization log that documents each time a LAP controller is accessed. The log must:

(1) Contain the date, time, purpose for accessing the LAP controller and the signature and license or permit number of the person accessing the LAP controller.

(2) Be maintained in the location where the LAP controller unit is housed.

(3) Have recorded a sequence number and the manufacturer's serial number of the LAP controller.

(f) A certificate holder seeking to utilize a linked progressive on a table game shall submit for approval the location and manner of installing a progressive meter display mechanism.

(g) Two or more table games within the same licensed facility that are linked to a common progressive meter for the purpose of offering a shared progressive jackpot must:

(1) Have the same probability of hitting the combination that will award the progressive jackpot as every other table game linked to the common progressive meter.

(2) Require that the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. Progressive wager amounts may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).

(h) Table games that offer a linked progressive jackpot may not be made available for play by the public until the LAP controller and the linked progressive table games have been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with §§ 461a.4 and 461a.26 (relating to submission for testing and approval; and testing and software installation on the live gaming floor).

CHAPTER 607a. POSSESSION OF TABLE GAMES AND TABLE GAME DEVICES

Sec.

607a.1. Transportation of table games and table game devices into, within and out of this Commonwealth.
607a.2. Table game device master list.
607a.3. Off premises storage of table games and table game devices.

§ 607a.1. Transportation of table games and table game devices into, within and out of this Commonwealth.

(a) Prior to the transport or movement of table games and table game devices into, within or out of this Commonwealth, the persons causing the table games and table game devices to be transported or moved shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance in writing or in an electronic format approved by Board staff. The notice shall be submitted no later than the day the table games or table game devices are transported and must include the following:

(1) The name and address of the person shipping or moving the table games or table game devices.

(2) The name and address of the person who owns the table games or table game devices if different from the person shipping or moving table games or table game devices.

(3) The name and address of the new owner if ownership is being changed in conjunction with the shipment or movement.

(4) The method of shipment or movement and the name and address of the common carrier, if applicable.

(5) The name and address of the person to whom the table games or table game devices are being sent and the destination of the table games or table game devices, if different from that address.

(6) The quantity of table games or table game devices being shipped or moved and the manufacturer's serial number, if applicable, for each table game or table game device.

(7) The expected date and time of delivery to, or removal from, an authorized location within this Commonwealth.

(8) The port of entry or exit, if any, of the table games or table game devices if the origin or destination of the table games or table game devices is outside of the continental United States.

(9) The reason for transporting or moving the table games or table game devices.

(b) In addition to the requirements in subsection (a), if a certificate holder is shipping table games or table game devices to or from the certificate holder's off-premises storage location, the certificate holder shall comply with the requirements in subsection (a). If a table game or table game device is being transported to the licensed facility from the certificate holder's office-premises storage location, the certificate holder shall specify in the notice required under subsection (a) whether the table game or table game device will be placed directly onto the gaming floor or stored off the gaming floor in a restricted area within the licensed facility.

§ 607a.2. Table game device master list.

(a) Prior to commencement of table game operations at a licensed facility, a table games certificate holder shall file with the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a Gaming Floor Table Game Device Master List and a Restricted Area/Off Premises Table Game Device Master List for the following table game devices:

(1) Electronic gaming tables as described in § 605a.4 (relating to electronic gaming tables).

(2) Progressive table game systems as described in § 605a.7 (relating to progressive table games).

(3) Automated card shuffling devices as described in § 603a.17 (relating to dealing shoes; automated card shuffling devices).

(4) Electronic dealing shoes as described in § 603a.17.

(5) Electronic wagering systems as described in § 605a.2 (relating to electronic wagering systems)

(6) Any other mechanical, electrical or computerized contrivance, terminal or machine required to be submitted to the Bureau of Gaming Laboratory Operators for testing and approval in accordance with Chapter 461a (relating to slot machine and table game device testing and control).

(b) The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List must contain the following information:

(1) The date the list was prepared.

(2) A description of each table game device listed in subsection (a) which includes:

(i) The pit number or location on the gaming floor, restricted area of the licensed facility or other approved storage location.

(ii) The asset number or table game type, or both, that the device is connected to.

(iii) The manufacturer.

(iv) The manufacturer's serial number.

(v) The software/program identification.

(vi) If the device is a progressive:

(A) The name of the progressive controller type.

(B) The name and version of the progressive software.

(3) Identify if the fully automated, electronic or live gaming table on the gaming floor utilizes a progressive table game system in accordance with § 605a.7 to offer a progressive jackpot and, if so, identify all other tables that are linked to the same progressive jackpot.

(c) In conjunction with the Gaming Floor and Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List filed in accordance with § 463a.5(g) (relating to slot machine and fully automated electronic gaming table master lists), on the first Tuesday of each month, a certificate holder shall file with the Bureau of Gaming Laboratory Operations an updated Gaming Floor Table Game Device Master List and Restricted Area/Off Premises Table Game Device Master List containing the information required under subsection (b). The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.

§ 607a.3. Off premises storage of table games and table game devices.

(a) A certificate holder may not store table games or table game devices off the premises of a licensed facility without prior approval from the Board's Executive Director.

(b) A slot machine licensee seeking to store table games and table game devices off the premises of a licensed facility shall submit a written request to the Bureau of Gaming Operations for off premise storage. The written request must include:

(1) The location and a physical description of the proposed storage facility.

(2) A description of the type of surveillance system that has been or will be installed at the proposed storage facility.

(3) The plan to provide 24-hour, 7-day a week security at the proposed storage facility.

(4) The anticipated number of table games or table game devices that may be stored at the proposed storage facility.

(c) Before the Board's Executive Director will act on a request for off premise storage of table games or table game devices, the Director of Casino Compliance will inspect the proposed storage facility.

(d) The Board's Executive Director will approve or disapprove requests within 60 days. Approved requests may be subject to specific terms and conditions imposed by the Board's Executive Director.

CHAPTER 609a. CREDIT

Sec.

609a.1. Definitions.
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609a.5. Derogatory information; reduction or suspension of credit.
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609a.14. Issuance and reconciliation of Counter Checks.
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609a.16. Substitution and consolidation of Counter Checks.
609a.17. Deposit of Counter Checks and personal checks substituted for Counter Checks.
609a.18. Collection of returned checks.

§ 609a.1. Definitions.

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

Bank verification service—An agency that provides businesses with the ability to verify the validity of a patron's bank account, a check presented or the history of the bank account.

Casino credit bureau—A consumer reporting agency that provides casinos with reports on a patron's casino credit accounts.

Consumer credit bureau—A consumer reporting agency that collects information from creditors, lenders, debt collection agencies and the courts on an individual's borrowing and bill payment habits.

Credit clerk—An employee of the cage or credit department who is responsible for receiving, processing and verifying the information in credit applications from patrons and who does not have authority to grant credit or credit limit increases provided that an employee who has the authority to grant credit may act as a credit clerk but may not grant credit or credit limit increases on an application processed or verified by that employee.

Derogatory information—Information related to a patron's credit accounts that are

partially or completely uncollectible, checks returned unpaid by a patron's bank, settlements, liens, judgments or any other credit problems of a patron.

§ 609a.2. Internal control requirements.

Each certificate holder that issues credit shall include procedures in the certificate holder's internal controls to implement the requirements in this chapter.

§ 609a.3. Application and verification procedures for granting credit.

(a) A patron who wants to obtain credit from a certificate holder shall file a credit application with the certificate holder which contains, at a minimum, the following information:

(1) The patron's name.

(2) The address of the patron's residence.

(3) The patron's telephone number.

(4) Bank account information including:

(i) The name and location of the patron's bank.

(ii) The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks will be drawn. Checking accounts of sole proprietorships to be considered as personal checking accounts. Partnership or corporate checking accounts are not considered to be personal checking accounts.

(5) The credit limit requested by the patron.

(6) The approximate amount of the patron's current indebtedness.

(7) The amount and source of income or assets in support of the requested credit limit.

(8) The patron's signature indicating acknowledgement of the following statement, which must be included at the bottom of the credit application form containing the information required to be submitted under this subsection: "I certify that I have read and understand this application and its terms and I execute this document voluntarily and with full knowledge of its significance. I authorize (insert the name of the certificate holder) to conduct any investigations necessary for the approval of my credit limit. I am aware that this application is required by the regulations of the Pennsylvania Gaming Control Board. I understand that a Counter Check issued by (insert name of certificate holder) is identical to a personal check and may be deposited or presented for payment to my bank or other financial institution. I acknowledge that willfully drawing or passing a credit instrument with the intent to defraud,

including knowing there are insufficient funds in my account, is a crime in this Commonwealth that may result in criminal prosecution. I am also aware that providing false or misleading statements or omitting information on this application may subject me to civil or criminal penalties."

(b) Upon receipt of an application for credit, a confidential credit file for that patron containing the information required under subsection (a) shall be prepared by a credit clerk either manually or by computer prior to the certificate holder's approval of a patron's credit limit. Patron credit limits including any changes to the credit limit must be supported by the information contained in the patron's credit file.

(c) Prior to a certificate holder's approval of a patron's credit limit, a credit clerk shall:

(1) Verify the address of the patron's residence. Verification of the address of the patron's residence shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or does not provide the information, the credit clerk may use an alternative source which may not include any identification credentials or other documentation presented by the patron at the licensed facility. The credit clerk shall record the source of verification and the method by which the verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.

(2) Verify the patron's current casino credit limits and outstanding balances, which includes the following:

(i) The date each of the patron's casino credit accounts was established.

(ii) The amount of the current approved credit limits at other casinos.

(iii) The current balance and status of the patron's credit account at each casino including checks deposited by a casino that have not yet cleared the bank and any derogatory information.

(iv) Verification of information required under subparagraphs (i)—(iii) shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos. The credit clerk shall record the source of verification and the method by which the verification was performed in the patron's credit file. If casino credit information relating to the patron is not available from these sources, this fact shall be noted in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the credit clerk requests written documentation of the information as soon as possible and includes written documentation of the request in the patron's credit file. Requests for written documentation shall be maintained in the patron's credit file until the documentation is obtained.

(3) Verify the patron's outstanding indebtedness. Verification of the patron's outstanding indebtedness shall be performed by contacting a consumer credit bureau, which is reasonably likely to possess information concerning the patron, to determine whether the

applicant has any liabilities or if there is any derogatory information concerning the patron's consumer credit history. If contact with a consumer credit bureau is not immediately possible, the credit clerk may use an alternative source which has made the required contact within the past 3 months. The credit clerk shall record the source of verification and the method by which the verification was performed in the patron's credit file. If a consumer credit bureau does not have information relating to a patron's outstanding indebtedness, this fact shall be recorded in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the credit clerk requests written documentation of the information obtained as soon as possible and includes written documentation of the request in the patron's credit file. Requests for written documentation shall be maintained in the patron's credit file until the documentation is obtained.

(4) Verify the patron's personal checking account information which includes, but is not limited to, the following:

(i) Account number.

(ii) The year the account was opened.

(iii) Average balance of the account.

(iv) Current balance in the account.

(v) Whether the patron can sign individually on the account.

(vi) Name and title of the person supplying the information.

(vii) Verification of information required under subparagraphs (i)—(vi) shall be performed by the credit clerk or a bank verification service directly with the patron's bank. A bank verification service utilized by a certificate holder may make use of another bank verification service to make direct communication with the patron's bank. If the information is not immediately available, the credit clerk may use an alternative source. The credit clerk shall record the source of verification and the method by which the verification was performed in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the credit clerk or bank verification service requests written documentation of the information obtained as soon as possible and the request for written documentation is included in the patron's credit file. Requests for written documentation shall be maintained in the patron's credit file until the documentation is obtained. If a bank verification service is used as a primary source of verification, either directly by a certificate holder or by another bank verification service, each service and the certificate holder shall record the date that the patron's personal checking account information was obtained from the bank by the service.

(5) Verify that the patron's name is not on:

(i) The list of individuals who have voluntarily requested suspension of credit privileges under § 609a.9 (relating to voluntary credit suspension list).

(ii) The list of individuals who have voluntarily placed themselves on the self-exclusion list under Chapter 503a (relating to self-exclusion).

(iii) The list of individuals who have been placed on the exclusion list under Chapter 511a (relating to persons required to be excluded).

(d) Verifications performed by a credit clerk under subsection (c), which are required to be recorded in the patron's credit file, must be accompanied by the signature of the credit clerk who performed the required verifications or filed the relevant information. The date and time of the signature of the credit clerk shall be recorded either electronically or manually contemporaneously with the verification.

(e) A certificate holder may only request credit information concerning a patron from another certificate holder if the patron has credit or has applied for credit with the certificate holder. When requesting credit information on a patron from another certificate holder, the requesting certificate holder shall provide the patron's name, address of the patron's residence and the name and location of the patron's bank with the request. Upon receipt of this information, the certificate holder receiving the request shall furnish to the requesting certificate holder any credit information in its possession concerning the patron.

(f) Unless a patron has already established a patron signature file under § 465a.20(c) (relating to personal check cashing), a patron who has been approved for credit may not be issued a Counter Check until the certificate holder has established a signature file for the patron in accordance with § 465a.20(c).

§ 609a.4. Approval of credit limits.

(a) A credit limit, and any temporary or permanent increases thereto, shall be approved by either:

(1) Two or more employees holding the job positions of credit manager, assistant credit manager, credit shift manager, credit executive or other key employee in a direct reporting line above the credit manager provided that a credit supervisor who processed and verified a patron's credit application may not grant credit or a credit limit increase to that patron.

(2) A credit committee composed of at least two of the employees in paragraph (1) which may approve credit as a group.

(b) The approval of credit shall be recorded in the patron's credit file and include:

(1) Other information used to support the credit limit and any changes thereto, including the source of the information, if the information is not otherwise required to be recorded under this section.

(2) A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto.

(3) The reason credit was approved if derogatory information was obtained during the verification process.

(4) The signatures of the employees approving the credit limit, together with the date and time of the authorization, shall be recorded before any actual extension of credit is tendered. A certificate holder may obtain verbal or electronic authorization from one of the employees required to approve credit limits provided that the date and time that the verbal authorization was given is noted in the patron's credit file or a copy of the electronic authorization is placed in the patron's credit file. Upon arrival at the licensed facility, the employee who verbally or electronically approved a patron's credit limit shall sign and date the patron's credit file.

(c) Prior to approving a temporary or permanent credit limit increase, an employee of the certificate holder's credit department shall:

(1) Obtain a written request from the patron which includes:

(i) The date and time of the patron's request.

(ii) The amount of credit limit increase requested by the patron and if the increase requested is temporary or permanent.

(iii) The signature of the patron.

(2) Reverify the patron information required under § 609a.3(c)(2) (relating to application and verification procedures for granting credit).

(3) Consider the patron's player rating based on a continuing evaluation of the amount and frequency of play subsequent to the patron's initial receipt of credit.

(4) Include the information and documentation required under paragraphs (1)—(3) in the patron's credit file.

(5) Comply with subsections (a) and (b).

§ 609a.5. Derogatory information; reduction or suspension of credit.

(a) A certificate holder may reduce or suspend a patron's credit limit at any time.

(b) Derogatory information concerning a patron's credit account shall be reported by each certificate holder on a daily basis to the casino credit bureau used by the certificate holder. Each certificate holder shall document any derogatory information pertaining to its patrons that was reported to that certificate holder by the casino credit bureau. Documentation obtained from the casino credit bureau shall be maintained in the patron's credit file.

(c) In addition to the requirements in subsection (d), whenever derogatory information is received by a certificate holder's credit department relating to the patron's continued creditworthiness the certificate holder's credit department shall reverify the patron information required under § 609a.3(c)(2) (relating to application and verification procedures for granting credit).

(d) A patron having a check returned to any certificate holder unpaid by the patron's bank shall have credit privileges suspended unless the returned check was due to a processing error and an explanation for the error is noted in the patron's credit file or until the returned check has been paid in full. Prior to reinstating a patron's credit privileges, the certificate holder shall comply with subsection (e).

(e) If a patron's credit privileges have been suspended for any reason relating to the patron's continued creditworthiness, the certificate holder's credit department shall reverify the patron's information, as required under § 609a.3(c)(2) and (3), before reinstating the patron's credit privileges. Credit suspensions and reinstatements and an explanation thereto shall be documented in the patron's credit file.

§ 609a.6. Additional reverification requirements.

(a) Prior to the issuance of credit to a patron whose credit file has been inactive for a 24-month period, the certificate holder’s credit department shall reverify the patron’s information, as required under § 609a.3(c)(1)—(5) (relating to application and verification procedures for granting credit).

(b) The certificate holder’s credit department shall reverify the information required under § 609a.3(a)(2) and (4), in accordance with the procedures in § 609a.3(c)(1) and (4), whenever the certificate holder has reason to believe that this information has changed.

§ 609a.7. Patron credit transactions.

Transactions affecting a patron’s outstanding indebtedness to the certificate holder shall be recorded in chronological order in the patron’s credit file. Credit transactions shall be recorded separately from transactions related to customer deposits under § 465a.23 (relating to customer deposits). The following information shall be included in the credit file:

(1) The date, amount and check number of each Counter Check accepted from the patron.

(2) The date, method, amount and, if applicable, the personal check number of each redemption transaction and the check number of the Counter Check returned to the patron.

(3) The date, amount and check number of each personal check used for a substitution transaction and the check number of the Counter Check returned to the patron.

(4) The date, amount and check number of each replacement Counter Check accepted from the patron in a consolidation transaction and the check numbers of the initial Counter Checks that were consolidated and returned to the patron.

(5) The date, amount and check number of each Counter Check deposited.

(6) The date, amount and check number of each personal check or Counter Check returned to the certificate holder by the patron's bank and the reason for its return.

(7) The outstanding balance after each transaction.

(8) The date, amount and check number of any Counter Checks or personal checks that have been partially or completely written off by the certificate holder and a brief explanation of the reason for the write off.

§ 609a.8. Recordkeeping requirements.

(a) A log of Counter Checks exchanged or consolidated and of personal checks received for redemption or substitution shall be prepared, manually or by computer, on a daily basis. The log must include, at a minimum, the following:

(1) The balance of the Counter Checks on hand in the cage at the beginning of each shift.

(2) For Counter Checks initially accepted and for personal checks received for redemption or substitution:

(i) The date of the check.

(ii) The name of the drawer of the check.

(iii) The amount of the check.

(iv) The serial number for each Counter Check received.

(v) An indication as to whether the check was initially accepted or received in a redemption or substitution.

(3) For Counter Checks deposited, redeemed by patrons with cash, cash equivalents, gaming chips and plaques, or any combination thereof, substituted or consolidated:

(i) The date on which the Counter Check was deposited, redeemed, substituted or consolidated.

(ii) The name of the drawer of the Counter Check.

(iii) The amount of the Counter Check.

(iv) The serial number for each Counter Check deposited, redeemed, substituted or consolidated.

(v) An indication as to whether the Counter Check was deposited, redeemed, substituted or consolidated.

(4) The balance of the Counter Checks on hand at the end of each shift.

(b) A list of all Counter Checks on hand and of all personal checks received for redemption or substitution shall be prepared, manually or by computer, on a monthly basis and include the following:

(1) The date of the check.

(2) The name of the drawer of the check.

(3) The amount of the check.

(4) The serial number for each Counter Check received.

(c) At the end of each gaming day, the following procedures shall be performed:

(1) The daily total of the amounts of Counter Checks initially recorded as described in subsection (a)(2) shall be reconciled to the daily total of Counter Checks issued.

(2) The daily total of the checks indicated as deposited on a log required under subsection (a)(3) shall be reconciled to the bank deposit slips corresponding to the checks by employees with no incompatible functions.

(3) The balance required under subsection (a)(4) shall be reconciled to the total of the Counter Checks on hand in the cage.

§ 609a.9. Voluntary credit suspension list.

(a) The Board will maintain a voluntary credit suspension list of all individuals who have requested suspension of credit privileges and will provide a current list of these individuals to the credit department of each certificate holder.

(b) The list provided to certificate holders will contain the following information for each individual on the list:

(1) The individual’s name, including any aliases or nicknames.

(2) The individual’s address.

(3) The individual's date of birth.

(c) Information furnished to or obtained by the Board or a certificate holder under this chapter will be deemed confidential and may not be disclosed except in accordance with this chapter.

§ 609a.10. Request for voluntary credit suspension.

(a) An individual may request the suspension of the individual's credit privileges at all licensed facilities by submitting, in person, a completed Request for Voluntary Credit Suspension Form to the Board. A submission to the Board may be made at the Board's office at a licensed facility, at the Board's Harrisburg office or one of the Board's regional offices.

(b) The Request for Voluntary Credit Suspension Form shall also include the following statement: "I certify that I have read and understand this request to be placed on the voluntary credit suspension list and that I knowingly and voluntarily execute this document. I am aware that my signature below authorizes the Pennsylvania Gaming Control Board to direct all Pennsylvania certificate holders to suspend my credit privileges until such time as I submit a written request to the Board for the reinstatement of my credit privileges. I also understand that under § 13A27(i) of the Pennsylvania Race Horse Development and Gaming Act, all certificate holders shall not be liable for any claims, damages, losses, expenses or for any harm, monetary or otherwise, that may arise as a result of the failure of a certificate holder to restore credit privileges to me or otherwise permit me to engage in gaming activity in the licensed facility while on the voluntary credit suspension list."

(c) An individual requesting to be placed on the voluntary credit suspension list will be required to present a government-issued photo identification containing the person's signature and photograph when the individual submits the Request for Voluntary Credit Suspension Form.

§ 609a.11. Reinstatement of credit and removal from the voluntary credit suspension list.

(a) An individual on the voluntary credit suspension list may, at any time, request removal from the voluntary credit suspension list by submitting a Request for Removal from the Voluntary Credit Suspension List Form to the Board. The request may be made at the Board's office at a licensed facility, at the Board's Harrisburg office or one of the Board's regional offices.

(b) The Request for Removal from the Voluntary Credit Suspension List Form must also include the following statement: "I certify that I have read and understand this request to be removed from the voluntary credit suspension list and that I knowingly and voluntarily execute this document. I am aware that my signature below will result in the Pennsylvania Gaming Control Board notifying all Pennsylvania certificate holders that I have been removed from the voluntary credit suspension list."

(c) An individual requesting to be removed from the voluntary credit suspension list will be required to present a government-issued photo identification containing the person's signature and photograph when the individual submits the Request for Removal from the Voluntary Credit Suspension List Form.

(d) Within 3 business days after the Request for Removal from the Voluntary Credit Suspension List Form is signed, the Board will delete the name of the individual from the voluntary credit suspension list and will notify each certificate holder of the removal.

§ 609a.12. Duties of certificate holders.

(a) A certificate holder shall maintain a copy of the voluntary credit suspension list and ensure that the copy of the list is updated within 24 hours after the certificate holder receives an updated list from the Board.

(b) A certificate holder shall immediately suspend the credit privileges of any individual who has a credit account with the certificate holder upon receipt of notice that the individual has been added to the voluntary credit suspension list.

(c) If an individual has an existing credit file, the certificate holder shall note any voluntary credit suspension or removal from the voluntary credit suspension list in the credit file. A copy of the applicable Board notice of the voluntary suspension or removal from the voluntary credit suspension list and the date, time and signature of the credit department representative making the suspension or removal entry shall be included in the individual's credit file.

(d) Upon receipt of notice that an individual's name has been removed from the voluntary credit suspension list, the certificate holder may reinstate the individual's credit after reverifying the information as required under § 609a.3(c) (relating to application and verification procedures for granting credit).

(e) A certificate holder shall establish procedures to ensure that an individual who is on the voluntary credit suspension list is not granted casino credit.

(f) Certificate holders shall make available to patrons written materials explaining the voluntary credit suspension program.

§ 609a.13. Requirements for Counter Checks.

(a) Counter Checks must be serially prenumbered forms. Each series of Counter Checks shall be used in sequential order and the series numbers of all Counter Checks received by a certificate holder shall be accounted for by employees with no incompatible functions.

(b) The original and all copies of void Counter Checks shall be marked "VOID" and require the signature of the individual who marked the Counter Check as void.

(c) For Counter Checks that are manually prepared:

(1) The Counter Checks must be a five-part form which consists of an original, a redemption copy, an accounting copy, an issuance copy and an acknowledgement copy.

(2) Counter Checks must be attached in a book that:

(i) Permits an individual to write on the original copy of the Counter Check and all of the other copies simultaneously, while still contained in the book.

(ii) Allows the removal of the original and all duplicate copies.

(3) Access to the Counter Checks shall be maintained and controlled by the finance department employees responsible for the control of and accounting for the unused supply of Counter Checks. The finance department may issue the book containing the manually prepared Counter Checks to the table games department. The finance department shall establish sign in and sign out procedure in its internal controls to document the transfer and return.

(d) For Counter Checks that are prepared by computer:

(1) The Counter Checks must be a four-part form which consists of an original, a redemption copy, an issuance copy and an accounting copy.

(2) The Counter Checks shall be inserted in a printer that will simultaneously print an original and the other copies.

(3) The information printed on the original Counter Check and the other copies shall be stored in machine-readable form. The stored data must not be susceptible to change or removal by any personnel after preparation of a Counter Check.

§ 609a.14. Issuance and reconciliation of Counter Checks.

(a) A certificate holder may issue Counter Checks in exchange for:

(1) Value chips or plaques provided to a patron at a gaming table.

(2) Cash or gaming voucher provided to a slot patron at the cage or at a slot machine.

(b) For a Counter Check exchanged for value chips or plaques at a gaming table, a pit clerk or above shall:

(1) Verify the patron's identity by either:

(i) Obtaining the patron's signature, on a form, which shall be compared to the signature contained within a patron signature file. The pit clerk or above shall sign the form indicating that the signature of the patron on the form appears to agree with the signature in the patron signature file. The form shall be attached to the accounting copy of the Counter Check

exchanged by the patron prior to forwarding it to the accounting department. After the patron's identity has been verified by the pit clerk or above, the requirements for subsequent verification of the patron's identity during the same shift and in the same gaming pit may be satisfied by the employee who performed the initial verification signing a form attesting to the patron's identity before each subsequent Counter Check is exchanged. The form must include the patron's name and the serial number of the initial Counter Check exchanged by the patron. The form shall be attached to the accounting copy of the subsequent Counter Check prior to forwarding the accounting copy to the accounting department.

(ii) Obtaining the attestation of a floorperson or above as to the identity of the patron. The floorperson or above shall record his Board credential number and sign a form or the Counter Check attesting to the patron's identity. If the form is used, it shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department.

(2) Determine the patron's remaining credit limit from the cage or casino management system.

(3) Prepare the Counter Check for the patron's signature by recording or by electronically inputting, the following information:

(i) The name of the patron exchanging the Counter Check.

(ii) The current date and time.

(iii) The amount of the Counter Check expressed in numerals.

(iv) The game and table number.

(v) The signature of the floorperson or above authorizing acceptance of the check.

(vi) The signature of the preparer or, if computer prepared, the identification code of the preparer.

(4) Place an impression on the back of the original Counter Check a restrictive endorsement "for deposit only" to the certificate holder's bank account.

(5) Present the original and all duplicate copies of the Counter Check to the patron for signature.

(6) Receive the signed Counter Check directly from the patron. The issuance copy of the Counter Check shall then be immediately given to the dealer or boxperson to be exchanged for value chips or gaming plaques. A certificate holder may allow a dealer or boxperson to give the patron value chips or gaming plaques before the patron has signed the Counter Check if the certificate holder includes procedures in the certificate holder's internal

controls to verify the patron's identity and available credit limit prior to giving the patron the value chips or gaming plaques.

(i) The original, redemption and, if applicable, the acknowledgement copies of the Counter Check shall be expeditiously transported to the cage where the original and redemption copies shall be maintained and controlled by the cage cashier designated to act as the check bank.

(ii) The accounting copy of the Counter Check shall be maintained and controlled by the pit clerk or above until forwarded to the accounting department as required under subsection (g).

(iii) The issuance copy of the Counter Check shall be deposited by the dealer or boxperson in the drop box.

(c) For a Counter Check exchanged by a slot player for cash or gaming voucher at the cage, a cage cashier shall:

(1) Verify the patron's identity by either:

(i) Obtaining the slot patron's signature, on a Counter Check Request Form, which shall be compared to the signature contained within a patron signature file. The cage cashier shall sign the form indicating that the signature of the patron on the form appears to agree with the signature in the patron signature file. The form shall be attached to the accounting copy of the Counter Check exchanged by the slot patron prior to forwarding it to the accounting department.

(ii) Obtaining the attestation of a cage supervisor as to the identity of the patron. The cage supervisor shall record his Board credential number and sign a form or the Counter Check attesting to the patron's identity. If the form is used, it shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department.

(2) Determine the slot patron's remaining credit limit.

(3) Prepare the Counter Check for the slot patron's signature by recording or by electronically inputting the following information:

(i) The name of the slot patron exchanging the Counter Check.

(ii) The current date and time.

(iii) The amount of the Counter Check expressed in numerals.

(iv) The signature of the cage supervisor authorizing acceptance of the check.

(v) The signature of the preparer or, if computer prepared, the identification code of the preparer.

(4) Place an impression on the back of the original Counter Check a restrictive endorsement "for deposit only" to the certificate holder's bank account.

(5) Present the original and all duplicate copies of the Counter Check to the slot patron for signature.

(6) Receive the signed original and all duplicate copies of the Counter Check directly from the slot patron.

(i) The original, redemption and, if applicable, the acknowledgement copies of the Counter Check shall be expeditiously transferred to the cage cashier designated to act as the check bank who shall maintain and control the original and redemption copies.

(ii) The accounting copy of the Counter Check shall be maintained and controlled by the cage cashier until forwarded to the accounting department as required under subsection (g).

(iii) The issuance copy of the Counter Check shall be exchanged for cash or gaming voucher and shall be maintained by the cage cashier in the impress fund.

(d) A certificate holder may also issue a Counter Check to a slot patron directly at a slot machine, provided the following procedures and requirements are followed:

(1) A slot attendant shall obtain the amount of the requested Counter Check and the patron's signature on a two-part Counter Check Request Form and transport both copies of the Counter Check Request Form directly to the cage cashier. The cage cashier shall verify the slot patron's signature in accordance with subsection (c)(1)(i).

(2) Once the slot patron's signature has been verified, the cage cashier shall prepare the Counter Check in accordance with subsection (c)(2)—(4).

(3) The cage cashier shall sign the Counter Check as the preparer of the Counter Check and shall present the original and all duplicate copies of the Counter Check, the original and duplicate copy of the request form and the cash or gaming voucher in the amount of the Counter Check to the slot attendant.

(4) The slot attendant shall verify the cash or gaming voucher against the amount recorded on the Counter Check and the request form. If in agreement, the slot attendant shall sign the original and duplicate copy of the request form and return the duplicate copy of the request form to the cage cashier.

(5) The cage cashier shall retain the duplicate copy of the request form as evidence of the slot attendant's receipt of the Counter Check and the cash or gaming voucher.

(6) Once the cash or gaming voucher has been verified, the funds shall be transported, along with the original request form and the original and all copies of the Counter Check, to the slot patron by the slot attendant in the presence of a security department employee.

(7) The slot attendant shall present the original and all duplicate copies of the Counter Check to the slot patron for signature.

(8) Upon receiving the signed original and all duplicate copies of the Counter Check from the slot patron, the security department employee shall verify the slot patron's signature on the original Counter Check against the patron's signature on the original request form. If in agreement, the cash or gaming voucher shall be immediately given to the slot patron. Cash or gaming vouchers may not be given to the slot patron prior to the receipt of the signed Counter Check from the patron.

(9) Once the slot patron has received the cash or gaming voucher, the security department employee shall sign the back of the accounting copy of the Counter Check as a witness to the transfer of funds to the slot patron in exchange for the signed Counter Check from the patron. The accounting copy of the Counter Check shall be maintained and controlled by the slot attendant until forwarded to the accounting department as required under subsection (g).

(10) The security department employee shall immediately return the original, redemption, issuance and acknowledgement copies of the Counter Check to the cage cashier. The cage cashier shall attach the duplicate of the request form to the issuance copy of the Counter Check and maintain them in the impress fund.

(11) The original, redemption and, if applicable, the acknowledgement copies of the Counter Check shall be expeditiously transferred to the cage cashier designated to act as the check bank who shall maintain and control the original and redemption copies.

(e) The cage cashier designated to act as the check bank shall sign and time stamp the acknowledgement copy of the Counter Check and expeditiously return it to the pit clerk or slot attendant by means of a security department employee or to the cage cashier. The check bank shall maintain the original and redemption copies of the Counter Check.

(f) The acknowledgement copy of the Counter Check returned to the pit clerk, slot attendant or the cage cashier shall be reconciled with the accounting copy and maintained and controlled by the pit clerk, slot attendant or cage cashier until forwarded to the accounting department as required under subsection (g).

(g) At the end of each gaming day the following procedures and requirements shall be observed:

(1) The original and all copies of voided Counter Checks shall be forwarded to the accounting department.

(2) The accounting and acknowledgement copies of Counter Checks retained by the pit clerk, slot attendant or cage cashier shall be forwarded to the accounting department for agreement with the issuance copy of the Counter Check removed from the drop box or cage cashier's impress fund.

(3) The redemption copy of a Counter Check shall be forwarded to the accounting department subsequent to the redemption, consolidation or deposit of the original Counter Check for agreement with the accounting and issuance copies of the Counter Check or stored data.

§ 609a.15. Redemption of Counter Checks.

(a) A patron may redeem or partially redeem a Counter Check that has not been deposited by exchanging cash, cash equivalents, a check issued by a slot machine licensee to the patron, value chips, gaming plaques, a personal check in an amount less than or equal to the amount of the Counter Check being redeemed or any combination thereof.

(b) When a patron elects to redeem or partially redeem a Counter Check that has not been deposited by exchanging a personal check for the Counter Check being redeemed, the personal check must meet one of the following conditions:

(1) The personal check must be drawn on the bank account in patron's credit file upon which all Counter Checks are to be drawn.

(2) The personal check must be drawn on another account that complies with § 609a.3(c)(4) (relating to application and verification procedures for granting credit).

(c) The $2,500 per day limitation on acceptance of personal checks in § 465a.20(b)(6) (relating to personal check cashing) does not apply to the redemption or partial redemption of Counter Checks provided that the personal check is accepted in an amount less than or equal to the amount of the Counter Check being redeemed or partially redeemed.

(d) If a patron has more than one unredeemed Counter Check, the most recently dated Counter Check shall be redeemed or partially redeemed first.

(e) Except as provided in subsection (h), a patron shall initiate all redemptions or partial redemptions at the cage.

(f) When a patron redeems a Counter Check at the cage, the cage cashier shall verify the identity of the patron and, after receiving the cash, cash equivalents, a check issued by a slot machine licensee to the patron, value chips, gaming plaques or any combination thereof, return the original Counter Check to the patron.

(g) When a patron partially redeems a Counter Check at the cage, the cage cashier shall verify the identity of the patron and, after receiving the cash, cash equivalents, a check issued by a slot machine licensee to the patron, value chips, gaming plaques or any combination thereof,

prepare a replacement Counter Check for the unredeemed balance. The replacement Counter Check shall be dated with the same date as the Counter Check being redeemed. After the replacement Counter Check has been completed, the Counter Check being redeemed shall be returned to the patron.

(h) A patron may redeem a Counter Check by mail by sending a written request and cash equivalents, a check issued by a slot machine licensee to the patron, value chips, gaming plaques or any combination thereof to the certificate holder. When a patron uses a personal check to redeem a Counter Check by mail, the personal check must meet one of the conditions in subsection (b).

(i) When a patron redeems a Counter Check by mail, the identity of the patron shall be verified by comparing the signature on the patron's written redemption request to the signature in the patron's signature file created under § 465a.20(c) or § 609a.3(f) and, after receiving the cash, cash equivalents, a check issued by a slot machine licensee to the patron, value chips, gaming plaques or any combination thereof, mark the original Counter Check "void" and mail it to the address in the patron's credit file.

(j) Any redemption or partial redemption of a Counter Check shall be recorded in the patron's credit file.

§ 609a.16. Substitution and consolidation of Counter Checks.

(a) A patron may substitute a personal check for a Counter Check if either of the following apply:

(1) The personal check is drawn on the bank account in patron's credit file upon which all Counter Checks are to be drawn.

(2) The personal check is drawn on another account that complies with § 609a.3(c)(4) (relating to application and verification procedures for granting credit).

(b) The $2,500 per day limitation on acceptance of personal checks in § 465a.20(b)(6) (relating to personal check cashing) does not apply to the substitution of Counter Checks provided that the personal check is accepted in an amount equal to the amount of the Counter Check being substituted.

(c) A patron shall initiate all substitutions at the cage.

(d) When a patron substitutes a personal check for a Counter Check, the cage cashier shall verify the identity of the patron and, after receiving the patron's personal check, return the original Counter Check to the patron.

(e) A personal check that is being substituted for a Counter Check shall be dated with the same date as the Counter Check for which it is being substituted.

(f) A patron may consolidate two or more undeposited Counter Checks for one replacement Counter Check subject to the following conditions:

(1) The consolidated Counter Check shall be dated with the same date as the oldest Counter Check that is being consolidated.

(2) If the total amount of the consolidated checks is equal to or greater than $5,000, the certificate holder may grant additional time to deposit the replacement Counter Check in accordance with § 609a.17 (relating to deposit of Counter Checks and personal checks substituted for Counter Checks). A credit supervisor or above shall approve additional time and record the time period in the patron's credit file.

(g) A patron shall initiate consolidations at the cage.

(h) When a patron consolidates two or more Counter Checks at the cage, the cage cashier shall verify the identity of the patron and, after receiving the replacement Counter Check, return the initial Counter Checks that were consolidated to the patron.

(i) Any substitution or consolidation of a Counter Check or Checks shall be recorded in the patron's credit file.

§ 609a.17. Deposit of Counter Checks and personal checks substituted for Counter Checks.

(a) Counter Checks and personal checks that have been substituted for Counter Checks shall be deposited in accordance with the time periods established in the certificate holder's internal controls. The time periods established by a certificate holder may not exceed:

(1) Fifteen days after the date of the Counter Check or the date on the personal check that has been substituted for the Counter Check if the amount of the check is less than $5,000.

(2) Thirty days after the date of the Counter Check or the date on the personal check that has been substituted for the Counter Check if the amount of the check is $5,000 or more.

(b) If the last day of a time period specified in subsection (a) falls on a Saturday, Sunday or Federal or State holiday, the time period shall run until the next business day.

(c) Notwithstanding subsection (a), a certificate holder may extend the deposit date up to an additional 15 days beyond the date specified in the certificate holder's internal controls for good cause. A credit supervisor or above shall approve an extension of time and record the length of the extension and the reason for the extension in the patron's credit file.

§ 609a.18. Collection of returned checks.

(a) A certificate holder may designate specific employees with no incompatible functions, including the certificate holder's general counsel or an outside attorney, to engage in efforts to collect Counter Checks or personal checks returned by a patron's bank.

(b) A certificate holder, and any outside attorney acting on behalf of the certificate holder, that is engaged in efforts to collect returned checks shall comply with applicable Federal and State laws pertaining to debt collection including the Fair Debt Collection Practices Act (15 U.S.C.A. §§ 1692—1692p), the Fair Credit Extension Uniformity Act (73 P. S. §§ 2270.1—2270.5) and the Unfair Trade Practices and Consumer Protection Law (73 P. S. §§ 201-1—210-9.3).

(c) The certificate holder shall include in the patron's credit file copies of all statements and other documents supporting collection efforts.

(d) The certificate holder shall maintain records, for the Board's inspection, that describe credit collection arrangements and any written contracts entered into with an outside attorney engaged in efforts to collect Counter Checks or personal checks returned by a patron's bank on behalf of the certificate holder.

CHAPTER 611a. TABLE GAME MINIMUM TRAINING STANDARDS

Sec.

611a.1. Minimum training standards for dealers; minimum experience requirements for supervisors.
611a.2. Minimum proficiency requirements.
611a.3. Employee training by certificate holders.
611a.4. Submission of training programs to the Board.
611a.5. Table test; employee personnel file.

§ 611a.1. Minimum training standards for dealers; minimum experience requirements for supervisors.

(a) When filing an application to obtain an occupational permit under § 435a.3 (relating to occupation permit) to work as a dealer in any of the table games authorized in this subpart, the applicant shall provide proof of at least one of the following:

(1) Satisfactory completion of a course of curriculum related to the dealing of table games within the last 5 years which meets the minimum proficiency requirements of § 611a.2 (relating to minimum proficiency requirements) at a gaming school, as defined in section 1103 of the act (relating to definitions), or an equivalent curriculum at a gaming school approved by another jurisdiction's state educational authority or gaming regulatory body, to provide training related to the dealing of table games.

(2) Satisfactory completion of a training program offered by a certificate holder which includes a curriculum related to the dealing of table games which meets the minimum proficiency requirements of § 611a.2.

(3) At least 6 months of employment as a dealer within the last 5 years in another gaming jurisdiction.

(b) When filing an application to obtain an occupational permit under § 435a.3 to work as a floorperson or above, the applicant shall provide proof of at least one of the following:

(1) Two years of employment as a dealer or table games supervisor within the last 10 years.

(2) Six months of employment as a dealer within the same licensed facility where the dealer is applying to be a floorperson or above.

(c) A certificate holder may file a request seeking approval from the Board's Executive Director for a dealer or supervisor who does not meet the minimum training or experience requirements in subsection (a) or (b). The Executive Director may condition the approval on the completion of additional training.

§ 611a.2. Minimum proficiency requirements.

(a) A curriculum related to the conduct of table games offered by a gaming school or by a certificate holder must, at a minimum, include:

(1) The following minimum hours of instruction on the conduct of table games in accordance with the regulations in this subpart:

Table Game	Minimum Hours of Instruction
Blackjack and other banked card games	100 hours over a 5-week period, at least 80 hours of which shall be in Blackjack
Craps, Mini-Craps and other dice games	160 hours over a 6-week period
Nonbanked Poker	80 hours over a 4-week period
Roulette	80 hours over a 4-week period
Pai Gow Tiles	160 hours over a 6-week period
Sic Bo and Big 6 Wheel	30 hours over a 2-week period

(2) The proper use, control and shuffling of playing cards for authorized games that involve the use of cards.

(3) The proper use and control of dice for authorized games that involve the use of dice.

(4) The proper use and control of tiles for authorized games that involve the use of tiles.

(b) A dealer who has completed a course of training in accordance with subsection (a) and would like to be trained to deal a different game type (for example, a dealer who is trained to deal banked card games but would like to deal Craps) shall successfully complete, at a gaming school as defined in section 1103 of the act (relating to definitions) or through training offered by the certificate holder:

(1) The following minimum hours of instruction required for the different game type:

Additional Training on Different Game Type	Minimum Hours of Instruction
Blackjack and all banked and nonbanked card games	60 hours over a 3-week period
Craps, Mini-Craps and other dice games	120 hours over a 5-week period
Roulette	30 hours over a 2-week period

Pai Gow Tiles	120 hours over a 5-week period
Sic Bo and Big 6 Wheel	15 hours over a 1-week period

(2) The table test required under § 611a.5 (relating to table test; employee personnel file).

(c) The minimum hours of instruction required under subsection (a) or (b) may be completed over an alternative duration of time as approved by the Board's Executive Director. A certificate holder or gaming school requesting to offer an alternative schedule to complete the minimum hours of instruction shall submit a written request to the Executive Director, in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), which contains a detailed description of when the training will be conducted.

(d) For an experienced dealer who would like to be trained to deal a different game of the same game type (for example, an experienced Blackjack dealer who would like to be trained on another card game), the certificate holder shall specify in its training program submitted in accordance with § 611a.4 (relating to submission of training programs to the Board) the mechanism and the amount of training an experienced dealer shall complete on the different game of the same game type. The dealer shall successfully complete the table test in accordance with § 611a.5 on the new table game prior to dealing the new game on the certificate holder's gaming floor. For purposes of this subsection, an experienced dealer is an employee who has completed a course of table games training as described in subsection (a) and has previously dealt table games on the certificate holder's live gaming floor for at least 120 hours.

§ 611a.3. Employee training by certificate holders.

A certificate holder shall develop a training program for its dealers which, at a minimum, includes training in each of the following:

(1) Procedures for opening and closing tables for gaming, including the proper security procedures regarding table chip inventories.

(2) Procedures for distributing and removing gaming chips and plaques from gaming tables.

(3) Procedures for accepting cash at gaming tables.

(4) Procedures for the acceptance of tips and gratuities from patrons.

(5) Procedures for shift changes at gaming tables.

(6) Procedures for the proper placement of wagers by patrons and the proper collection of losing wagers and payment of winning wagers.

(7) Training in recognizing problem and compulsive gamblers at table games and procedures for informing supervisory personnel.

(8) Training in cardio pulmonary resuscitation (CPR).

§ 611a.4. Submission of training programs to the Board.

(a) A certificate holder shall submit a detailed description of its curriculum developed in accordance with § 611a.2 (relating to minimum proficiency requirements) and its employee training program developed in accordance with § 611a.3 (relating to employee training by certificate holders) to the Board to demonstrate the adequacy of the training in accordance with section 13A23 of the act (relating to training of employees and potential employees).

(b) Curriculum and training programs required under subsection (a) 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).

§ 611a.5. Table test; employee personnel file.

(a) Prior to conducting any table game on the certificate holder's gaming floor, a prospective dealer shall pass a table test on the table games that the dealer will be conducting. The table test must consist of the dealer demonstrating proficiency at the table game to the satisfaction of an employee of the certificate holder at the level of pit manager or higher.

(b) A certificate holder shall document the following in a dealer's personnel file:

(1) Completion of the minimum training or experience required under §§ 611a.1 and 611a.2 (relating to minimum training standards for dealers; minimum experience requirements for supervisors; and minimum proficiency requirements).

(2) Completion of the training program required under § 611a.3 (relating to employee training by certificate holders).

(3) Successful completion of the table test required under subsection (a).

(4) Completion of subsequent training on a different game type in accordance with § 611a.2(b).

(5) Completion of subsequent training for a different game of the same game type in accordance with § 611a.2(d).

CHAPTER 613a. GAMING RELATED GAMING SERVICE PROVIDERS

Sec.

613a.1. Definitions; general requirements.
613a.2. Gaming related gaming service provider certification applications.
613a.3. Qualification of individuals and entities.
613a.4. Certification term and renewal.
613a.5. Certified gaming related gaming service provider responsibilities.
613a.6. Gaming related gaming service provider list.
613a.7. Requirements for use of a gaming related gaming service provider.
613a.8. Permission to conduct business prior to certification.
613a.9. Certificate holders' duty to investigate.

§ 613a.1. Definitions; general requirements.

(a) *Definitions.* The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Gaming related gaming service provider—A gaming service provider that provides a gaming related service, is the owner of a patent or has a patent pending for a gaming related service.

Gaming related service—A new game, wager, game variation, side bet or similar innovation relating to a table game.

(b) *Certification.* A person seeking to provide a gaming related service to a certificate holder shall apply to the Board for certification as a gaming related gaming service provider.

§ 613a.2. Gaming related gaming service provider certification applications.

(a) A gaming related gaming service provider seeking certification shall submit:

(1) An original and one copy of a Gaming Related Gaming Service Provider Certification Application and Disclosure Information Form.

(2) The nonrefundable application fee posted on the Board's web site at www.pgcb.pa.gov.

(3) Applications and release authorizations for each individual required to be qualified under § 613a.3 (relating to qualification of individuals and entities).

(4) A written statement from a certificate holder, stating that the certificate holder intends to do business with the gaming related gaming service provider for the purpose of utilizing a gaming related service.

(b) In addition to the materials required under subsection (a), an applicant for gaming related gaming service provider certification shall:

(1) Promptly provide information requested by the Board relating to its application and cooperate with the Board in investigations, hearings, and enforcement and disciplinary actions.

(2) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications).

(c) A gaming related gaming service provider certification will not be issued until all fees and costs, including any Bureau of Gaming Laboratory Operations costs incurred in the review of the proposed gaming related service, have been paid.

§ 613a.3. Qualification of individuals and entities.

(a) The following individuals are required to submit a Pennsylvania Personal History Disclosure Form and be found qualified by the Board:

(1) Each officer and director of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification. For the purposes of this paragraph, the term "officer" means a president, chief executive officer, a chief financial officer and a chief operating officer and any person routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(2) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the certified gaming related gaming service provider or applicant for gaming related gaming service provider certification. A certified gaming related gaming service provider or applicant for gaming related gaming service provider certification shall provide information or documentation requested by the Board necessary to determine compliance with this paragraph.

(3) Each salesperson of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification who solicits or will be soliciting business from, or has regular contact with, any representatives of a certificate holder.

(b) Each entity that directly owns 20% or more of the voting securities of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification shall be required to file a Gaming Service Provider Certification Form—Private Holding Company with the Board and be found qualified by the Board.

(c) The following persons may be required to submit a Gaming Service Provider Certification Form—Private Holding Company or a Pennsylvania Personal History Disclosure Form and be found qualified by the Board if the Board determines that the qualification of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth:

(1) An intermediary or holding company of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification not otherwise required to be qualified.

(2) An officer or director of an intermediary or holding company of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification.

(3) An employee of a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification.

(4) A person who holds any direct or indirect ownership or beneficial interest in a certified gaming related gaming service provider or applicant for gaming related gaming service provider certification, or has the right to any profits or distribution, directly or indirectly, from the certified gaming related gaming service provider or applicant for gaming related gaming service provider certification.

(5) A trustee of a trust that is required to be found qualified under this section.

(d) The Bureau of Licensing may issue a temporary credential to an individual who is required to be qualified by the Board under this section if:

(1) The individual's presence in the licensed facility is needed.

(2) The company with which the individual is associated is on the Authorized Gaming Related Gaming Service Provider List.

(e) The Bureau of Licensing will issue a permanent credential to an individual who has been found qualified under this section if the gaming related gaming service provider has been certified.

§ 613a.4. Certification term and renewal.

(a) Gaming related gaming service provider certifications, and renewals issued under this chapter will be valid for 4 years from the date of Board approval.

(b) A certified gaming related gaming service provider shall submit to the Board a completed renewal application and fee, as posted on the Board's web site, at least 60 days prior to the expiration of a certification.

(c) A certification for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the certification that the Board has approved or denied the certification.

§ 613a.5. Certified gaming related gaming service provider responsibilities.

A holder of a gaming related gaming service provider certification shall have a continuing duty to:

(1) Provide information requested by the Board relating to licensing or regulation; cooperate with the Board in investigations, hearings, and enforcement and disciplinary actions; and comply with conditions, restrictions, requirements, orders and rulings of the Board in accordance with the act.

(2) Report a change in circumstances that may render the holder of a gaming related gaming service provider certification ineligible, unqualified or unsuitable to hold a certification under the standards and requirements of the act and of this part.

§ 613a.6. Gaming related gaming service provider list.

The Board will maintain and post on its web site a list of gaming related gaming service providers that are certified and have had their gaming related service reviewed by the Bureau of Gaming Laboratory Operations.

§ 613a.7. Requirements for use of a gaming related gaming service provider.

Prior to use of a gaming related service by a certificate holder the following must occur:

(1) The gaming related gaming service provider providing the gaming related service must submit its gaming related service to the Bureau of Gaming Laboratory Operations for review in accordance with § 461a.4 (relating to submission for testing and approval).

(2) The gaming related gaming service provider shall pay all Bureau of Gaming Laboratory Operations costs incurred in the review of the proposed gaming related service.

(3) The certificate holder shall make a written request to the Board's Executive Director and receive written approval for use of the new gaming related service in accordance with § 601a.3 (relating to request to offer a new table game or new feature for an existing table game).

(4) The gaming related gaming service provider shall pay the certification fee required under § 613a.2(a)(2) (relating to gaming related gaming service provider certification applications) and will either receive written authorization from the Bureau of Licensing to conduct business prior to certification or be certified.

§ 613a.8. Permission to conduct business prior to certification.

(a) Notwithstanding § 613a.1 (relating to definitions; general requirements), the Bureau of Licensing may authorize an applicant for gaming related gaming service provider certification

to conduct business with a certificate holder prior to the certification of the gaming related gaming service provider if the following criteria are met:

(1) A completed Gaming Related Gaming Service Provider Certification Application and Disclosure Information Form has been filed in accordance with § 613a.2 (relating to gaming related gaming service provider certification applications) and passed a preliminary review.

(2) The certificate holder certifies that it has performed due diligence on the gaming related gaming service provider.

(3) The applicant for gaming related gaming service provider certification agrees, in writing, that the grant of permission to conduct business prior to certification does not create a right to continue to conduct business and that the Bureau of Licensing may rescind, at any time, the authorization granted under this section, with or without prior notice to the applicant, if the Bureau of Licensing is informed that the suitability of the applicant may be at issue or the applicant fails to cooperate in the application or investigatory process.

(4) The gaming related gaming service provider and the certificate holder have satisfied the requirements in § 613a.7 (relating to requirements for use of a gaming related gaming service provider).

(5) The gaming related gaming service provider has passed a preliminary review of its criminal history.

(b) If the Office of Enforcement Counsel issues a Notice of Recommendation for Denial to an applicant for gaming related gaming service provider certification, the Bureau of Licensing may rescind the permission granted to the applicant for gaming related gaming service provider certification to conduct business with a certificate holder under subsection (a). If the permission is rescinded:

(1) The applicant for gaming related gaming service provider certification shall cease conducting business with the certificate holder by the date specified in the notice of the rescission under subsection (c).

(2) The certificate holder shall cease utilizing the gaming related service from the applicant for gaming related gaming service provider certification by the date specified in the notice of the rescission under subsection (c).

(c) The Bureau of Licensing will notify the applicant for gaming related gaming service provider certification and the certificate holder by registered mail that permission to conduct business with the certificate holder, as authorized under subsection (a), has been rescinded and that the certificate holder shall cease conducting business with the applicant for gaming related gaming service provider certification by the date specified in the notice.

§ 613a.9. Certificate holders' duty to investigate.

(a) A certificate holder shall investigate the background and qualifications of the applicants for gaming related gaming service provider certification with whom it intends to have a contractual relationship or enter into an agreement.

(b) A certificate holder shall have an affirmative duty to avoid agreements or relationships with persons applying for gaming related gaming service provider certification whose background or association is injurious to the public health, safety, morals, good order and general welfare of the people of this Commonwealth, or who threaten the integrity of gaming in this Commonwealth.

(c) A certificate holder shall have a duty to inform the Board of an action by an applicant for or holder of a gaming related gaming service provider certification which the certificate holder believes would constitute a violation of the act or this part.

CHAPTER 615a. CONDITIONAL TABLE GAME DEVICE LICENSES

Sec.

615a.1. Table game devices, conditional licenses.

§ 615a.1. Table game devices, conditional licenses.

(a) The Board may grant an applicant for a table game device manufacturer, manufacturer designee or supplier license a conditional license to conduct table game business in this Commonwealth.

(b) To be eligible to obtain a conditional table game device license, the applicant for a table game device manufacturer, manufacturer designee or supplier license shall:

(1) Submit a completed manufacturer, manufacturer designee or supplier license application, including the nonrefundable application fee as posted on the Board's web site at www.pgcb.pa.gov, and pass a preliminary review.

(2) Be certified as a gaming service provider in this Commonwealth or be licensed in good standing to manufacture or provide table game devices in another jurisdiction in the United States or Canada that the Board has determined has licensing standards that are as comprehensive and thorough and provide similar adequate safeguards as those required under the act.

(3) Submit a written statement from a slot machine licensee, manufacturer licensee, manufacturer designee licensee or supplier licensee that the slot machine licensee, manufacturer licensee, manufacturer designee licensee or supplier licensee intends to do business with the applicant for the purpose of purchasing, selling or marketing table game devices.

(4) Pass a preliminary review of the applicant's criminal history.

(5) Submit full payment of the licensing fee, as posted on the Board's web site, for the table game device manufacturer, manufacturer designee or supplier license prior to the issuance of the conditional license.

(c) An applicant for a table game device manufacturer, manufacturer designee or supplier license that has received a conditional license shall provide monthly transaction reports to the Bureau of Licensing by the 20th calendar day of the following month during the period of conditional licensure. The monthly transaction reports must include:

(1) The date table game devices were provided to a licensee.

(2) A description of the table game devices provided.

(3) The amount paid by the licensee for the table game devices.

(4) A copy of the invoice for the table game devices.

(d) If the Office of Enforcement Counsel issues a Notice of Recommendation for Denial to an applicant for a table game device manufacturer, manufacturer designee or supplier license that has received a conditional license, the Bureau of Licensing may rescind the conditional license. If the conditional license is rescinded, the conditional licensee shall cease conducting business by the date specified in the notice of the rescission sent to the conditional licensee by the Bureau of Licensing under subsection (e).

(e) When the Bureau of Licensing rescinds a conditional license, the Bureau of Licensing will notify the holder of the conditional license and all slot machine licensees, manufacturer licensees, manufacturer designee licensees and supplier licensees by registered mail that:

(1) Permission for the conditional licensee to conduct business under subsection (a) has been rescinded.

(2) Slot machine licensees, manufacturer licensees, manufacturer designee licensees and supplier licensees shall cease conducting business with the conditional licensee by the date specified in the notice.

(f) Pending a hearing on the Notice of Recommendation for Denial, the conditional licensee may not seek or conduct any new business in this Commonwealth and may only complete transactions that were commenced prior to the date specified in the notice of rescission.

CHAPTER 617a. ROULETTE

Sec.

617a.1. Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel.
617a.2. Inspection and security procedures.
617a.3. Placement of wagers.
617a.4. Payout odds.
617a.5. Rotation of wheel and ball.
617a.6. Irregularities.

§ 617a.1. Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel.

(a) A ball used in Roulette must be made completely of a nonmetallic substance and not less than 12/16 inch nor more than 14/16 inch in diameter.

(b) Roulette shall be played on a table having a Roulette wheel of at least 30 inches in diameter at one end of the table and a Roulette layout imprinted on the opposite end of the table.

(c) A single zero Roulette wheel must have 37 equally spaced compartments around the wheel where the Roulette ball may come to rest. The Roulette wheel must also have a ring of 37 equally spaced areas to correspond to the position of the compartments with a compartment marked zero (0) and colored green and the others marked 1 to 36 and colored alternately red and black. The numbers must be arranged clockwise around the wheel in the following order: 0, 32, 15, 19, 4, 21, 2, 25, 17, 34, 6, 27, 13, 36, 11, 30, 8, 23, 10, 5, 24, 16, 33, 1, 20, 14, 31, 9, 22, 18, 29, 7, 28, 12, 35, 3 and 26. The color of each compartment must either be a corresponding color to those depicted on the ring or a neutral color as approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

(d) A double zero Roulette wheel must have 38 equally spaced compartments around the wheel where the Roulette ball may come to rest. The Roulette wheel must also have a ring of 38 equally spaced areas to correspond to the position of the compartments with a compartment marked zero (0) and colored green, a compartment marked double zero (00) and colored green, and the others marked 1 to 36 and colored alternately red and black. The numbers must be arranged clockwise around the wheel in the following order: 0, 28, 9, 26, 30, 11, 7, 20, 32, 17, 5, 22, 34, 15, 3, 24, 36, 13, 1, 00, 27, 10, 25, 29, 12, 8, 19, 31, 18, 6, 21, 33, 16, 4, 23, 35, 14 and 2. The color of each compartment must either be a corresponding color to those depicted on the ring or a neutral color as approved in accordance with § 601a.10(a).

(e) A double zero Roulette wheel and double zero table layout may be used as a single zero Roulette wheel and single zero table layout if:

(1) The 00 wager area on the layout is obscured with a cover or other device approved in accordance with § 601a.10(g), which clearly indicates that the 00 wager is not available.

(2) Signage is posted at the Roulette table to notify players of the following:

(i) The double zero Roulette wheel is being used as a single zero Roulette wheel and that double zero (00) is not an available wager.

(ii) If the Roulette ball comes to rest in the compartment marked double zero (00), the spin will be declared void and the wheel will be respun.

(iii) Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the Roulette ball comes to rest in a compartment marked zero (0).

(f) The layout for a Roulette table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) and contain, at a minimum:

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

(2) Specific betting areas for the placement of the wagers authorized under § 617a.3 (relating to placement of wagers).

(3) Signage indicating the minimum and maximum wagers permitted at that table.

(4) If the certificate holder offers the Five Adjacent Number Wager authorized under § 617a.3, a replica of the Roulette wheel.

(g) Each Roulette table must have a drop box and tip box attached in locations as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 617a.2. Inspection and security procedures.

(a) Prior to opening a Roulette table for gaming activity, a floorperson or member of the certificate holder's security department shall:

(1) Inspect the Roulette ball by passing it over a magnet or compass to assure its nonmagnetic quality.

(2) Inspect the Roulette table and Roulette wheel for any magnet or contrivance that would affect the fair operation of the Roulette wheel.

(3) Inspect the Roulette wheel to assure that the wheel is level and rotating freely and evenly.

(4) Inspect the Roulette wheel to assure that all parts are secure and free from movement.

(5) Confirm that the layout and signage comply with § 617a.1(e) (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel) if a double zero Roulette wheel is being used as a single zero Roulette wheel.

(b) If a certificate holder uses a Roulette wheel that has external movable parts, any adjustments to the movable parts shall be made by a floorperson or a member of the certificate holder's table game maintenance department in the presence of a security department member.

(c) All adjustments shall be completed prior to the required inspections in subsection (a).

(d) The certificate holder may replace any of the movable parts at any time, provided that an inspection as required under subsection (a) shall be completed prior to reopening the Roulette wheel and table for play.

(e) An inspection log shall be maintained by the certificate holder which must include the date, the time, the Roulette table number, whether an adjustment or replacement was completed, a description of the adjustment or replacement, a certification that an inspection, if required, was completed and the signature and Board-issued credential number of the individual making the adjustment or replacement.

(f) When a Roulette table is not open for play, the Roulette wheel shall be secured by placing a cover over the entire wheel and securely locking the cover.

§ 617a.3. Placement of wagers.

(a) All wagers at Roulette shall be made by placing Roulette chips on the appropriate areas of the Roulette layout. Verbal wagers accompanied by cash may not be accepted.

(b) A player at a Roulette table may not play with Roulette chips that are identical in color and design to value chips or to Roulette chips being used by another player at that same table. Roulette chips shall be cashed in for value chips or plaques before a player leaves a Roulette table.

(c) Each player shall be responsible for the correct positioning of his wager on the Roulette layout, regardless of whether he is assisted by the dealer. The player shall be responsible for ensuring that the instructions he gives to the dealer regarding the placement of a wager are correctly carried out.

(d) A wager shall be settled in accordance with its position on the layout when the ball falls into a compartment of the wheel.

(e) The wagers in the game of Roulette include:

(1) A Straight Wager that the Roulette ball will come to rest in the compartment of the Roulette wheel that corresponds to a single number selected by the player. The player shall make a Straight Wager by placing a wager within the box on the Roulette layout that contains the selected number.

(i) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer the option to make five simultaneous Straight Wagers by selecting five adjacent numbers on the Roulette wheel.

(ii) A player shall make a Five Adjacent Number Wager by placing Roulette chips on the number indicated on the Roulette wheel replica that is the center number of the five adjacent numbers being selected.

(iii) A player making a Five Adjacent Number Wager shall be deemed to have made a separate Straight Wager of equal value on each of the five numbers selected.

(2) A Split Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to either of two numbers selected by the player. The player shall select the numbers by placing a wager on the line between the two boxes on the Roulette layout that contain the two selected numbers. A Split Wager on 0 and 00 may also be placed on the line between the 0 and 00 or on the line between the 2nd 12 box and the 3rd 12 box.

(3) A Three Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of three numbers in a single row on the Roulette layout selected by the player. The player shall select a row of numbers by placing a wager on the outside line of the box on the Roulette layout that contains the first number in the selected row.

(i) A Three Numbers Wager may also include a wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of the three numbers in one of the following groups of numbers: 0, 1 and 2; 0, 2 and 00; or 00, 2 and 3.

(ii) The player shall select one of the Three Numbers Wagers in subparagraph (i) by placing a wager on the common corner of the three boxes containing the selected numbers.

(4) A Four Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of four numbers in contiguous boxes on the Roulette layout selected by the player. The player shall select the four numbers by placing a wager on the common corner of the four boxes containing the selected numbers.

(5) A First Five Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of the numbers 0, 00, 1, 2 or 3. The player shall make a First Five Numbers Wager by placing a wager on the common corner of the boxes on the Roulette layout that contain the label 1st 12 and the numbers 0 and 1.

(6) A Six Numbers Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to one of six consecutive numbers contained in two contiguous rows of numbers on the Roulette layout selected by the player. The player shall select the two rows of numbers by placing a wager on the outside common corner of the boxes on the Roulette layout that contains the first number in each of the rows being selected.

(7) A Column Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 12 numbers contained in a single column on the Roulette layout selected by the player. The player shall select a column of 12 numbers by placing a wager in the box on the Roulette layout that is at the bottom of the column being selected.

(8) A Dozen Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 12 consecutive numbers from 1—12, 13—24 or 25—36, selected by the player. The player shall select the 12 numbers by placing a wager in the box on the Roulette layout labeled 1st 12, 2nd 12 or 3rd 12.

(9) A Red Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to a number with a red background on the Roulette wheel. The player shall make a Red Wager by placing a wager within the red box on the Roulette layout.

(10) A Black Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to a number with a black background on the Roulette wheel. The player shall make a Black Wager by placing a wager within the black box on the Roulette layout.

(11) An Odd Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to an odd number. The player shall make an Odd Wager by placing a wager within the box on the Roulette layout that is labeled Odd.

(12) An Even Wager that the Roulette ball will come to rest in any compartment of the Roulette wheel that corresponds to an even number. The player shall make an Even Wager by placing a wager within the box on the Roulette layout that is labeled Even.

(13) A 1—18 Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 18 consecutive numbers from 1—18. The player shall make a 1—18 Wager by placing a wager within the box on the Roulette layout that is labeled 1—18.

(14) A 19—36 Wager that the Roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any 1 of 18 consecutive numbers from 19—36. The player shall make a 19—36 Wager by placing a wager within the box on the Roulette layout that is labeled 19—36.

§ 617a.4. Payout odds.

(a) A certificate holder shall pay out winning Roulette wagers at no less than the odds in the following paytable:

Wager	*Payout Odds*
Straight	35 to 1
Split	17 to 1
Three Numbers	11 to 1
Four Numbers	8 to 1
First Five Numbers	6 to 1
Six Numbers	5 to 1
Column	2 to 1
Dozen	2 to 1
Red	1 to 1
Black	1 to 1
Odd	1 to 1
Even	1 to 1
1—18	1 to 1
19—36	1 to 1

(b) When Roulette is played on a single zero wheel or double zero wheel and the Roulette ball comes to rest in a compartment marked zero (0) or double zero (00), wagers on red, black, odd, even, 1—18 and 19—36 will be lost.

(c) When Roulette is played on a double zero wheel being used as a single zero wheel, as provided in § 617a.1 (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel), the following apply:

(1) Notice shall be provided that the double zero wheel is being used as a single zero wheel.

(2) If the Roulette ball comes to rest in a compartment marked double zero (00), the dealer shall announce “no spin,” declare the spin void and respin the wheel.

(3) Wagers on red, black, odd, even, 1—18 and 19—36 will be lost if the Roulette ball comes to rest in a compartment marked zero (0).

§ 617a.5. Rotation of wheel and ball.

(a) The Roulette ball shall be spun by the dealer in a direction opposite to the rotation of the wheel and complete at least four revolutions around the track of the wheel to constitute a valid spin.

(b) While the ball is still rotating in the track around the wheel, the dealer shall announce "no more bets," in a manner sufficient to be heard by all players at the table. Once "no more bets" has been announced by the dealer, players may not touch any chips that have been placed on the Roulette layout until the dealer has collected all losing wagers and paid off all winning wagers in accordance with subsection (e).

(c) When the ball comes to rest in a compartment, the dealer shall announce the number of the compartment and shall place a point marker on that number on the Roulette layout.

(d) If a certificate holder offers the Five Adjacent Number Wager, the dealer shall then move 1/5 of each winning Five Adjacent Number Wager from the Roulette wheel replica to the box on the main Roulette layout that contains the single number corresponding to the compartment in which the Roulette ball came to rest.

(e) After placing the point marker on the layout and, if applicable, complying with subsection (d), the dealer shall first collect all losing wagers and then pay off all winning wagers in accordance with § 617a.4 (relating to payout odds).

§ 617a.6. Irregularities.

(a) If the ball is spun in the same direction as the wheel, the dealer shall announce "no spin" and attempt to remove the Roulette ball prior to it coming to rest in one of the compartments.

(b) If the Roulette ball does not complete four revolutions around the track of the wheel, the dealer shall announce "no spin." The dealer shall inspect the ball for any signs of damage and if the ball is damaged, ask the floorperson or above for a new Roulette ball with which to continue gaming at the table.

(c) If the Roulette ball leaves the wheel during the spin, the dealer shall announce "no spin." The dealer shall inspect the ball for any signs of damage and if the ball is damaged, ask the floorperson or above for a new Roulette ball with which to continue gaming at the table.

(d) If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce "no spin" and attempt to remove the Roulette ball from the wheel prior to it coming to rest in one of the compartments.

CHAPTER 619a. BIG SIX WHEEL

Sec.

619a.1. Big Six Wheel layout; physical characteristics.
619a.2. Wagers and rotation of the wheel.
619a.3. Payout odds.

§ 619a.1. Big Six Wheel layout; physical characteristics.

(a) Big Six Wheel gaming shall be conducted at a circular wheel at least 5 feet in diameter. Except as provided in subsection (c), the rim of the wheel must be divided into 54 equally spaced sections with 23 sections containing a $1 symbol, 15 sections containing a $2 symbol, 8 sections containing a $5 symbol, 4 sections containing a $10 symbol, 2 sections containing a $20 symbol, 1 section containing a picture of a flag, the name or logo of the certificate holder or other unique symbol, and 1 section containing a picture of a joker or other unique symbol. The sections must be covered with glass.

(b) Except as provided in subsection (c), the sections required under subsection (a) must be arranged clockwise around the rim of the wheel in the following order: joker, $1, $2, $1, $5, $2, $1, $10, $1, $5, $1, $2, $1, $20, $1, $2, $1, $5, $2, $1, $10, $1, $2, $5, $1, $2, $1, flag or logo, $2, $5, $2, $1, $2, $1, $10, $1, $5, $1, $2, $1, $20, $1, $2, $1, $5, $2, $1, $10, $1, $2, $5, $1, $2 and $1.

(c) With prior approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), a certificate holder may use symbols that depict fruit or other themed symbols in lieu of the dollar symbols specified in subsections (a) and (b).

(d) Each section of the wheel must also display the payout odds in § 619a.3 (relating to payout odds) for the wager. For example, the payout odds for the $2 or other approved symbol are 2 to 1. That section of the wheel must therefore display a 2.

(e) The wheel must contain a clapper capable of selecting a particular section of the wheel upon the conclusion of the spin.

(f) Each Big Six Wheel table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

(g) The layout for a Big Six Wheel table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) and contain, at a minimum:

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

(2) Specific betting areas for the placement of wagers including:

(i) Symbols for $1, $2, $5, $10 and $20 or other approved symbols in accordance with subsection (c).

(ii) A flag, the name or logo of the certificate holder or other unique symbol as it appears on the wheel.

(iii) A joker or other unique symbol as it appears on the wheel.

(3) The payout odds for each of the permissible wagers.

§ 619a.2. Wagers and rotation of the wheel.

(a) Prior to the spin of the wheel, the dealer shall announce "no more bets."

(b) The wheel shall be spun by the dealer in either direction and must complete at least three revolutions to constitute a valid spin.

(c) A wager shall be settled in accordance with the wager's position on the layout when the clapper comes to rest in a section of the wheel.

(d) If the clapper comes to rest between two numbers or symbols upon completion of the spin of the wheel, the spin shall be void and the dealer shall respin the wheel.

(e) Upon completion of the spin, the dealer shall first collect all losing wagers and then pay off all winning wagers in accordance with § 619a.3 (relating to payout odds).

§ 619a.3. Payout odds.

A certificate holder shall pay out winning Big Six Wheel wagers at no less than the odds in the following paytable:

Wager	*Payout Odds*
$1 symbol or other approved alternate symbol	1 to 1
$2 symbol or other approved alternate symbol	2 to 1
$5 symbol or other approved alternate symbol	5 to 1
$10 symbol or other approved alternate symbol	10 to 1
$20 symbol or other approved alternate symbol	20 to 1
Joker, flag, name, logo or other unique symbol	45 to 1

CHAPTER 621a. PAI GOW

Sec.

621a.1. Definitions.
621a.2. Pai Gow table; Pai Gow shaker; physical characteristics.
621a.3. Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand.
621a.4. Opening of the table for gaming; mixing procedures.
621a.5. Wagers.
621a.6. Procedures for dealing the tiles.
621a.7. Alternative dealing procedures.
621a.8. Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.
621a.9. Player bank; co-banking; selection of bank; procedures for dealing.
621a.10. Irregularities; invalid roll of the dice.

§ 621a.1. Definitions.

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

Bank—A player who elects to have the other players and the dealer play against him and accepts the responsibility of paying all winning Pai Gow wagers.

Co-banking—When the bank and the dealer each cover 50% of all winning Pai Gow wagers.

Copy hand—A high hand or low hand of a player which is identical in pair rank or point value as the corresponding high hand or low hand of the dealer or bank.

High hand—The two-tile hand formed with two of the four tiles dealt that ranks higher than the low hand formed from the remaining two tiles.

Low hand—The two-tile hand formed with two of the four tiles dealt that ranks lower than the high hand formed from the remaining two tiles.

Marker—An object used to designate the bank and the co-bank.

Setting the hands—The process of forming a high hand and a low hand from the four tiles dealt.

Supreme Pair—The Six (2-4) tile and the Three (1-2) tile that forms the highest ranking hand.

Value—The numerical point value assigned to a pair of tiles in accordance with § 621a.3 (relating to Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand).

§ 621a.2. Pai Gow table; Pai Gow shaker; physical characteristics.

(a) Pai Gow shall be played at a table having betting positions for 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 Pai Gow table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Pai Gow wager for each player.

(3) A separate area, located to the left of the dealer, for the placement of four tiles which shall be referred to as the Dead Hand.

(c) Each Pai Gow table must have a drop box with a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

(d) Pai Gow shall be played with a Pai Gow shaker, approved in accordance with § 601a.10(a), used to shake three dice before each hand of Pai Gow is dealt to determine the starting position for the dealing of the Pai Gow tiles. The Pai Gow shaker shall be the responsibility of the dealer and may not be left unattended at the table. The Pai Gow shaker must be designed and constructed to maintain the integrity of the game and:

(1) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow shaker. Dice that have been placed in a Pai Gow shaker for use in gaming may not remain on a table for more than 24 hours.

(2) Be designed to prevent the dice from being seen while being shaken.

(3) Have the name or logo of the certificate holder imprinted or impressed thereon.

(e) If a certificate holder elects to use a computerized random number generator as permitted under § 621a.6 (relating to procedures for dealing the tiles), the random number generator shall be approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

§ 621a.3. Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand.

(a) Each tile used in the game of Pai Gow must comply with the requirements in § 603a.18 (relating to Pai Gow tiles; physical characteristics) and contain the identifying spots listed in subsection (h).

(b) Tiles used in Pai Gow shall be changed at least every 12 hours.

(c) When comparing high hands or low hands to determine the higher ranking hand, the determination shall first be based upon the rank of any permissible pair of tiles which are in the hands. A hand with a permissible pair of tiles shall rank higher than a hand which does not contain a permissible pair. The permissible pairs of tiles and their rank, with the Supreme Pair being the highest or first ranking pair, are as follows:

Ranking	*Pairing*
	Supreme Pair
First	Six (2-4) and Three (1-2)
	Matched Pairs
Second	Twelve (6-6) and Twelve (6-6)
Third	Two (1-1) and Two (1-1)
Fourth	Eight (4-4) and Eight (4-4)
Fifth	Four (1-3) and Four (1-3)
Sixth	Ten (5-5) and Ten (5-5)
Seventh	Six (3-3) and Six (3-3)
Eighth	Four (2-2) and Four (2-2)
Ninth	Eleven (5-6) and Eleven (5-6)
Tenth	Ten (4-6) and Ten (4-6)
Eleventh	Seven (1-6) and Seven (1-6)
Twelfth	Six (1-5) and Six (1-5)
	Mixed or Unmatched Pairs
Thirteenth	Mixed Nines (3-6 and 4-5)
Fourteenth	Mixed Eights (3-5 and 2-6)
Fifteenth	Mixed Sevens (3-4 and 2-5)
Sixteenth	Mixed Fives (1-4 and 2-3)
	Wongs
Seventeenth	Twelve (6-6) and Nine (4-5)
	Twelve (6-6) and Nine (3-6)
Eighteenth	Two (1-1) and Nine (4-5)
	Two (1-1) and Nine (3-6)
	Gongs
Nineteenth	Twelve (6-6) and Eight (2-6)
	Twelve (6-6) and Eight (3-5)

	Twelve (6-6) and Eight (4-4)
Twentieth	Two (1-1) and Eight (2-6)
	Two (1-1) and Eight (3-5)
	Two (1-1) and Eight (4-4)

(d) When comparing two high hands or two low hands that are of identical permissible pair rank, the hand shall be considered a copy hand and the dealer or, if applicable, the bank shall win the hand.

(e) Except as provided in subsection (g), when comparing the rank of high hands or low hands which do not contain any of the pairs listed in subsection (c), the higher ranking hand shall be determined on the basis of the value of the hands. The value of a hand shall be a single digit number from zero to nine and shall be determined by adding the total number of spots which are contained on the two tiles which form the hand. If the total of the spots is a two-digit number, the left digit of the number shall be discarded and the right digit shall constitute the value of the hand. Examples of this rule are as follows:

(1) A hand composed of a Two (1-1) and a Six (3-3) has a value of 8.

(2) A hand composed of an Eleven (5-6) and a Seven (1-6) has a numeric total of 18 but a value of 8 since the left digit in the number 18 is discarded.

(f) If the tiles which form the Supreme Pair are used separately, the numeric total of the 1-2 tile may be counted as a 3 or a 6 and the numeric total of the 2-4 tile may be counted as a 3 or a 6. When the 1-2 tile is counted as 6, its individual ranking under subsection (h) shall be fifteenth instead of seventeenth and when the 2-4 tile is counted as 3, its individual ranking shall be seventeenth instead of fifteenth.

(g) When comparing high hands or low hands which are of identical value, the hand with the highest ranking individual tile shall be considered the higher ranking hand. If, however, the numeric value of the tiles results in a zero-zero tie, both hands, regardless of the highest ranking tile, are equally bad and the dealer or, if applicable, the bank shall be considered the higher ranking hand.

(h) The individual ranking for each tile, from highest rank to lowest rank, is as follows:

Ranking	*Tile*	*Number of Tiles in Set*
First	Twelve (6-6)	2
Second	Two (1-1)	2
Third	Eight (4-4)	2
Fourth	Four (1-3)	2
Fifth	Ten (5-5)	2
Sixth	Six (3-3)	2

Seventh	Four (2-2)	2
Eighth	Eleven (5-6)	2
Ninth	Ten (4-6)	2
Tenth	Seven (1-6)	2
Eleventh	Six (1-5)	2
Twelfth	Nine (3-6)	1
Twelfth	Nine (4-5)	1
Thirteenth	Eight (2-6)	1
Thirteenth	Eight (3-5)	1
Fourteenth	Seven (2-5)	1
Fourteenth	Seven (3-4)	1
Fifteenth	Six (2-4)	1
Sixteenth	Five (1-4)	1
Sixteenth	Five (2-3)	1
Seventeenth	Three (1-2)	1

(i) If the highest ranking tile in each hand being compared is of identical rank after the application of subsection (h), the hand shall be considered a copy hand, and the hand of the dealer or, if applicable, the bank shall be considered the higher ranking hand.

§ 621a.4. Opening of the table for gaming; mixing procedures.

(a) After receiving one set of tiles at the table, the dealer shall sort and inspect the tiles and the floorperson assigned to the table shall verify the inspection. Nothing in this section precludes a certificate holder from cleaning the tiles prior to the inspection required herein. The tiles at the gaming table shall be inspected as follows:

(1) Each set of tiles shall be sorted into pairs to assure that the Supreme Pair and all 15 matched and unmatched pairs, as identified in § 621a.3 (relating to Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand), are in the set.

(2) Each tile shall be placed side by side to determine that all tiles are the same size and shading.

(3) The back and sides of each tile shall be examined to assure that it is not flawed, scratched or marked in any way.

(i) If the dealer finds that certain tiles are unsuitable for use, a floorperson or above shall bring another set of tiles to the table from the reserve in the pit stand.

(ii) The unsuitable set of tiles shall be placed in a sealed envelope or container, identified by table number, date and time and signed by the dealer and floorperson or above.

(b) Following the inspection of the tiles and the verification by the floorperson assigned to the table, the tiles shall be turned face up, placed into 16 pairs and arranged according to rank starting with the Supreme Pair. The tiles shall be left in pairs for visual inspection by the first player to arrive at the table.

(c) After the first player arriving at the table is afforded an opportunity to visually inspect the tiles, the tiles shall be turned face down on the table and mixed thoroughly.

(d) The dealer shall mix the tiles with the heels of the hands. The dealer shall mix the tiles in a circular motion with one hand moving clockwise and the other hand moving counterclockwise. Each hand shall complete at least eight circular motions to provide a random mixing. The dealer shall then randomly pick up four tiles with each hand and place them side by side in stacks in front of the table inventory container, forming eight stacks of four tiles.

(e) If during the stacking process described in subsection (d), a tile is turned over and exposed to the players, the entire set of tiles shall be remixed.

(f) After each round of play has been completed, the dealer shall turn all of the tiles face down and mix the tiles in accordance with subsection (d).

(g) If there is no gaming activity at the Pai Gow table, the tiles shall be turned face up and placed into 16 pairs according to rank starting with the Supreme Pair. Once a player arrives at the table, the dealer shall follow the procedures in subsections (c) and (d).

§ 621a.5. Wagers.

(a) Wagers at Pai Gow shall be made by placing value chips or plaques on the appropriate areas of the Pai Gow layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at the Pai Gow table may place a wager. Once a player has placed a wager and received tiles, 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 treated as losing wagers.

(c) All wagers at Pai Gow shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 621a.6 (relating to procedures for dealing the tiles). A wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) Except as provided in § 621a.9(f) (relating to player bank; co-banking; selection of bank; procedures for dealing), a certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), permit a player to wager on two adjacent betting areas at a Pai Gow table. If a certificate holder permits a player to wager on adjacent betting areas, the tiles dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting

the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 621a.6. Procedures for dealing the tiles.

(a) After the dealer has completed mixing and stacking the tiles, the dealer shall either:

(1) Announce “no more bets” and use a computerized random number generator that automatically selects and displays a number.

(2) Announce “no more bets” and shake the Pai Gow shaker at least three times to cause a random mixture of the dice. The dealer shall then remove the lid covering the Pai Gow shaker and place the uncovered Pai Gow shaker on the designated area of the table layout. After removing the lid covering the Pai Gow shaker, the dealer shall total the dice.

(b) The dealer shall then announce the total of the dice or the number displayed by the computerized random number generator. The total or number shall determine which player receives the first stack of tiles.

(c) To determine the starting position for dealing the tiles, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, and the Dead Hand, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice or the number displayed by the computerized random number generator. Examples are as follows:

(1) If the dice total nine, the dealer would receive the first stack of four tiles.

(2) If the dice total 15, the sixth wagering position would receive the first stack of four tiles.

(d) The dealer shall deal the first stack of four tiles, starting from the right side of the eight stacks, to the starting position as determined in subsection (c) and, moving counterclockwise around the table, deal all other positions including the Dead Hand and the dealer a stack of tiles, regardless of whether there is a wager at the position. The dealer shall place a marker on top of his stack of tiles immediately after they are dealt.

(e) After all the stacks of tiles have been dealt, the dealer shall, without exposing the tiles, collect any stacks dealt to a position where there is no wager and place the stacks with the Dead Hand on the layout to the left of the dealer in front of the table inventory container.

(f) If a Pai Gow shaker is utilized, once all tiles have been dealt and any tiles dealt to positions with no wagers have been collected, the dealer shall place the cover on the Pai Gow shaker and shake the shaker once. The Pai Gow shaker shall then be placed to the right of the dealer.

§ 621a.7. Alternative dealing procedures.

As an alternative to the procedure in § 621a.6 (relating to procedures for dealing the tiles), the dealer or the player acting as the bank or co-bank may, if specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), choose any of the following dealing styles:

(1) *House Way From the Left.* The dealer shall indicate the use of House Way From the Left by pushing forward the first stack of tiles on the dealer's left. The dealer shall deliver the stack pushed forward to the starting position. The remaining stacks of tiles shall be delivered from the dealer's left to right.

(2) *Cup Say (pick four) From the Right.* The dealer shall indicate the use of Cup Say From the Right by pushing forward the first two stacks of tiles on the dealer's right. The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks of tiles shall be delivered from the dealer's right to left in the same manner as the first two stacks.

(3) *Cup Say (pick four) From the Left.* The dealer shall indicate the use of Cup Say From the Left by pushing forward the first two stacks of tiles on the dealer's left. The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks of tiles shall be delivered from the dealer's left to right in the same manner as the first two stacks.

(4) *Jung Quat (take the heart).* The dealer shall indicate the use of Jung Quat by pushing forward the fourth stack of tiles from the dealer's right and the fourth stack of tiles from the dealer's left (the two center stacks of the eight). The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks shall be pushed together and the two new center stacks shall be pushed forward and delivered in the same manner as the first two stacks. This procedure shall be repeated until all eight stacks of tiles have been delivered.

(5) *Chee Yee (chop the ears).* The dealer shall indicate the use of Chee Yee by pushing forward the first stack of tiles on the dealer's right and the first stack of tiles on the dealer's left. To deliver the tiles, the dealer shall center the two stacks pushed forward in front of the remaining stacks. The dealer shall deliver the top two tiles from each of the two centered stacks to the starting position. The four remaining tiles from the two centered stacks shall be delivered to the next position. The dealer shall then center and deliver the first stack remaining on the dealer's right and the first stack remaining on the dealer's left in the same manner. This procedure shall be repeated until all eight stacks of tiles have been delivered.

(6) *Pin Say (slice four) From the Right.* The dealer shall indicate the use of Pin Say From the Right by removing the top tile of the first stack of tiles on the dealer's right and

placing it diagonally across the top of the second, third and fourth stacks of tiles from the dealer's right. The dealer shall deliver the top tile from each of the first four stacks on the dealer's right to the starting position (the diagonal tile plus the three tiles it covers). The top tile from each of the first four stacks on the dealer's left shall be delivered to the next position. The top tile remaining on each of the first four stacks on the dealer's right shall be delivered to the third position and the top tile remaining on each of the first four stacks on the dealer's left shall be delivered to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.

(7) *Pin Say (slice four) From the Left.* The dealer shall indicate the use of Pin Say From the Left by removing the top tile of the first stack of tiles on the dealer's left and placing it diagonally across the top of the second, third and fourth stacks of tiles from the dealer's left. The dealer shall deliver the top tile from each of the first four stacks on the dealer's left to the starting position (the diagonal tile plus the three tiles it covers). The top tile from each of the first four stacks on the dealer's right shall be delivered to the next position. The top tile remaining on each of the first four stacks on the dealer's left shall be delivered to the third position and the top tile remaining on each of the first four stacks on the dealer's right shall be delivered to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.

(8) *Dragon Head and Phoenix Tail From the Right.* The dealer shall indicate the use of Dragon Head and Phoenix Tail From the Right by placing all four tiles in the first and second stacks from the dealer's right directly on top of the four tiles in the third and fourth stacks from the dealer's right and then pushing forward the top two tiles in each of the eight-tile stacks that are created (forming the dragon head). The dealer shall deliver the four tiles pushed forward to the starting position. The top tile from each of the four stacks of four tiles to the dealer's left (the phoenix tail) shall be delivered to the next position. The dealer shall deliver the top two tiles from each of the two stacks on the dealer's right to the third position and the top tile from each of the four stacks on the dealer's left to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.

(9) *Dragon Head and Phoenix Tail From the Left.* The dealer shall indicate the use of Dragon Head and Phoenix Tail From the Left by placing all four tiles in the first and second stacks from the dealer's left directly on top of the four tiles in the third and fourth stacks from the dealer's left and then pushing forward the top two tiles in each of the eight-tile stacks that are created (forming the dragon head). The dealer shall deliver the four tiles pushed forward to the starting position. The top tile from each of the four stacks of four tiles to the dealer's right (the phoenix tail) shall be delivered to the next position. The dealer shall deliver the top two tiles from each of the two stacks on the dealer's left to the third position and the top tile from each of the four stacks on the dealer's right to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.

§ 621a.8. Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.

(a) After the dealing of the tiles has been completed, each player shall set his hands by arranging the tiles into a high hand and low hand. After setting the hands the tiles shall be placed face down on the layout immediately behind that player's betting area and separated into two distinct hands.

(b) Each player at the table shall be responsible for setting his own hands and no other person except the dealer may touch the tiles of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the requesting player of the manner in which the certificate holder requires the hands of the dealer to be set. Each player shall be required to keep the four tiles in full view of the dealer at all times. Once each player has set a high hand and low hand and placed the two hands face down on the layout, the player may not touch the tiles again.

(c) After all players have set their hands and placed the tiles on the table, the four tiles of the dealer shall be turned over and the dealer shall set his hands by arranging the tiles into a high and low hand. The high hand shall be placed on the layout face up in a vertical position and the low hand shall be placed on the layout face up perpendicular to the high hand.

(d) The dealer shall set his hands as follows:

(1) If the dealer has the Supreme Pair, it shall be played as the Supreme Pair.

(2) If possible, the dealer shall always play a pair, Wong or Gong as set forth in § 621a.3 (relating to Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand).

(3) If the dealer does not have any of the combinations in paragraph (1) or (2), the dealer shall play any two tiles together which have a value equal to nine, eight or seven.

(4) If the dealer does not have any of the combinations in paragraph (1), (2) or (3), the dealer shall play the highest ranking tile with the lowest ranking tile.

(e) A player may surrender his wager after the hands of the dealer have been set. The player shall announce his intention to surrender prior to the dealer exposing either of the two hands of that player as provided in subsection (g). Once the player has announced his intention to surrender, the dealer shall immediately collect the wager from that player and collect the four tiles dealt to that player and stack them face down on the right side of the table in front of the table inventory container without exposing the tiles to any other player at the table.

(f) After the dealer has set a high and low hand and collected the wagers and tiles that are surrendered under subsection (e), the dealer shall reveal both hands of each player, beginning with the player farthest to the right of the dealer and continuing around the table in a counterclockwise direction. The dealer shall compare the high hand of the player to the high hand of the dealer and the low hand of the player to the low hand of the dealer and shall announce if the wager of that player wins, loses or is a tie.

(g) A wager shall lose and be immediately collected if the high hand of the player is identical in rank or lower in rank than the high hand of the dealer, and the low hand of the player is identical in rank or lower in rank than the low hand of the dealer, or has a value of zero.

(h) A wager shall tie and be returned to the player if:

(1) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer, lower in rank than the low hand of the dealer or has a value of zero.

(2) The high hand of the player is identical in rank to the high hand of the dealer or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer.

(i) A wager shall win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer.

(j) After settling the player's wager, the dealer shall immediately collect the tiles of that player and place the tiles face up to the right of the dealer in front of the table inventory container.

(k) A certificate holder shall pay each winning Pai Gow wager at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢. A certificate holder shall collect the vigorish from a player at the time the winning payout is made.

(l) Tiles collected by the dealer shall be picked up in order and in a way so that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 621a.9. Player bank; co-banking; selection of bank; procedures for dealing.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to all players at a Pai Gow table the opportunity to bank the game. If the certificate holder elects this option, the provisions of this section control for any round of play in which a player is the bank. The other provisions of this chapter apply to the extent that they do not conflict with the provisions of this section.

(b) A player may not be the bank at the start of the game. For the purposes of this section, the start of the game means the first round of play after the dealer is required to restack and mix the tiles in accordance with § 621a.4 (relating to opening of the table for gaming; mixing procedures).

(c) After the first round of play, each player at the table shall have the option to either be the bank or pass the bank to the next player. The dealer shall offer the bank to each player, starting with the player farthest to the dealer's right and continuing around the table in a

counterclockwise manner, until a player accepts the bank. The dealer shall place a marker designating the bank in front of the player who accepts the bank. If the first player offered the bank accepts, the player seated to the right of the bank shall be offered the bank first on the next round of play. A player may not bank two consecutive rounds of play. If no player accepts the bank, the round of play shall proceed in accordance with the rules of play provided in this chapter.

(d) Before a player may bank a round of play, the dealer shall confirm that:

(1) The player placed a wager against the dealer during the last round of play in which there was no player banking the game.

(2) The player has sufficient value chips or plaques on the table to cover all of the wagers placed by other players at the table for that round of play.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer the bank the option of co-banking the round of play. If the certificate holder offers this option, it shall be made available to all players at the table. If the bank wishes to use this option and co-bank 50% of the winning Pai Gow wagers, the bank must specifically request to co-bank with the dealer. The dealer shall place a marker designating the player co-banking that round of play. When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in the manner as specified in the certificate holder's Rules Submission under § 601a.2. When co-banking is in effect, the dealer may not place a wager against the bank.

(f) If a player is the bank, the player may wager on only one betting area.

(g) Once the tiles have been mixed and formed into stacks as required under § 621a.4, the bank shall have the option to cut the tiles one time. If the bank does not wish to cut the tiles, there may not be a cut. Upon direction from the bank, the dealer may move the tiles in one of the following ways:

(1) One or more adjacent stacks of four tiles to the right or left end of the original eight stacks of tiles.

(2) Two or more adjacent stacks of four tiles, of which at least one stack is moved to one end and the other stacks are moved to the opposite end of the original eight stacks of tiles.

(h) Once the dealer has determined that a player may be the bank, as required under subsection (d), and the tiles have been mixed, stacked and, if applicable, cut, the dealer shall, unless co-banking is in effect, remove value chips from the table inventory container in an amount equal to the banker's last wager made against the dealer or in an amount as specified in the certificate holder's Rules Submission. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer place no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container. Immediately upon receipt of the four tiles

dealt to the dealer under subsection (k), the dealer shall place his wager on top of these tiles, instead of the marker otherwise required under § 621a.6 (relating to procedures for dealing the tiles), before dealing the remaining tiles. If co-banking is in effect, the dealer may not remove any value chips from the table inventory container under this subsection.

(i) Once the dealer has announced "no more bets," the bank may, by issuing a verbal instruction to the dealer, choose to have the dealer deliver the stacks using any one of the styles of delivery described in § 621a.7 (relating to alternative dealing procedures). If the bank does not choose a style of delivery, the dealer shall use the procedure in § 621a.6(d) to deliver the stacks. The bank shall then shake the Pai Gow shaker at least three times to cause a random mixture of the dice. Once the bank has completed shaking the Pai Gow shaker, the dealer shall remove the lid covering the Pai Gow shaker and place the uncovered Pai Gow shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total. If the bank inadvertently removes the lid, the Pai Gow shaker shall be covered and reshaken by the bank.

(j) To determine the starting position for dealing the tiles, the dealer shall count each betting position, the dealer and the Dead Hand, in order, regardless of whether there is a wager at the betting position, beginning with the bank as number one and continuing around the table in a counterclockwise manner until the count matches the total of the three dice.

(k) The dealer shall deal the first stack of four tiles, in accordance with the selected style of delivery, to the starting position as determined in subsection (j) and, moving counterclockwise around the table, deal all other positions including the Dead Hand and the dealer a stack of tiles, regardless of whether there is a wager at the position. The dealer shall place his wager or marker, as applicable, on top of his stack of tiles immediately after the tiles are dealt.

(l) After all the stacks of tiles have been dealt, the dealer shall, without exposing the tiles, collect any stacks dealt to a position where there is no wager and place the stacks with the Dead Hand on the layout to the left of the dealer in front of the table inventory container.

(m) Once all tiles have been dealt and any tiles dealt to positions with no wagers have been collected, the dealer shall place the cover on the Pai Gow shaker and shake the shaker once. The Pai Gow shaker shall then be placed to the right of the dealer.

(n) If the tiles dealt to the dealer have not been previously collected, after each player has set his two hands and placed them on the table layout, the two hands of the dealer shall then be set. Once the dealer has formed a high and low hand and placed the hands face up on the appropriate area of the table layout, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank. If the dealer wins, the tiles of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top. If the dealer's hand is a tie with the banker's hand, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container. If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.

(o) If a player is banking the round of play, once the dealer has determined the outcome of the wager of the dealer against the bank, if any, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and announce if the wager shall win, lose or tie. Losing wagers shall be immediately collected and placed in the center of the table. All winning wagers, including the dealer's wager, shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the bank an amount equal to the remaining winning wagers and place that amount in the center of the layout. The remaining winning wagers shall be paid from the amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount shall be charged a 5% vigorish in accordance with § 621a.8 (relating to procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish). Once the vigorish has been paid, the remaining amount shall be given to the bank.

(p) Immediately after a winning wager of the dealer is paid, this amount and the dealer's original wager shall be returned to the table inventory container.

(q) Each player who has a winning wager against the bank shall pay a 5% vigorish on the amount won, in accordance with § 621a.8.

(r) If a player and the dealer are co-banking the round of play, once the dealer has set the co-bank hand under subsection (e), the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and announce if the wager shall win, lose or tie. Losing wagers shall be immediately collected and placed in the center of the table. All winning wagers shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the co-bank an amount equal to 1/2 of the remaining winning wagers and place that amount in the center of the layout. The dealer shall remove an amount equal to 1/2 of the remaining winning wagers from the table inventory container and place that amount in the center of the layout. The remaining winning wagers shall be paid from the total amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount will be counted and the dealer shall place 1/2 of this amount into the table inventory container. The dealer shall collect a 5% vigorish, in accordance with § 621a.8 on the remaining amount. Once the vigorish has been paid, the remaining amount shall then be given to the co-bank.

§ 621a.10. Irregularities; invalid roll of the dice.

(a) If the dealer uncovers the Pai Gow shaker and all three dice have not landed flat on the bottom of the shaker, the dealer shall call a "no roll" and reshake the dice.

(b) If the dealer uncovers the Pai Gow shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the tiles to the wrong positions, all hands shall be void, all wagers shall be returned to the players and the dealer shall reshuffle the tiles.

(d) If the dealer exposes any of the tiles dealt to a player, the player may void the hand. The player shall make the decision to either play out the hand or to void the hand without looking at his unexposed tiles. If the player elects to void his hand, any wagers placed by the player shall be returned to the player.

(e) If a tile in the dealer’s hand, the bank’s hand, if applicable, the Dead Hand or any position where there is no wager, is exposed, all hands shall be void, all wagers shall be returned to the players and the tiles shall be reshuffled.

(f) If the dealer or the bank, if applicable, does not set his hands in the manner as specified in the certificate holder’s Rules Submission under § 601a.2 (relating to table games Rules Submissions), the hands shall be reset in accordance with the certificate holder’s Rules Submission and the round of play shall be completed.

CHAPTER 623a. CRAPS AND MINI-CRAPS

Sec.

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§ 623a.1. Definitions.

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

Boxperson—An employee of a certificate holder whose primary function is to participate in and supervise the conduct of gaming at a single Craps table.

Buy Bet—A Place Bet to Win which offers a payout of true odds.

Call Bet—A wager made without cash or chips for a known customer.

Come out point—A total of 4, 5, 6, 8, 9 or 10 thrown by the shooter on the come out roll.

Come out roll—The first roll of the dice at the opening of the game and the first roll of the dice after a decision with respect to a Pass Bet and Don't Pass Bet has been effected.

Come point—A total of 4, 5, 6, 8, 9 or 10 thrown by the shooter on the next roll following placement of a Come Bet or Don't Come Bet.

Lay Bet—A Place Bet to Lose which offers a payout of true odds.

Stickperson—An employee of a certificate holder whose primary function is to control the selection and use of the dice at a Craps table.

§ 623a.2. Craps and Mini-Craps tables; physical characteristics.

(a) Craps and Mini-Craps shall be played on an oblong table with rounded corners and high walled sides.

(b) A Craps table may not be larger than 14 feet in length.

(c) A Mini-Craps table may not be longer than 9 1/2 feet in length and have seating locations for a maximum of nine players.

(d) The layout for a Craps or Mini-Craps table shall be submitted to the Bureau of Gaming Operations and approved 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) Specific areas designated for the placement of wagers authorized under § 623a.3 (relating to wagers).

(3) The words "no call bets."

(4) If the certificate holder offers the Fire Bet in accordance with § 623a.11 (relating to additional procedures and rules for the Fire Bet):

(i) No more than 16 areas designated for the placement of Fire Bets. The Fire Bet areas must be located around the perimeter of the layout, corresponding to player positions at the table, and sequentially numbered in a clockwise direction, with the area numbered 1 being located immediately to the left of the boxperson or dealer.

(ii) A designated area of the layout for the relocation and identification of all Fire Bets placed by players prior to the come out roll of a shooter. The designated area must be located in front of the boxperson and contain numbered areas which correspond to the location of the numbered areas described in subparagraph (i).

(iii) The following information, visible to all player positions, on the inside wall of the table:

(A) The payout odds for four, five and six different unique points made.

(B) Fire Bets shall be accepted only prior to a shooter's initial come out roll.

(C) The wager limitations applicable to the Fire Bet.

(5) If the certificate holder offers Bonus Craps:

(i) A designated area of the layout in front of the boxperson for the placement of the following wagers:

(A) The All Small Wager.

(B) The All Or Nothing At All Wager.

(C) The All Tall Wager.

(ii) A designated area of the layout for the placement of a marker button on numbers 2 through 6 and numbers 8 through 12.

(iii) The payout odds for permissible Bonus Craps wagers.

(e) Each Craps and Mini-Craps table must have a drop box and tip box attached to the table in locations approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 623a.3. Wagers.

(a) The following wagers are authorized in the games of Craps and Mini-Craps:

(1) A Pass Bet placed on the Pass Line of the layout immediately prior to the come out roll. A winning or losing Pass Bet shall be determined as follows:

(i) A Pass Bet shall win if, on the come out roll, either:

(A) A total of 7 or 11 is thrown.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is thrown again before a 7 is thrown.

(ii) A Pass Bet shall lose if, on the come out roll, either:

(A) A total of 2, 3 or 12 is thrown.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 is subsequently thrown before that total is thrown again.

(2) A Don’t Pass Bet placed on the Don’t Pass Line of the layout immediately prior to the come out roll. A winning or losing Don’t Pass Bet shall be determined as follows:

(i) A Don’t Pass Bet shall win if, on the come out roll, either:

(A) A total of 2 or 3 is thrown.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 is subsequently thrown before that total is thrown again.

(ii) A Don't Pass Bet shall lose if, on the come out roll, either:

(A) A total of 7 or 11 is thrown.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is thrown again before a 7 is thrown.

(iii) If a total of 12 is thrown on the come out roll, a Don't Pass Bet shall be void and any Don't Pass Bets shall be returned to the players.

(3) A Come Bet placed on the Come Line of the layout at any time after the come out roll. If a 4, 5, 6, 8, 9 or 10 is thrown after the placement of a Come Bet, the dealer shall move the Come Bet into the numbered box corresponding to the number that was thrown. A winning or losing Come Bet shall be determined as follows:

(i) A Come Bet shall win if either:

(A) A total of 7 or 11 is thrown on the roll immediately following placement of the Come Bet.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Come Bet and that total is thrown again before a 7 is thrown.

(ii) A Come Bet shall lose if either:

(A) A total of 2, 3 or 12 is thrown on the roll immediately following placement of the Come Bet.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Come Bet and a 7 is subsequently thrown before that total is thrown again.

(4) A Don't Come Bet placed on the Don't Come Line of the layout at any time after the come out roll. If a 4, 5, 6, 8, 9 or 10 is thrown after the placement of a Don't Come Bet, the dealer shall move the Don't Come Bet into a box adjacent to the numbered box corresponding to the number that was thrown. A winning or losing Don't Come Bet shall be determined as follows:

(i) A Don't Come Bet shall win if either:

(A) A total of 2 or 3 is thrown on the roll immediately following placement of the Don't Come Bet.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Don't Come Bet and a 7 is subsequently thrown before that total is thrown again.

(ii) A Don't Come Bet shall lose if either:

(A) A total of 7 or 11 is thrown on the roll immediately following placement of the Don't Come Bet.

(B) A total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Don't Come Bet and that total is thrown again before a 7 is thrown.

(iii) If a total of 12 is thrown on the roll immediately following placement of a Don't Come Bet, the Don't Come Bet shall be void and any Don't Come Bets shall be returned to the players.

(5) A Place Bet to Win on any of the numbers 4, 5, 6, 8, 9 or 10 that may be made at any time. A Place Bet to Win shall be inactive on a come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Place Bet to Win shall be determined as follows:

(i) A Place Bet to Win shall win if the number on which the wager was placed is thrown before a 7 is thrown.

(ii) A Place Bet to Win shall lose if a 7 is thrown before the number on which the wager was placed is thrown.

(6) A Place Bet to Lose placed in a box adjacent to any of the numbers 4, 5, 6, 8, 9 or 10 that may be made at any time. A Place Bet to Lose shall be inactive on a come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Place Bet to Lose shall be determined as follows:

(i) A Place Bet to Lose shall win if a 7 is thrown before the particular number against which the wager is placed is thrown.

(ii) A Place Bet to Lose shall lose if the particular number against which the wager is placed is thrown before a 7 is thrown.

(7) A Four the Hardway Bet placed in a box which shows two dice, each of which displays a value of 2, that may be made at any time. A Four the Hardway Bet shall be inactive on the come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Four the Hardway Bet shall be determined as follows:

(i) A Four the Hardway Bet shall win if a total of 4 is thrown with a 2 appearing on each die before a 4 is thrown in any other way or before a 7 is thrown.

(ii) A Four the Hardway Bet shall lose if a total of 4 is thrown without a 2 appearing on each die or a 7 is thrown before a total of 4 is thrown with a 2 appearing on each die.

(8) A Six the Hardway Bet placed in a box which shows two dice, each of which displays a value of 3, that may be made at any time. A Six the Hardway Bet shall be inactive on the come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Six the Hardway Bet shall be determined as follows:

(i) A Six the Hardway Bet shall win if a total of 6 is thrown with a 3 appearing on each die before a 6 is thrown in any other way or before a 7 is thrown.

(ii) A Six the Hardway Bet shall lose if a total of 6 is thrown without a 3 appearing on each die or a 7 is thrown before a total of 6 is thrown with a 3 appearing on each die.

(9) An Eight the Hardway Bet placed in a box which shows two dice, each of which displays a value of 4, that may be made at any time. An Eight the Hardway Bet shall be inactive on the come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Eight the Hardway Bet shall be determined as follows:

(i) An Eight the Hardway Bet shall win if a total of 8 is thrown with a 4 appearing on each die before an 8 is thrown in any other way or before a 7 is thrown.

(ii) An Eight the Hardway Bet shall lose if a total of 8 is thrown without a 4 appearing on each die or a 7 is thrown before a total of 8 is thrown with a 4 appearing on each die.

(10) A Ten the Hardway Bet placed in a box which shows two dice, each of which displays a value of 5, that may be made at any time. A Ten the Hardway Bet shall be inactive on the come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Ten the Hardway Bet shall be determined as follows:

(i) A Ten the Hardway Bet shall win if a total of 10 is thrown with a 5 appearing on each die before a 10 is thrown in any other way or before a 7 is thrown.

(ii) A Ten the Hardway Bet shall lose if a total of 10 is thrown without a 5 appearing on each die or a 7 is thrown before a total of 10 is thrown with a 5 appearing on each die.

(11) A Field Bet placed in a box which shows the numbers 2, 3, 4, 9, 10, 11 and 12 that may be made at any time. A winning or losing Field Bet shall be determined as follows:

(i) A Field Bet shall win if a 2, 3, 4, 9, 10, 11 or 12 is thrown on the roll immediately following placement of the Field Bet.

(ii) A Field Bet shall lose if a 5, 6, 7 or 8 is thrown on the roll immediately following placement of the Field Bet.

(12) An Any Seven Bet placed in a box which contains the phrase "Any Seven" that may be made at any time. A winning or losing Any Seven Bet shall be determined as follows:

(i) An Any Seven Bet shall win if a 7 is thrown on the roll immediately following placement of the Any Seven Bet.

(ii) An Any Seven Bet shall lose if any total other than a 7 is thrown on the roll immediately following placement of the Any Seven Bet.

(13) An Any Craps Bet placed in a box which contains the phrase "Any Craps" that may be made at any time. A winning or losing Any Craps Bet shall be determined as follows:

(i) An Any Craps Bet shall win if a 2, 3 or 12 is thrown on the roll immediately following placement of the Any Craps Bet.

(ii) An Any Craps Bet shall lose if any total other than a 2, 3 or 12 is thrown on the roll immediately following placement of the Any Craps Bet.

(14) A Craps Two Bet placed in a box which shows two dice, each of which displays a value of 1, that may be made at any time. A winning or losing Craps Two Bet shall be determined as follows:

(i) A Craps Two Bet shall win if a 2 is thrown on the roll immediately following placement of the Craps Two Bet.

(ii) A Craps Two Bet shall lose if any total other than a 2 is thrown on the roll immediately following placement of the Craps Two Bet.

(15) A Craps Three Bet placed in a box which shows two dice, one of which displays a value of 1 and the other of which displays a value of 2, that may be made at any time. A winning or losing Craps Three Bet shall be determined as follows:

(i) A Craps Three Bet shall win if a 3 is thrown on the roll immediately following placement of the Craps Three Bet.

(ii) A Craps Three Bet shall lose if any total other than a 3 is thrown on the roll immediately following placement of the Craps Three Bet.

(16) A Craps Twelve Bet placed in a box which shows two dice, each of which displays a value of 6, that may be made at any time. A winning or losing Craps Twelve Bet shall be determined as follows:

(i) A Craps Twelve Bet shall win if a 12 is thrown on the roll immediately following placement of the Craps Twelve Bet.

(ii) A Craps Twelve Bet shall lose if any total other than a 12 is thrown on the roll immediately following placement of the Craps Twelve Bet.

(17) An 11 in One Roll Bet placed in a box which shows two dice, one of which displays a value of 5 and the other of which displays a value of 6, that may be made at any time. A winning or losing 11 in One Roll Bet shall be determined as follows:

(i) An 11 in One Roll Bet shall win if an 11 is thrown on the roll immediately following placement of the 11 in One Roll Bet.

(ii) An 11 in One Roll Bet shall lose if any total other than an 11 is thrown on the roll immediately following placement of the 11 in One Roll Bet.

(18) A Craps-Eleven or C and E Bet placed in an area on the table layout that contains the letters “C” and “E” that may be made at any time. A winning or losing Craps-Eleven or C and E Bet shall be determined as follows:

(i) A Craps-Eleven or C and E Bet shall win if a 2, 3, 11 or 12 is rolled immediately following placement of the Craps-Eleven or C and E Bet.

(ii) A Craps-Eleven or C and E Bet shall lose if any total other than a 2, 3, 11 or 12 is thrown on the roll immediately following placement of the Craps-Eleven or C and E Bet.

(19) A Horn Bet placed in a box which contains the words “Horn Bet” that may be made at any time. A Horn Bet shall be placed in units of four. A winning or losing Horn Bet shall be determined as follows:

(i) A Horn Bet shall win if a 2, 3, 11 or 12 is thrown on the roll immediately following placement of the Horn Bet.

(ii) A Horn Bet shall lose if any total other than a 2, 3, 11 or 12 is thrown on the roll immediately following placement of the Horn Bet.

(20) A Horn High Bet placed in a box which contains the words “Horn High Bet” and two dice with a total value of 2, 3, 11 or 12 that may be made at any time. A Horn High Bet

shall be placed in units of five. A certificate holder that does not have a designated area on its layout for the acceptance of a Horn High Bet shall break down a Horn High Bet into two separate wagers of four units on the Horn Bet and one unit on one of the boxes which contain two dice with a total value of 2, 3, 11 or 12. A winning or losing Horn High Bet shall be determined as follows:

(i) A Horn High Bet shall win if a 2, 3, 11 or 12 is thrown on the roll immediately following placement of the Horn High Bet.

(ii) A Horn High Bet shall lose if any total other than a 2, 3, 11 or 12 is thrown on the roll immediately following placement of the Horn High Bet.

(21) A Whirl Bet placed in a box which contains the words “Whirl Bet” that may be made at any time. A Whirl Bet shall be placed in units of five. A certificate holder that does not have a designated area on its layout for the acceptance of a Whirl Bet shall break down a Whirl Bet into two separate wagers of four units on the Horn Bet and one unit on the Any Seven Bet. A winning or losing Whirl Bet shall be determined as follows:

(i) A Whirl Bet shall win if a 2, 3, 7, 11 or 12 is thrown on the roll immediately following placement of the Whirl Bet.

(ii) A Whirl Bet shall lose if any total other than a 2, 3, 7, 11 or 12 is thrown on the roll immediately following placement of the Horn High Bet.

(22) A Four the Hardway on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Four the Hardway on the Hop Bet shall be determined as follows:

(i) A Four the Hardway on the Hop Bet shall win if a total of 4 is thrown with a 2 appearing on each die on the roll immediately following placement of the Four the Hardway on the Hop Bet.

(ii) A Four the Hardway on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Four the Hardway on The Hop Bet.

(23) A Six the Hardway on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Six the Hardway on the Hop Bet shall be determined as follows:

(i) A Six the Hardway on the Hop Bet shall win if a total of 6 is thrown with a 3 appearing on each die on the roll immediately following placement of the Six the Hardway on the Hop Bet.

(ii) A Six the Hardway on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Six the Hardway on the Hop Bet.

(24) An Eight the Hardway on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Eight the Hardway on the Hop Bet shall be determined as follows:

(i) An Eight the Hardway on the Hop Bet shall win if a total of 8 is thrown with a 4 appearing on each die on the roll immediately following placement of the Eight the Hardway on the Hop Bet.

(ii) An Eight the Hardway on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Eight the Hardway on the Hop Bet.

(25) A Ten the Hardway on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Ten the Hardway on the Hop Bet shall be determined as follows:

(i) A Ten the Hardway on the Hop Bet shall win if a total of 10 is thrown with a 5 appearing on each die on the roll immediately following placement of the Ten the Hardway on the Hop Bet.

(ii) A Ten the Hardway on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Ten the Hardway on the Hop Bet.

(26) A One-Three or Ace-Trey on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing One-Three or Ace-Trey on the Hop Bet shall be determined as follows:

(i) A One-Three or Ace-Trey on the Hop Bet shall win if a total of 4 is thrown with a 1 appearing on one die and a 3 appearing on the other die on the roll immediately following placement of the One-Three or Ace-Trey on the Hop Bet.

(ii) A One-Three or Ace-Trey on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the One-Three or Ace-Trey on the Hop Bet.

(27) A One-Four or Ace-Four on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing One-Four or Ace-Four on the Hop Bet shall be determined as follows:

(i) A One-Four or Ace-Four on the Hop Bet shall win if a total of 5 is thrown with a 1 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of the One-Four or Ace-Four on the Hop Bet.

(ii) A One-Four or Ace-Four on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the One-Four or Ace-Four on the Hop Bet.

(28) A Two-Three or Deuce-Trey on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Two-Three or Deuce-Trey on the Hop Bet shall be determined as follows:

(i) A Two-Three or Deuce-Trey on the Hop Bet shall win if a total of 5 is thrown with a 2 appearing on one die and a 3 appearing on the other die on the roll immediately following placement of the Two-Three or Deuce-Trey on the Hop Bet.

(ii) A Two-Three or Deuce-Trey on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Two-Three or Deuce-Trey on the Hop Bet.

(29) A One-Five or Ace-Five on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing One-Five or Ace-Five on the Hop Bet shall be determined as follows:

(i) A One-Five or Ace-Five on the Hop Bet shall win if a total of 6 is thrown with a 1 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of the One-Five or Ace-Five on the Hop Bet.

(ii) A One-Five or Ace-Five on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the One-Five or Ace-Five on the Hop Bet.

(30) A Two-Four or Deuce-Four on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Two-Four or Deuce-Four on the Hop Bet shall be determined as follows:

(i) A Two-Four or Deuce-Four on the Hop Bet shall win if a total of 6 is thrown with a 2 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of the Two-Four or Deuce-Four on the Hop Bet.

(ii) A Two-Four or Deuce-Four on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the One-Five or Ace-Five on the Hop Bet.

(31) A One-Six or Ace-Six on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing One-Six or Ace-Six on the Hop Bet shall be determined as follows:

(i) A One-Six or Ace-Six on the Hop Bet shall win if a total of 7 is thrown with a 1 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of the One-Six or Ace-Six on the Hop Bet.

(ii) A One-Six or Ace-Six on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the One-Six or Ace-Six on the Hop Bet.

(32) A Two-Five or Deuce-Five on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Two-Five or Deuce-Five on the Hop Bet shall be determined as follows:

(i) A Two-Five or Deuce-Five on the Hop Bet shall win if a total of 7 is thrown with a 2 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of the Two-Five or Deuce-Five on the Hop Bet.

(ii) A Two-Five or Deuce-Five on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Two-Five or Deuce-Five on the Hop Bet.

(33) A Three-Four or Trey-Four on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Three-Four or Trey-Four on the Hop Bet shall be determined as follows:

(i) A Three-Four or Trey-Four on the Hop Bet shall win if a total of 7 is thrown with a 3 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of the Three-Four or Trey-Four on the Hop Bet.

(ii) A Three-Four or Trey-Four on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Three-Four or Trey-Four on the Hop Bet.

(34) A Two-Six or Deuce-Six on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Two-Six or Deuce-Six on the Hop Bet shall be determined as follows:

(i) A Two-Six or Deuce-Six on the Hop Bet shall win if a total of 8 is thrown with a 2 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of the Two-Six or Deuce-Six on the Hop Bet.

(ii) A Two-Six or Deuce-Six on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Two-Six or Deuce-Six on the Hop Bet.

(35) A Three-Five or Trey-Five on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Three-Five or Trey-Five on the Hop Bet shall be determined as follows:

(i) A Three-Five or Trey-Five on the Hop Bet shall win if a total of 8 is thrown with a 3 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of the Three-Five or Trey-Five on the Hop Bet.

(ii) A Three-Five or Trey-Five on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Three-Five or Trey-Five on the Hop Bet.

(36) A Three-Six or Trey-Six on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Bet shall be determined as follows:

(i) A Three-Six or Trey-Six on the Hop Bet shall win if a total of 9 is thrown with a 3 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of the Three-Six or Trey-Six on the Hop Bet.

(ii) A Three-Six or Trey-Six on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Three-Six or Trey-Six on the Hop Bet.

(37) A Four-Five on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Four-Five on the Hop Bet shall be determined as follows:

(i) A Four-Five on the Hop Bet shall win if a total of 9 is thrown with a 4 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of the Four-Five on the Hop Bet.

(ii) A Four-Five on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Four-Five on the Hop Bet.

(38) A Four-Six on the Hop Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing Bet shall be determined as follows:

(i) A Four-Six on the Hop Bet shall win if a total of 10 is thrown with a 4 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of the Four-Six on the Hop Bet.

(ii) A Four-Six on the Hop Bet shall lose if any other combination is thrown on the roll immediately following placement of the Four-Six on the Hop Bet.

(39) A 6-7-8 Bet placed in an area on the layout for this bet that may be made at any time. A winning or losing 6-7-8 Bet shall be determined as follows:

(i) A 6-7-8 Bet shall win if a total of 6, 7 or 8 is thrown on the roll immediately following placement of the 6-7-8 Bet.

(ii) A 6-7-8 Bet shall lose if a 2, 3, 4, 5, 9, 10, 11 or 12 is thrown on the roll immediately following placement of the 6-7-8 Bet.

(40) A Fire Bet that may only be made prior to the come out roll of a new shooter.

(i) A Fire Bet shall win if at least four different unique point totals of either 4, 5, 6, 8, 9 or 10 are made by the shooter before a 7 is thrown.

(ii) A Fire Bet shall lose if less than four different unique point totals of either 4, 5, 6, 8, 9 or 10 are made by the shooter before a 7 is thrown.

(41) In addition to Place Bets to Win on 4, 5, 6, 8, 9 and 10, a certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer players the option of placing a Buy Bet to receive true odds on the Place Bet to Win. A Buy Bet shall be inactive on a come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of the player's wager. A winning or losing Buy Bet shall be determined as follows:

(i) A Buy Bet shall win if the number on which the wager was placed is thrown before a 7 is thrown.

(ii) A Buy Bet shall lose if a 7 is thrown before the number on which the wager was placed is thrown.

(42) In addition to or in lieu of the Place Bets to Lose on 4, 5, 6, 8, 9 and 10, a certificate holder may, if specified in its Rules Submission under § 601a.2, offer players the option of placing a Lay Bet to receive true odds on the Place Bet to Lose. A Lay Bet shall be active on a come out roll unless called "off" by the player and confirmed by the dealer through placement of an "off" marker button on top of the player's wager. A winning or losing Lay Bets shall be determined as follows:

(i) A Lay Bet shall win if a 7 is thrown before the particular number against which the wager is placed is thrown.

(ii) A Lay Bet shall lose if the particular number against which the wager is placed is thrown before a 7 is thrown.

(43) If Bonus Craps is being offered, the following wagers may be made immediately prior to the come out roll:

(i) An All Small Wager which will win if all of the numbers 2 through 6 are thrown before a 7 is thrown.

(ii) An All Or Nothing At All Wager which shall win if all of the numbers 2 through 6 and 8 through 12 are thrown before a 7 is thrown.

(iii) An All Tall Wager which shall win if all numbers 8 through 12 are thrown before a 7 is thrown.

(b) Except as permitted under § 623a.6(e) (relating to supplemental wagers made after the come out roll in support of Pass, Don't Pass, Come and Don't Come Bets (taking and laying odds)), the amount of a Craps or Mini-Craps wager:

(1) May not be less than the minimum wager.

(2) May not be more than the maximum wager.

(c) The minimum and maximum wagers shall be posted at each Craps or Mini-Craps table.

§ 623a.4. Making and removal of wagers.

(a) Wagers shall be made before the dice are thrown.

(b) Wagers shall be made by placing value chips or plaques on the appropriate areas of the layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager made on any bet may be removed or reduced at any time prior to a roll that decides the outcome of the wager except that:

(1) A Pass Bet may not be wagered, removed or reduced after a come out point is established with respect to the Pass Bet.

(2) A Come Bet may not be removed or reduced after a come point is established with respect to the Come Bet.

(3) A Fire Bet may not be reduced or increased at any time, and may not be removed prior to the throwing of a loser 7.

(4) Any of the Bonus Craps wagers may not be reduced or increased at any time.

(d) A Don't Come Bet and a Don't Pass Bet may be removed or reduced at any time but may not be replaced or increased after the bet has been removed or reduced.

(e) Only players who are seated at a Mini-Craps table may place a wager at the game. Once a player has placed a wager, that player shall remain seated until the completion of the round of play.

§ 623a.5. Payout odds.

(a) The certificate holder shall pay out winning Craps and Mini-Craps wagers as follows:

Wager	*Payout Odds*
Pass Bet	1 to 1
Don’t Pass Bet	1 to 1
Come Bet	1 to 1
Don’t Come Bet	1 to 1
Place Bet to Win on 4	9 to 5
Place Bet to Win on 5	7 to 5
Place Bet to Win on 6	7 to 6
Place Bet to Win on 8	7 to 6
Place Bet to Win on 9	7 to 5
Place Bet to Win on 10	9 to 5
Place Bet to Lose on 4	5 to 11
Place Bet to Lose on 5	5 to 8
Place Bet to Lose on 6	4 to 5
Place Bet to Lose on 8	4 to 5
Place Bet to Lose on 9	5 to 8
Place Bet to Lose on 10	5 to 11
Four the Hardway Bet	7 to 1
Six the Hardway Bet	9 to 1
Eight the Hardway Bet	9 to 1
Ten the Hardway Bet	7 to 1
Field Bet:	
On a 3, 4, 9, 10 or 11	1 to 1
On a 2 or 12	2 to 1
Any Seven Bet	4 to 1
Any Craps Bet	7 to 1
Craps 2 Bet	30 to 1
Craps 3 Bet	15 to 1
Craps 12 Bet	30 to 1

11 in One Roll	15 to 1
Four the Hardway on the Hop Bet	30 to 1
Six the Hardway on the Hop Bet	30 to 1
Eight the Hardway on the Hop Bet	30 to 1
Ten the Hardway on the Hop Bet	30 to 1
One-Three or Ace-Trey on the Hop Bet	15 to 1
One-Four or Ace-Four on the Hop Bet	15 to 1
One-Five or Ace-Five on the Hop Bet	15 to 1
One-Six or Ace-Six on the Hop Bet	15 to 1
Two-Three or Deuce-Trey on the Hop Bet	15 to 1
Two-Four or Deuce-Four on the Hop Bet	15 to 1
Two-Five or Deuce-Five on the Hop Bet	15 to 1
Two-Six or Deuce-Six on the Hop Bet	15 to 1
Three-Four or Trey-Four on the Hop Bet	15 to 1
Three-Five or Trey-Five on the Hop Bet	15 to 1
Three-Six or Trey-Six on the Hop Bet	15 to 1
Four-Five on the Hop Bet	15 to 1
Four-Six on the Hop Bet	15 to 1
6-7-8 Bet:	
On a 6 that is a One-Five or Two-Four, on any 7 or an 8 that is a Two-Six or Three-Five	1 to 1
On a 6 that is a Three-Three or an 8 that is a Four-Four	2 to 1

(b) A Craps-Eleven or C and E Bet shall be paid as if 1/2 of the Craps-Eleven or C and E Bet had been placed as an Any Craps Bet (7 to 1) and 1/2 as an 11 in One Roll (15 to 1), and shall be paid as if two separate wagers were made for the one roll.

(c) A Horn Bet shall be paid as if it were four separate wagers on the 2, 3, 11 and 12, each of which equaling 25% of the Horn Bet.

(d) A Horn High Bet shall be paid as if it were four separate wagers on the 2, 3, 11 and 12, each of which equaling 20% of the Horn High Bet and a fifth wager on the 2, 3, 11 or 12, equaling 20% of the Horn High Bet.

(e) A Whirl Bet shall be paid as if it were two separate wagers with four units wagered as a Horn Bet and one unit wagered as an Any Seven Bet.

(f) A winning Fire Bet shall be paid once for the highest number of different unique points made at the odds in one of the following pay tables selected by the certificate holder in its Rules Submission under § 601a.2 (relating to table games Rules Submissions).

Individual Unique Points Made	*Payout A*	*Payout B*
Four Points	24 to 1	39 to 1
Five Points	249 to 1	199 to 1
Six or More Points	999 to 1	499 to 1

(g) A certificate holder that offers Buy Bets and Lay Bets:

(1) Shall pay winning Buy Bet wagers as follows:

Wager	*Payout Odds*
Buy Bet on the 4	2 to 1
Buy Bet on the 5	3 to 2
Buy Bet on the 6	6 to 5
Buy Bet on the 8	6 to 5
Buy Bet on the 9	3 to 2
Buy Bet on the 10	2 to 1

(2) Shall pay winning Lay Bet wagers as follows:

Wager	*Payout Odds*
Lay Bet against the 4	1 to 2
Lay Bet against the 5	2 to 3
Lay Bet against the 6	5 to 6
Lay Bet against the 8	5 to 6
Lay Bet against the 9	2 to 3
Lay Bet against the 10	1 to 2

(3) May collect a vigorish of up to 5%, as specified in the certificate holder's Rules Submission, in accordance with the following requirements:

(i) For Buy Bets, the certificate holder may utilize one of the following vigorish procedures as specified in its Rules Submission:

(A) At the time the player makes a Buy Wager, the dealer shall collect a vigorish based on the amount wagered on the Buy Bet. The vigorish amount collected may not be included in the wager amount.

(B) The dealer shall collect a vigorish only on a winning Buy Bet. If the certificate holder utilizes this vigorish procedure for Buy Bets, it shall specify the wagers on which this vigorish will be applicable. For example, vigorish based on winning Buy Bets placed on the 4 or 10.

(ii) For Lay Bets, the certificate holder may utilize one of the following vigorish procedures as specified in its Rules Submission:

(A) At the time the player makes a Lay Wager, the dealer shall collect a vigorish based on the amount potentially won on the Lay Bet. The vigorish amount collected may not be included in the wager amount.

(B) The dealer shall collect a vigorish only on a winning Lay Bet. If the certificate holder utilizes this vigorish procedure for Lay Bets, it shall specify the wagers on which this vigorish will be applicable. For example, vigorish based on winning Lay Bets placed on the 4 or 10.

(h) A certificate holder that offers Bonus Craps in accordance with § 623a.3(a)(43) shall pay winning:

(1) All Small Wagers at odds of 34 to 1.

(2) All Or Nothing At All Wagers at odds of 175 to 1.

(3) All Tall Wagers at odds of 34 to 1.

(i) Except as permitted under subsection (g)(3), a certificate holder may not charge a percentage, fee or vigorish to a player in making any wager in the game of Craps or Mini-Craps.

(j) Except as permitted under § 623a.6(e) (relating to supplemental wagers made after the come out roll in support of Pass, Don't Pass, Come and Don't Come Bets (taking and laying odds)), a certificate holder may not accept any wager in excess of the maximum bet posted at the table.

§ 623a.6. Supplemental wagers made after the come out roll in support of Pass, Don’t Pass, Come and Don’t Come Bets (taking and laying odds).

(a) When a player makes a Pass Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the come out roll, the player may make a supplemental wager in support of the Pass Bet which may be limited by the certificate holder to an amount that is equal to the amount of the original Pass Bet. If the Pass Bet wins after a supplemental wager is made:

(1) The original Pass Bet shall be paid at odds of 1 to 1.

(2) The supplemental wager shall be paid at odds of:

(i) 2 to 1 if the come out point was 4 or 10.

(ii) 3 to 2 if the come out point was 5 or 9.

(iii) 6 to 5 if the come out point was 6 or 8.

(b) When a player makes a Don't Pass Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the come out roll, the player may make a supplemental wager in support of the Don't Pass Bet which may be limited by the certificate holder to an amount calculated as to provide winnings not in excess of the amount originally wagered on the Don't Pass Bet. If the Don't Pass Bet wins after a supplemental wager is made:

(1) The original Don't Pass Bet shall be paid at odds of 1 to 1.

(2) The supplemental wager shall be paid at odds of:

(i) 1 to 2 if the come out point was 4 or 10.

(ii) 2 to 3 if the come out point was 5 or 9.

(iii) 5 to 6 if the come out point was 6 or 8.

(c) When a player makes a Come Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Come Bet, the player may make a supplemental wager in support of the Come Bet which may be limited by the certificate holder to an amount that is equal to the amount of the original Come Bet. If the Come Bet wins after a supplemental wager is made:

(1) The original Come Bet shall be paid at odds of 1 to 1.

(2) The supplemental wager shall be paid at odds of:

(i) 2 to 1 if the come point was 4 or 10.

(ii) 3 to 2 if the come point was 5 or 9.

(iii) 6 to 5 if the come point was 6 or 8.

(d) When a player makes a Don't Come Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of the Don't Come Bet, the player may make a supplemental wager in support of the Don't Come Bet which may be limited by the certificate holder to an amount calculated as to provide winnings not in excess of the amount originally wagered on the Don't Come Bet. If the Don't Come Bet wins after a supplemental wager is made:

(1) The original Don't Come Bet shall be paid at odds of 1 to 1.

(2) The supplemental wager shall be paid at odds of:

(i) 1 to 2 if the come point was a 4 or 10.

(ii) 2 to 3 if the come point was 5 or 9.

(iii) 5 to 6 if the come point was 6 or 8.

(e) Except as permitted under subsection (f), a certificate holder may allow a supplemental wager in support of a Pass or Come Bet in an amount up to ten times the amount of the original Pass or Come Bet. A certificate holder may allow a supplemental wager in support of a Don't Pass or Don't Come Bet in an amount calculated as to provide a winning player with winnings not in excess of up to ten times the amount originally wagered on the Don't Pass or Don't Come Bet. The original Pass, Don't Pass, Come or Don't Come Bet and any supplemental wager allowed in accordance with this subsection shall be paid at the same odds as the original and supplemental wagers are paid under subsections (a)—(d).

(f) A certificate holder may accept a supplemental wager that exceeds an amount that is otherwise authorized by this section or posted as the maximum wager permitted if the excess amount of the supplemental wager is necessary to facilitate the payouts permitted by this section.

§ 623a.7. Dice retention and selection.

(a) A set of five dice shall be present at the Craps or Mini-Craps table during gaming. Control of the dice at a Craps table, or at a Mini-Craps table with an optional stickperson, shall be the responsibility of the stickperson at the table. Control of the dice at a Mini-Craps table without an optional stickperson shall be the responsibility of the dealer at the table. The stickperson or Mini-Craps dealer shall retain all dice, except those in active play, in a dice cup at the table.

(b) At the commencement of play:

(1) For Craps, the stickperson shall offer the set of dice to the player immediately to the left of the boxperson at the table. If that player rejects the dice, the stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice.

(2) For Mini-Craps, the dealer or the optional Mini-Craps stickperson shall offer the set of dice to the player immediately to his left at the table. If that player rejects the dice, the dealer or stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice.

(c) The first player to accept the dice when offered shall become the shooter who shall select and retain two of the dice offered. The remaining dice of the set shall be returned to the dice cup which shall:

(1) For Craps, be placed immediately in front of the Craps stickperson.

(2) For Mini-Craps, be placed immediately in front of the Mini-Craps dealer or stickperson.

(d) A set of five dice used at a Craps or Mini-Craps table shall be changed at least once every 24 hours. A new set of dice shall be used when a Craps or Mini-Craps table is reopened for gaming, if a die goes off the table during play and is lost or if the dice show signs of tampering or alteration or are otherwise marked, chipped, scratched or no longer suitable for play.

§ 623a.8. Throw of the dice; invalid roll of the dice.

(a) After selection of the dice, the shooter shall make a Pass Bet or Don't Pass Bet after which the shooter shall throw the two selected dice so that they leave the shooter's hand simultaneously and in a manner which causes the dice to strike the end of the table farthest from the shooter.

(b) A roll of the dice shall be invalid when either or both of the dice go off the table or when one die comes to rest on top of the other.

(c) The individuals listed in subsection (d) shall have the authority to invalidate a roll of the dice by calling "no roll" for any of the following reasons:

(1) The dice do not leave the shooter's hand simultaneously.

(2) Either or both of the dice fail to strike the end of the table farthest from the shooter.

(3) Either or both of the dice come to rest on the chips constituting the Craps bank of chips located in front of the boxperson.

(4) Either or both of the dice come to rest in the dice cup in front of the Craps stickperson, in front of the Mini-Craps dealer or stickperson or on one of the rails surrounding the table.

(5) The use of a cheating, crooked or fixed device or technique in the roll of the dice.

(6) The Craps boxperson or stickperson, or the Mini-Craps dealer or stickperson, considers the throw to be improper.

(d) A throw of the dice which results in the dice coming into contact with any chips or plaques on the table, other than the Craps bank of chips located in front of the boxperson, will not be a cause for a call of "no roll."

(e) "No roll" may be called:

(1) In Craps, by a boxperson or stickperson.

(2) In Mini-Craps, by the dealer, stickperson or floorperson.

§ 623a.9. Point throw; settlement of wagers.

(a) When the dice come to rest from a valid throw, the Craps stickperson or the Mini-Craps dealer or stickperson shall at once call out the sum of the numbers on the uppermost or skyward sides of the two dice. Only one face on each die shall be considered uppermost or skyward.

(b) In the event either or both of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost or skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be rethrown.

(c) In the event of a dispute as to which face is uppermost:

(1) In Craps, the boxperson shall have discretion to determine which face is uppermost or to order the throw be void and the dice be rethrown.

(2) In Mini-Craps, the floorperson shall have discretion to determine which face is uppermost or to order the throw be void and the dice be rethrown.

(d) In Craps, after calling the throw, the stickperson shall collect the dice and bring them to the center of the table between himself and the boxperson. All wagers decided by that throw shall then be settled, following which the stickperson shall pass the dice to the shooter for the next throw. When collecting the dice and passing them to the shooter, the stickperson shall use a stick designed for that purpose.

(e) In Mini-Craps, after calling the throw, the dealer or stickperson shall collect the dice and bring them to the center of the table. All wagers decided by that throw shall then be settled, following which the dealer or stickperson shall pass the dice to the shooter for the next throw. When collecting the dice and passing them to the shooter, the dealer or stickperson shall use a stick designed for that purpose.

§ 623a.10. Continuation of shooter; selection of new shooter.

(a) It shall be the option of the shooter, after any roll, either to pass the dice or remain the shooter except that:

(1) The shooter shall pass the dice upon throwing a loser 7.

(2) The Craps boxperson or the Mini-Craps dealer may order the shooter to pass the dice if the shooter unreasonably delays the game, repeatedly makes invalid rolls or violates either the act or this part.

(b) If a shooter, after making the come out point, elects not to place another Pass Bet or Don't Pass Bet, and other Come Bets or Don't Come Bets remain on the table, the Craps stickperson or the Mini-Craps dealer or stickperson shall offer the dice to the player immediately to the left of the previous shooter, as provided for in subsection (c). If there are no other players at the table, or if no other players at the table elect to make a Pass Bet or Don't Pass Bet to shoot the dice and continue the game, the previous shooter shall be allowed to shoot the dice without making a Pass Bet or Don't Pass Bet only for the purpose of effecting a decision on the remaining Come Bets or Don't Come Bets. The on/off marker shall be placed on the Don't Pass Line in the off position in front of the shooter to indicate that the shooter is rolling the dice only to effectuate a decision for the Come Bets or Don't Come Bets remaining on the layout. Once the remaining Come Bets or Don't Come Bets have been decided or a player wishes to place a Pass Bet or Don't Pass Bet, the game shall proceed in accordance with § 623a.8 (relating to throw of the dice; invalid roll of the dice).

(c) When a voluntary or compulsory relinquishment of the dice occurs by the shooter, the Craps stickperson or the Mini-Craps dealer or stickperson shall offer the complete set of five or more dice to the player immediately to the left of the previous shooter and, if he does not accept, to each of the other players in turn clockwise around the table.

(d) The first player to accept the dice when offered shall become the new shooter who shall select and retain two of the dice offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the Craps stickperson or the Mini-Craps dealer or stickperson.

§ 623a.11. Additional procedures and rules for the Fire Bet.

(a) If a certificate holder elects to offer the Fire Bet in the game of Craps as permitted under § 623a.3 (relating to wagers), the following additional procedures shall be observed:

(1) Each player shall, prior to a new shooter's initial come out roll, place his Fire Bet on the numbered designated area for the placement of Fire Bets that is closest to his position at the Craps table.

(2) When there is a voluntary or compulsory surrender of the dice by a shooter under § 623a.10 (relating to continuation of shooter; selection of new shooter) prior to the throwing of a loser 7, any pending Fire Bet shall be settled upon the successor shooter throwing a loser 7.

(3) Once all Fire Bets are placed, the dealer shall bring in each Fire Bet in numerical order and place it on the corresponding number of the designated area in front of the boxperson, where the Fire Bets shall remain until they are either lost or paid.

(4) With each individual point made by a shooter, the dealer shall place a Fire Bet point marker inscribed with the total number of different unique points made by the shooter in the area of the table layout containing the number of the point (4, 5, 6, 8, 9 or 10) which was just made. Each Fire Bet point marker must be visually distinguishable from and have a diameter larger than any authorized value chip. Fire Bet point markers shall be maintained by the boxperson or dealers at the Craps table.

(5) Fire Bets shall be collected or paid, as applicable, upon a shooter throwing a loser 7.

(6) Once four different unique points are made, the surveillance department shall be notified for the purpose of confirming all Fire Bets and payouts.

(b) If a certificate holder elects to offer the Fire Bet in the game of Craps under § 623a.3, the following additional rules shall apply:

(1) The minimum wager shall be $1 and the maximum wager shall be $5 and all wagers shall be made in increments of $1.

(2) When a shooter makes the same point total more than once, the total number of different unique points made for purposes of settling a Fire Bet do not increment.

(3) The four or more different unique points required to win a Fire Bet are not required to be made in any specific order or combination.

§ 623a.12. Additional procedures and rules for Bonus Craps.

If a certificate holder elects to offer Bonus Craps as permitted under § 623a.3 (relating to wagers), the following additional rules and procedures apply:

(1) Prior to a new shooter's initial come out roll, each player may place one or more of the permissible wagers described in § 623a.3(43).

(2) The dealer shall place each player's wagers in the corresponding designated area in front of the boxperson, where the wagers must remain until they are either collected or paid.

(3) With each point made by a shooter, the dealer shall place a marker button inscribed with the point value in the area of the table layout containing the point value of the throw (2, 3, 4, 5, 6, 8, 9, 10, 11 or 12) which was just made. Each button must be visually distinguishable from and have a diameter larger than an authorized value chip. Marker buttons shall be maintained by the boxperson or dealers at the Craps table.

(4) Once all numbers necessary for the wager have been thrown and marked on the layout with the marker buttons, the dealer will pay the winning wagers in accordance with § 623a.5(h) (relating to payout odds). For example, if a player placed an All Small Wager and an

All Or Nothing At All Wager and all of the numbers 2 through 6 were thrown and marked before a 7 was thrown, the dealer shall pay the winning All Small Wager but leave the marker buttons on the layout until either all other numbers necessary for the All Or Nothing At All Wager are thrown or the shooter throws a 7.

(5) If a 7 is thrown at any time, including a 7 on the come out roll, the dealer shall collect all Bonus Craps wagers and remove all marker buttons from the Bonus Craps area of the layout.

(6) The numbers required to win are not required to be made in a specific order or combination.

CHAPTER 625a. SIC BO

Sec.

625a.1. Sic Bo table; Sic Bo shaker; physical characteristics.
625a.2. Dice; number of dice.
625a.3. Wagers.
625a.4. Placement of wagers.
625a.5. Procedures for opening and dealing the game.
625a.6. Payout odds.
625a.7. Irregularities.

§ 625a.1. Sic Bo table; Sic Bo shaker; physical characteristics.

(a) Each Sic Bo table must have a drop box and tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment).

(b) Each Sic Bo table must have an area that depicts all wagers authorized under § 625a.3 (relating to wagers) and an electrical device, approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval), which illuminates the winning combinations on the Sic Bo table after the numeric value of each die has been entered by the dealer.

(c) The layout for a Sic Bo table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a), and contain, at a minimum:

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

(2) Specific areas designated for the placement of the wagers authorized under § 625a.3.

(3) The payout odds, in accordance with § 625a.6 (relating to payout odds), for all permissible wagers offered by the certificate holder. If the payout odds are not on the layout, a sign identifying the payout odds shall be posted at each Sic Bo table.

(d) Sic Bo shall be played with a Sic Bo shaker approved in accordance with § 601a.10(a), which shall be used to shake the dice to arrive at the winning combinations.

(1) A manual Sic Bo shaker shall be designed and constructed to maintain the integrity of the game and must, at a minimum, adhere to the following specifications:

(i) The Sic Bo shaker must have a compartment to secure the three dice and a separate cover which conceals the dice while the dealer is shaking the Sic Bo shaker. The

compartment to secure the three dice must be transparent and the cover which conceals the dice must be opaque.

(ii) The Sic Bo shaker must have the capability of being sealed or locked to ensure the integrity of the dice contained inside the Sic Bo shaker.

(iii) The Sic Bo shaker must have the name or logo of the certificate holder thereon.

(2) An automated Sic Bo shaker, approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4, may be used in the game of Sic Bo, provided that:

(i) The shaker meets the requirements in paragraph (1)(i) and (ii).

(ii) The procedures for shaking the dice are submitted to the Bureau of Gaming Operations and approved in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(iii) The shaker's location on the Sic Bo table is approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

(e) The manual Sic Bo shaker shall be the responsibility of the dealer and may not be left unattended while at the table.

§ 625a.2. Dice; number of dice.

(a) Sic Bo shall be played with three dice, which shall be kept inside the Sic Bo shaker while at the Sic Bo table.

(b) The dice that have been placed in a manual Sic Bo shaker may not be used for the play of the game for more than 24 hours. Dice that have been locked in an automated Sic Bo shaker and comply with the requirements of § 603a.12(c) (relating to dice; physical characteristics) may not be used for the play of the game for more than 1 month.

§ 625a.3. Wagers.

A player may place the following wagers in the game of Sic Bo:

(1) Three of a Kind which wins if the same number is showing on all three dice and the player selected that number to appear on all three dice.

(2) Two of a Kind which wins if the same number is showing on two of the three dice and the player selected that number to appear on two out of the three dice.

(3) Any Three of a Kind which wins if the numeric value on all three dice is the same and the player wagered that any of the numbers 1 through 6 would appear on all of the three dice.

(4) Total Value Bet which wins if the numeric total of all three dice equals the total of the number wagered.

(5) Two Dice Combination which wins when the player wagered that a combination of two specific but different numeric values would appear on at least two of the dice and the two numeric values chosen are showing.

(6) Small Bet which wins if the numeric total of all three dice equals any one of the following totals: 4, 5, 6, 7, 8, 9 or 10 and loses if any other numeric total is shown or if a Three of a Kind appears.

(7) Big Bet which wins if the numeric total of all three dice equals any one of the following totals: 11, 12, 13, 14, 15, 16 or 17 and loses if any other numeric total is shown or if a Three of a Kind appears.

(8) One of a Kind which wins if one or more of the three dice shows a numeric value equal to the number wagered.

§ 625a.4. Placement of wagers.

(a) Wagers at Sic Bo shall be made by placing value chips or plaques on the appropriate areas of the Sic Bo layout. Verbal wagers accompanied by cash may not be accepted at the game of Sic Bo.

(b) Each player shall be responsible for the correct positioning of his wagers on the Sic Bo layout regardless of whether the player is assisted by the dealer. Each player shall ensure that any instructions given to the dealer regarding the placement of wagers are correctly carried out.

(c) Each wager shall be settled in accordance with its position on the layout when the dice come to rest and the numeric value showing on each die has been entered into the electrical device and illuminated at the table.

§ 625a.5. Procedures for opening and dealing the game.

(a) Prior to opening the Sic Bo table for gaming activity, the floorperson assigned to the Sic Bo table shall inspect the following items to insure that each is in proper working order:

(1) The electrical device which causes the winning combinations on the Sic Bo table to be illuminated when the numeric value of each die has been entered by the dealer. At a minimum, the inspection shall be completed by entering three numeric values into the electrical device and verifying that all winning combinations are properly illuminated.

(2) The automated dice shaker, if one is in use. At a minimum, the inspection shall be completed by operating the device three times and verifying that the dice are being properly tossed.

(b) At the commencement of each round of play, the dealer shall either:

(1) Place the cover on the manual Sic Bo shaker and shake the Sic Bo shaker at least three times to cause a random mixture of the dice.

(2) Activate the automated dice shaker to cause a random mixture of the dice.

(c) Prior to revealing the dice in the Sic Bo shaker, the dealer shall announce "no more bets."

(d) The dealer shall then remove the cover from the Sic Bo shaker, announce the numeric value of each die and enter the numeric value of each die into the electrical device on the table. The electrical device must illuminate the winning combinations on the Sic Bo layout.

(e) After the winning combinations have been illuminated, the dealer shall first collect all losing wagers and then pay off all winning wagers at the odds in § 625a.6 (relating to payout odds). A manual Sic Bo shaker shall remain uncovered until all winning wagers have been paid.

(f) After all losing wagers have been collected and all winning wagers have been paid, the dealer shall clear the previously illuminated winning combinations from the table.

§ 625a.6. Payout odds.

(a) The certificate holder shall pay out winning Sic Bo wagers at the odds in the following paytable:

Wager	*Payout Odds*
Three of a Kind	150 to 1
Two of a Kind	8 to 1
Any Three of a Kind	24 to 1
Total Value Bet of 4	50 to 1
Total Value Bet of 5	18 to 1
Total Value Bet of 6	14 to 1
Total Value Bet of 7	12 to 1
Total Value Bet of 8	8 to 1
Total Value Bet of 9	6 to 1
Total Value Bet of 10	6 to 1
Total Value Bet of 11	6 to 1
Total Value Bet of 12	6 to 1

Total Value of Bet 13	8 to 1
Total Value of Bet 14	12 to 1
Total Value of Bet 15	14 to 1
Total Value Bet of 16	18 to 1
Total Value Bet of 17	50 to 1
Any Two Dice Combination	5 to 1
Small Bet	1 to 1
Big Bet	1 to 1

(b) One of a Kind shall be paid at:

(1) 1 to 1, if only one of the dice show the numeric value upon which the wager was placed.

(2) 2 to 1, if two of the dice show the numeric value upon which the wager was placed.

(3) 3 to 1, if all three dice show the numeric value upon which the wager was placed.

§ 625a.7. Irregularities.

(a) If all three dice do not land flat on the bottom of the Sic Bo shaker after being tossed, the dealer shall call a “no roll” and all wagers placed shall be returned to the players.

(b) If the electrical device which causes the winning combinations to be illuminated when the numeric value of each die has been entered by the dealer or the area of the Sic Bo table which depicts all permissible wagers under § 625a.3 (relating to wagers) malfunctions after the manual Sic Bo shaker has been uncovered or the automated Sic Bo dice shaker has tossed the dice, the dealer shall, in the presence of a floorperson or above, collect losing wagers and pay winning wagers. Once the wagers on the layout have been settled, all gaming at the Sic Bo table shall cease until the electrical device which causes the winning combinations on the Sic Bo table to be illuminated when the numeric value of each die has been entered by the dealer has been fixed.

(c) If the automated Sic Bo shaker fails to operate or malfunctions when activated, the round of play shall be void and wagers placed shall be returned to the players.

(d) If an automated Sic Bo shaker malfunctions or cannot be used, the dice must be removed and the automated Sic Bo shaker must be covered or have a sign placed on the device indicating that the automated Sic Bo shaker is out of order before a manual Sic Bo shaker may be utilized.

CHAPTER 627a. MINIBACCARAT

Sec.

627a.1. Definitions.
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627a.4. Opening of the table for gaming.
627a.5. Shuffle and cut of the cards.
627a.6. Value of cards; Point Count of hand.
627a.7. Wagers.
627a.8. Hands of player and banker; procedure for dealing initial two cards to each hand.
627a.9. Procedure for dealing a third card.
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627a.11. Announcement of result of round; payment and collection of wagers.
627a.12. Payout odds; vigorish.
627a.13. Irregularities.

§ 627a.1. Definitions.

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

Dragon 7--A Banker's Hand which has a Point Count of 7 with a total of three cards dealt and the Player's Hand which has a Point Count of less than 7.

EZ Baccarat--A variation of Minibaccarat in which vigorish is not collected.

Natural--A hand which has a Point Count of 8 or 9 on the first two cards dealt.

Panda 8--A Player's Hand which has a Point Count of 8 with a total of three cards dealt and the Banker's Hand which has a Point Count of less than 8.

§ 627a.2. Minibaccarat table physical characteristics.

(a) Minibaccarat shall be played on a table having numbered positions for no more than nine seated 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 Minibaccarat table shall be submitted to the Bureau of Gaming Operations and approved 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) Separate areas designated for the placement of wagers on the Banker's Hand, Player's Hand and Tie Hand for each player.

(3) The payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Minibaccarat table.

(4) An area designated for the placement of cards for the Player's Hand and Banker's Hand.

(5) If a certificate holder offers the Dragon Bonus Wager authorized under § 627a.7(a)(4) (relating to wagers), separate areas designated for the placement of the Dragon Bonus Wager for each player.

(6) If a certificate holder offers EZ Baccarat in which vigorish is not collected:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 627a.7(a)(5),for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information shall be posted at each Minibaccarat table.

(iii) Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 627a.7(a)(6),for each player.

(7) If a certificate holder offers the House Money Wager, authorized under § 627a.7(a)(7), separate areas designated for the placement of the House Money Wager for each player.

(8) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the dealer, in accordance with the option selected in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

(c) If marker buttons are used for the purpose of marking vigorish, the marker buttons shall be placed in the table inventory container or in a separate rack designed for the purpose of storing marker buttons. If a separate rack is used, the rack shall be placed in front of the table inventory container during gaming activity.

(d) Each Minibaccarat table must have a drop box and a tip box attached on the same side of the gaming 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.

(e) Each Minibaccarat table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 627a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Minibaccarat shall be played with six to eight decks of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, Minibaccarat shall be played with 12 to 16 decks of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a Minibaccarat table shall be changed at least once every 24 hours.

§ 627a.4. Opening of the table for gaming.

(a) After receiving six 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, they 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 is 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.

(d) If an automated card shuffling device is utilized and two batches of cards are received at the table, all the decks in one batch of cards shall be spread for inspection on the table

separate from the decks in the other batch of cards. After the first player is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face down on the table and stacked.

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 627a.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 dealing shoe of cards is dealt 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. If the cards have been manually shuffled, the dealer shall leave the entire stack of cards intermixed but not entirely squared off (leave them feathered) so that the floorperson can verify that the shuffle did not result in any uneven distribution of cards.

(b) After the cards have been shuffled and, when applicable, reshuffled, the dealer shall offer the stack of cards, with the backs facing away from the dealer, to the players to be cut. The dealer shall begin with the player seated in the highest number position at the table and, working clockwise around the table, offer the stack to each player until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

(d) Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in a position at least 14 cards above 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 the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut by the next person entitled to cut the cards, as determined by subsection (b). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) Prior to commencement of play, the dealer shall remove and expose the first card from the dealing shoe and place it, and an additional number of cards, drawn face down, equal to the face value of the first card drawn, in the discard rack. When determining the face value of the first card removed from the dealing shoe, a 10, jack, queen or king shall count as ten and an ace shall count as one.

(g) If there is no gaming activity at a Minibaccarat table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 is afforded an opportunity to visually inspect the cards:

(1) If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if:

(i) The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(ii) The shuffled cards have been secured, released and prepared for play in accordance with procedures submitted to the Bureau of Gaming Operations and approved in accordance with § 465a.2 (relating to internal control systems and audit protocols).

§ 627a.6. Value of cards; Point Count of hand.

(a) The value of the cards in each deck shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any 10, jack, queen or king shall have a value of zero.

(3) Any ace shall have a value of one.

(b) The Point Count of a hand shall be a single digit number from 0 to 9 and determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of the number shall be discarded and the right digit shall constitute the Point Count of the hand. Examples of this rule are as follows:

(1) A hand composed of an ace, 2 and 4 has a Point Count of 7.

(2) A hand composed of an ace, 2 and 9 has a total of 12 but a Point Count of only 2 since the left digit of the number 12 is discarded.

§ 627a.7. Wagers.

(a) The following are permissible wagers in the game of Minibaccarat:

(1) A wager on the Banker's Hand which shall:

(i) Win if the Banker's Hand has a Point Count higher than that of the Player's Hand unless EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Banker's Hand has a Point Count lower than that of the Player's Hand.

(iii) Tie and be returned to the player if the Banker's Hand and the Player's Hand have the same Point Count or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(2) A wager on the Player's Hand which shall:

(i) Win if the Player's Hand has a Point Count higher than that of the Banker's Hand and if EZ Baccarat is being played and the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Player's Hand has a Point Count lower than that of the Banker's Hand or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(iii) Tie and be returned to the player if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(3) A Tie Wager which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(ii) Lose if Point Counts of the Banker's Hand and the Player's Hand are not equal.

(4) If offered by a certificate holder, a Dragon Bonus Wager on the Player's Hand or Banker's Hand, or both, which shall:

(i) Win if the selected hand is:

(A) A Natural and the other hand is not a Natural.

(B) A Natural 9 and the other hand is a Natural 8.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by four or more points.

(ii) Lose if the selected hand is:

(A) A Natural 8 and the other hand is a Natural 9.

(B) Not a Natural and has a Point Count less than or equal to the Point Count of the other hand.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by less than four points.

(iii) Tie and be returned to the player if the selected hand is a Natural and the other hand is a Natural of equal Point Count.

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

(6) A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Point Counts of the Player's Hand and the Dealer's Hand do not result in a Panda 8.

(7) If offered by a certificate holder, a House Money Wager which shall:

(i) Win if the first two cards of either the Player's Hand or Banker's Hand, or both, are a pair. For purposes of the House Money Wager, a pair must be of same rank (two queens, for example), regardless of suit.

(ii) Lose if in the first two cards dealt to the player's hand and the banker's hand, neither the player's hand nor the banker's hand contains a pair.

(b) Wagers at Minibaccarat shall be made by placing value chips or plaques on the appropriate areas of the Minibaccarat layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

§ 627a.8. Hands of player and banker; procedure for dealing initial two cards to each hand.

(a) There shall be two hands dealt in the game of Minibaccarat, one of which shall be designated the Player's Hand and the other designated the Banker's Hand.

(b) Prior to dealing any cards, the dealer shall announce “no more bets.”

(c) The dealer shall then deal an initial four cards from the dealing shoe in accordance with one of the following options selected by the certificate holder in its Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) The dealer shall remove cards from the dealing shoe with his left hand and place them face up on the appropriate area of the layout with his right hand. The first and third cards dealt shall constitute the first and second cards of the Player's Hand and placed on the area designated for the Player's Hand. The second and fourth cards dealt shall constitute the first and second cards of the Banker's Hand and placed on the area designated for the Banker's Hand.

(2) The dealer shall remove cards from the dealing shoe with his left hand and place them face down on the layout. The first and third cards dealt shall constitute the first and second cards of the Player's Hand and placed on the area designated for the Player's Hand. The second and fourth cards dealt shall constitute the first and second cards of the Banker's Hand and placed underneath the right corner of the dealing shoe until the Player's Hand is called as provided in § 627a.9 (relating to procedure for dealing a third card). The second and fourth cards shall then be turned face up and placed on the area designated for the Banker's Hand.

(d) Prior to dealing a third card to the Player's or Banker's Hand, the dealer shall settle all House Money Wagers as follows:

(1) If a player placed a House Money Wager, beginning from the dealer's right and moving counterclockwise around the table, the dealer shall collect all losing House Money Wagers and pay all winning wagers in accordance with § 627a.12(h) (relating to payout odds; vigorish) provided that, at a player's discretion, the player may add the winning House Money payout to the player's original wager on the Player's or Banker's Hand in accordance with the following:

(i) All of the winning House Money payout or, if specified in the certificate holder's Rules Submission filed in accordance with § 601a.2, only a specified portion of the winning House Money payout shall be added to the area designated for the placement of the player's original wager on the Player's or Banker's Hand. The player's original wager and the House Money payout which was added to the player's original wager shall be settled based on the outcome of the player's wager on the Player's or Banker's Hand.

(ii) A player may not touch the winning House Money payout. The dealer shall either hand the entire winning House Money payout to the player or place all or a portion

thereof, as authorized by the certificate holder, on the area designated for the placement of the player's wager on the Player's or Banker's Hand.

(2) After settling the House Money Wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §c627a.9.

(e) Players may not touch, handle, remove or alter any cards used to play Minibaccarat.

§ 627a.9. Procedure for dealing a third card.

(a) After the dealer positions the cards in accordance with § 627a.8(c)(1) or (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the Point Count of the Player’s Hand and the Banker’s Hand.

(b) Following the announcement of the Point Counts of each hand, the dealer shall determine whether to deal a third card to each hand in accordance with § 627a.10 (relating to rules for determining whether a third card shall be dealt).

(c) After the dealer positions the cards in accordance with § 627a.8(c)(1) or (2), any third card required to be dealt shall first be dealt face up to the Player’s Hand and then to the Banker’s Hand.

(d) In no event may more than one additional card be dealt to either hand.

(e) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer shall announce “last hand.” At the completion of one more hand, the cards shall be reshuffled.

§ 627a.10. Rules for determining whether a third card shall be dealt.

(a) If either the Player’s Hand or the Banker’s Hand is a Natural, no more cards may be dealt to either hand.

(b) If the Point Count of the Player’s Hand and the Banker’s Hand is 0 to 7 on the first two cards, the Player’s Hand shall:

(1) Draw (take a third card) if the Player’s Hand has a Point Count of less than 6.

(2) Stay (not take a third card) if the Player’s Hand has a Point Count of 6 or more.

(c) If the Point Count of the Player’s Hand and the Banker’s Hand is 0 to 7 on the first two cards, the Banker’s Hand shall draw or stay in accordance with the following requirements:

(1) If the Player's Hand does not receive a third card, the Banker's Hand shall be dealt a third card if the Point Count of the Banker's Hand is 5 or less.

(2) If the Player's Hand is dealt a third card and:

(i) The Banker's Hand has a Point Count of less than 3, the Banker's Hand shall be dealt a third card.

(ii) The Banker's Hand has a Point Count of 7, the Banker's Hand may not be dealt a third card.

(iii) The Banker's Hand has a Point Count of 3, 4, 5 or 6, the Banker's Hand shall be dealt or not dealt a third card in accordance with Table 1 as follows:

Table 1

Value of the Third Card Drawn by Player's Hand

Point Count of Banker's Hand After Two Cards	*0*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*
3	D	D	D	D	D	D	D	D	S	D
4	S	S	D	D	D	D	D	D	S	S
5	S	S	S	S	D	D	D	D	S	S
6	S	S	S	S	S	S	D	D	S	S

(d) In Table 1, the first vertical column labeled "Point Count of Banker's Hand After Two Cards" refers to the Point Count of the Banker's Hand after the first two cards have been dealt to the Banker's Hand.

(e) In Table 1, the first horizontal row at the top labeled "Value of the Third Card Drawn by Player's Hand" refers to the value of the third card drawn by the Player's Hand, not the Point Count of the Player's Hand.

(f) In Table 1, the letter "D" means that the Banker's Hand shall draw a third card and the letter "S" means that the Banker's Hand shall stay.

(g) To use Table 1, first find the Point Count of the Banker's Hand in the first vertical column and trace that horizontally across the table until it intersects the vertical column that corresponds to the value of the third card drawn by the Player's Hand. The symbol located where the intersection occurs determines whether the Banker's Hand shall draw a third card or stay. For example, if the Point Count of the Banker's Hand after two cards is 5 and the value of the third card drawn by the Player's Hand is 4, the table shows that the Banker's Hand shall draw a third card.

§ 627a.11. Announcement of result of round; payment and collection of wagers.

(a) After each hand has received all the cards to which it is entitled under §§ 627a.8, 627a.9 and 627a.10 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7 or a Panda 8, the dealer shall announce "Dragon 7" or "Panda 8."

(b) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, the dealer shall, starting at the highest numbered player position at which a winning wager is located, mark or collect the vigorish owed by that player, unless the table is designated for play as an EZ Baccarat table in which vigorish is not collected. Immediately thereafter, the dealer shall pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by each player is either marked or collected and each winning wager is paid.

(c) At the conclusion of a round of play, the dealer shall remove all 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.

§ 627a.12. Payout odds; vigorish.

(a) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(b) A winning Tie Wager shall be paid at odds of at least 8 to 1.

(c) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won unless the certificate holder is offering EZ Baccarat in which vigorish is not collected. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢.

(d) A dealer shall collect the vigorish from a player in accordance with one of the following procedures selected by the certificate holder in its Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) At the time the winning payout is made.

(2) At a later time, provided that:

(i) The outstanding vigorish shall be collected prior to the reshuffling of the cards in a dealing shoe or when the player leaves the gaming table, whichever occurs first.

(ii) The amount of the vigorish shall be tracked by placing a coin or marker button, which contains the amount of the vigorish owed, in the rectangular space on the layout that is imprinted with the number of the player owing the vigorish.

(iii) The coin or marker button may not be removed from the layout until the vigorish owed is collected.

(e) If a certificate holder offers the Dragon Bonus Wager, in accordance with § 627a.7(a)(4) (relating to wagers), a vigorish may not be extracted on a winning Dragon Bonus Wager. Winning Dragon Bonus Wagers shall be paid out at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Win by 9 points	30 to 1	20 to 1	30 to 1
Win by 8 points	10 to 1	8 to 1	10 to 1
Win by 7 points	6 to 1	7 to 1	4 to 1
Win by 6 points	4 to 1	4 to 1	4 to 1
Win by 5 points	2 to 1	3 to 1	2 to 1
Win by 4 points	1 to 1	1 to 1	2 to 1
Natural winner	1 to 1	1 to 1	1 to 1
Natural tie	Push	Push	Push

(f) A winning Dragon 7 Insurance Wager, as described in § 627a.7(a)(5), shall be paid at odds of 40 to 1.

(g) A winning Panda 8 Insurance Wager, as described in § 627a.7(a)(6), shall be paid at odds of 25 to 1.

(h) If a certificate holder offers the House Money Wager and the player elects to take the payout, the player shall be paid in accordance with the following paytable:

Hand	*Odds*
Player and Banker Pair	15 to 1
Player or Banker Pair	3 to 1

§ 627a.13. Irregularities.

(a) Except as provided in subsection (b), a card drawn in error from the dealing shoe that is not disclosed shall be used as the first card of the next hand of play.

(b) A third card dealt to the Player's Hand that is not disclosed, when a third card is not authorized under § 627a.10 (relating to rules for determining whether a third card shall be dealt),

shall become the third card of the Banker's Hand if the Banker's Hand is required to draw under § 627a.10(c). If the Banker's Hand is required to stay, the card dealt in error shall become the first card of the next hand of play.

(c) If a third card dealt to the Player's Hand, when a third card is not authorized under § 627a.10, is disclosed at the time it is dealt or is found face up in the dealing shoe, the dealer shall use the disclosed card as the third card of the Banker's Hand if the Banker's Hand is required to draw under § 627a.10(c). If the Banker's Hand is required to stay, the dealer shall, in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Place the disclosed card and one additional card, drawn face down from the dealing shoe, into the discard rack without disclosing the additional card.

(2) Use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with this chapter and placed in the discard rack upon completion of the dealing procedures.

(d) Except as provided in subsection (c), if a card is disclosed at the time it is dealt or a card is found face up in the dealing shoe, the dealer shall use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with this chapter and placed in the discard rack upon completion of the dealing procedures.

(e) If there are insufficient cards remaining in the dealing shoe to complete a round of play, that round shall be void and all wagers shall be returned. A new round shall commence after the entire set of cards are reshuffled and placed in the dealing shoe.

CHAPTER 629a. MIDIBACCARAT

Sec.

629a.1. Definitions.
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§ 629a.1. Definitions.

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

Dragon 7--A Banker's Hand which has a Point Count of 7 with a total of three cards dealt and the Player's Hand which has a Point Count of less than 7.

EZ Baccarat--A variation of Midibaccarat in which vigorish is not collected.

Natural--A hand which has a Point Count of 8 or 9 on the first two cards dealt.

Panda 8--A Player's Hand which has a Point Count of 8 with a total of three cards dealt and the Banker's Hand which has a Point Count of less than 8.

§ 629a.2. Midibaccarat table physical characteristics.

(a) Midibaccarat shall be played on a table having numbered positions for no more than nine seated 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 Midibaccarat table shall be submitted to the Bureau of Gaming Operations and approved 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) Separate areas designated for the placement of wagers on the Banker's Hand, Player's Hand and Tie Hand for each player.

(3) The payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Midibaccarat table.

(4) An area designated for the placement of cards for the Player's Hand and Banker's Hand.

(5) If a certificate holder offers the Dragon Bonus Wager, authorized under § 629a.7(a)(4) (relating to wagers), separate areas designated for the placement of the Dragon Bonus Wager for each player.

(6) If a certificate holder offers EZ Baccarat in which vigorish is not collected:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 629a.7(a)(5),for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information shall be posted at each Midibaccarat table.

(iii) Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 629a.7(a)(6),for each player.

(7) If a certificate holder offers the House Money Wager, authorized under § 629a.7(a)(7), separate areas designated for the placement of the House Money Wager for each player.

(8) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the dealer, in accordance with the option selected in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

(c) If marker buttons are used for the purpose of marking vigorish, the marker buttons shall be placed in the table inventory container or in a separate rack designed for the purpose of storing marker buttons. If a separate rack is used, the rack shall be placed in front of the table inventory container during gaming activity.

(d) Each Midibaccarat table must have a drop box and a tip box attached on the same side of the gaming 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.

(e) Each Midibaccarat table must have a discard bucket on the dealer's side of the table.

§ 629a.3. Cards; number of decks.

(a) Midibaccarat shall be played with six to eight decks of cards that are identical in appearance and two cover cards.

(b) The decks of cards opened for use at a Midibaccarat table shall be changed after the play of each dealing shoe.

§ 629a.4. Opening of the table for gaming.

(a) After receiving six 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 out in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player is 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.

(d) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(c) do not apply.

§ 629a.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), the dealer shall shuffle the cards so that they are randomly intermixed. If the cards have been manually shuffled, the dealer shall leave the entire stack of cards intermixed but not entirely squared off (leave them feathered) so that the floorperson can verify that the shuffle did not result in any uneven distribution of cards.

(b) After the cards have been shuffled, the dealer shall offer the stack of cards, with the backs facing away from the dealer, to the players to be cut. The dealer shall begin with the player seated in the highest number position at the table and, working clockwise around the table, offer the stack to each player until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

(d) Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in a position at least 14 cards above 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 the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut by the next person entitled to cut the cards, as determined by subsection (b). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) Prior to commencement of play, the dealer shall remove and expose the first card from the dealing shoe and place it, and an additional number of cards, drawn face down, equal to the face value of the first card drawn, in the discard bucket. When determining the face value of the first card removed from the dealing shoe, a 10, jack, queen or king shall count as ten and an ace shall count as one.

§ 629a.6. Value of cards; Point Count of hand.

(a) The value of the cards in each deck shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any 10, jack, queen or king shall have a value of zero.

(3) Any ace shall have a value of one.

(b) The Point Count of a hand shall be a single digit number from 0 to 9 and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of the number shall be discarded and the right digit shall constitute the Point Count of the hand. Examples of this rule are as follows:

(1) A hand composed of an ace, 2 and 4 has a Point Count of 7.

(2) A hand composed of an ace, 2 and 9 has a total of 12 but a Point Count of only 2 since the left digit of the number 12 is discarded.

§ 629a.7. Wagers.

(a) The following are permissible wagers in the game of Midibaccarat:

(1) A wager on the Banker's Hand which shall:

(i) Win if the Banker's Hand has a Point Count higher than that of the Player's Hand unless EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Banker's Hand has a Point Count lower than that of the Player's Hand.

(iii) Tie and be returned to the player if the Banker's Hand and the Player's Hand have the same Point Count or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(2) A wager on the Player's Hand which shall:

(i) Win if the Player's Hand has a Point Count higher than that of the Banker's Hand and if EZ Baccarat is being played and the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Player's Hand has a Point Count lower than that of the Banker's Hand or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(iii) Tie and be returned to the player if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(3) A Tie Wager which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(ii) Lose if Point Counts of the Banker's Hand and the Player's Hand are not equal.

(4) If offered by a certificate holder, a Dragon Bonus Wager on the Player's Hand or Banker's Hand, or both, which shall:

(i) Win if the selected hand is:

(A) A Natural and the other hand is not a Natural.

(B) A Natural 9 and the other hand is a Natural 8.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by four or more points.

(ii) Lose if the selected hand is:

(A) A Natural 8 and the other hand is a Natural 9.

(B) Not a Natural and has a Point Count less than or equal to the Point Count of the other hand.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by less than four points.

(iii) Tie and be returned to the player if the selected hand is a Natural and the other hand is a Natural of equal Point Count.

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

(6) A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Point Counts of the Player's Hand and the Dealer's Hand do not result in a Panda 8.

(7) If offered by a certificate holder, a House Money Wager which shall:

(i) Win if the first two cards of either the Player's Hand or Banker's Hand, or both, are a pair. For purposes of the House Money Wager, a pair must be of same rank (two queens, for example), regardless of suit.

(ii) Lose if in the first two cards dealt to the player's hand and the banker's hand, neither the player's hand nor the banker's hand contains a pair.

(b) Wagers at Midibaccarat shall be made by placing value chips or plaques on the appropriate areas of the Midibaccarat layout. Verbal wagers accompanied by cash may be accepted provided that the verbal wagers are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

§ 629a.8. Hands of player and banker; procedure for dealing initial two cards to each hand.

(a) There shall be two hands dealt in the game of Midibaccarat, one of which shall be designated the Player's Hand and the other designated the Banker's Hand.

(b) Prior to dealing any cards, the dealer shall announce “no more bets.”

(c) The dealer shall then deal an initial four cards from the dealing shoe. The first and third cards dealt shall be placed face down on the area designated for the Player's Hand and the second and fourth cards dealt shall be placed face down on the area designated for the Banker's Hand.

(1) After all four cards have been dealt, the dealer shall place the Banker's Hand underneath the right corner of the dealing shoe. The dealer shall then hand the two cards of the Player's Hand, face down, to the player with the highest wager on the Player's Hand. After viewing the Player's Hand, the player shall return the two cards, face up, to the dealer, who shall place the cards face up on the area designated for the Player's Hand and announce the Point Count of the Player's Hand.

(2) The dealer shall then hand the two cards of the Banker's Hand, face down, to the player with the highest wager on the Banker's Hand. After viewing the Banker's Hand, the player shall return the two cards, face up, to the dealer, who shall place the cards face up on the area designated for the Banker's Hand and announce the Point Count of the Banker's Hand.

(3) Prior to dealing a third card to the Player's or Banker's Hand, the dealer shall settle all House Money Wagers as follows:

(i) If a player placed a House Money Wager, after the initial two cards of the Player's Hand and Banker's Hand have been turned face up on the layout, beginning from the dealer's right and moving counterclockwise around the table, the dealer shall collect all losing House Money wagers and pay all winning wagers in accordance with § 629a.12(h) (relating to payout odds; vigorish) provided that, at a player's discretion, the player may add the winning House Money payout to the player's original wager on the Player's or Banker's Hand in accordance with the following:

(A) All of the winning House Money payout or, if specified in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions), only a specified portion of the winning House Money payout shall be added to the area designated for the placement of the player's original wager on the Player's or Banker's Hand. The player's original wager and the House Money payout which was added to the player's original wager shall then be settled based on the outcome of the player's wager on the Player's or Banker's Hand.

(B) A player may not touch the winning House Money payout. The dealer shall either hand the entire winning House Money payout to the player or place all or

a portion thereof, as authorized by the certificate holder, on the area designated for the placement of the player's wager on the Player's or Banker's Hand.

(ii) After settling the House Money Wagers, the game shall resume by dealing any third cards that are required to be dealt.

(4) Any third card required to be dealt to the Player's Hand shall be placed face down on the area designated for the Player's Hand. The dealer shall then hand the card, face down, to the player who was handed and returned the Player's Hand. After viewing the card, the player shall return the card, face up, to the dealer, who shall place the card face up on the area designated for the Player's Hand.

(5) Any third card required to be dealt to the Banker's Hand shall be placed face down on the area designated for the Banker's Hand. The dealer shall then hand the card, face down, to the player who was handed and returned the Banker's Hand. After viewing the card, the player shall return the card, face up, to the dealer, who shall place the card face up on the area designated for the Banker's Hand.

(6) If two or more players wager an equally high amount on the Player's Hand, the player making the wager who is closest to the dealer, moving counterclockwise around the table, shall be handed the Player's Hand and any third card required to be dealt. If two or more players wager an equally high amount on the Banker's Hand, the player making the wager who is closest to the dealer, moving counterclockwise around the table, shall be handed the Banker's Hand and any third card required to be dealt.

(d) The dealer or floorperson assigned to the table may require any player to relinquish the right to turn over the cards in accordance with subsection (c) if the player unreasonably delays the game. If the voluntary or compulsory relinquishment of that right occurs, the dealer shall offer it to the player immediately to the right of the previous player. If the player does not accept it or there is not a player in that position, the dealer shall offer it to each of the other players in turn, moving counterclockwise around the table for the remainder of that round of play. If no player accepts the cards, the dealer shall turn the cards over and place them on the designated areas of the layout.

§ 629a.9. Procedure for dealing a third card.

(a) After the dealer positions the cards in accordance with § 629a.8(c) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the Point Count of the Player’s Hand and the Banker’s Hand.

(b) Following the announcement of the Point Counts of each hand, the dealer shall determine whether to deal a third card to each hand in accordance with § 629a.10 (relating to rules for determining whether a third card shall be dealt). Any third cards required shall be dealt as provided in § 629a.8(c).

(c) In no event may more than one additional card be dealt to either hand.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer shall announce "last hand." At the completion of one more hand, the cards shall be replaced with new decks of cards.

§ 629a.10. Rules for determining whether a third card shall be dealt.

(a) If either the Player's Hand or the Banker's Hand is a Natural, no more cards may be dealt to either hand.

(b) If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Player's Hand shall:

(1) Draw (take a third card) if the Player's Hand has a Point Count of less than 6.

(2) Stay (not take a third card) if the Player's Hand has a Point Count of 6 or more.

(c) If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Banker's Hand shall draw or stay in accordance with the following requirements:

(1) If the Player's Hand does not receive a third card, the Banker's Hand shall be dealt a third card if the Point Count of the Banker's Hand is 5 or less.

(2) If the Player's Hand is dealt a third card and:

(i) The Banker's Hand has a Point Count of less than 3, the Banker's Hand shall be dealt a third card.

(ii) The Banker's Hand has a Point Count of 7, the Banker's Hand may not be dealt a third card.

(iii) The Banker's Hand has a Point Count of 3, 4, 5 or 6, the Banker's Hand shall be dealt or not dealt a third card in accordance with Table 1 as follows:

Table 1

Value of the Third Card Drawn by Player's Hand

Point Count of Banker's Hand After Two Cards	*0*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*
3	D	D	D	D	D	D	D	D	S	D
4	S	S	D	D	D	D	D	D	S	S
5	S	S	S	S	D	D	D	D	S	S
6	S	S	S	S	S	S	D	D	S	S

(d) In Table 1, the first vertical column labeled “Point Count of Banker’s Hand After Two Cards” refers to the Point Count of the Banker’s Hand after the first two cards have been dealt to the Banker’s Hand.

(e) In Table 1, the first horizontal row at the top labeled “Value of the Third Card Drawn by Player’s Hand” refers to the value of the third card drawn by the Player’s Hand, not the Point Count of the Player’s Hand.

(f) In Table 1, the letter “D” means that the Banker’s Hand shall draw a third card and the letter “S” means that the Banker’s Hand shall stay.

(g) To use Table 1, first find the Point Count of the Banker’s Hand in the first vertical column and trace that horizontally across the table until it intersects the vertical column that corresponds to the value of the third card drawn by the Player’s Hand. The symbol located where the intersection occurs determines whether the Banker’s Hand shall draw a third card or stay. For example, if the Point Count of the Banker’s Hand after two cards is 5 and the value of the third card drawn by the Player’s Hand is 4, the table shows that the Banker’s Hand shall draw a third card.

§ 629a.11. Announcement of result of round; payment and collection of wagers.

(a) After each hand has received all the cards to which it is entitled under §§ 629a.8, 629a.9 and 629a.10 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce “tie hand.” If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7 or a Panda 8, the dealer shall announce “Dragon 7” or “Panda 8.”

(b) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, the dealer shall, starting at the highest numbered player position at which a winning wager is located, mark or collect the vigorish owed by that player, unless the table is designated for play as an EZ Baccarat table in which vigorish is not collected. Immediately thereafter, the dealer shall pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by each player is either marked or collected and each winning wager is paid.

(c) At the conclusion of a round of play, the dealer shall remove all cards from the table and place the cards in the discard bucket.

§ 629a.12. Payout odds; vigorish.

(a) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(b) A winning Tie Wager shall be paid at odds of at least 8 to 1.

(c) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won unless the certificate holder is offering EZ Baccarat in which vigorish is not collected. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢.

(d) A dealer shall collect the vigorish from a player in accordance with one of the following procedures selected by the certificate holder in its Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) At the time the winning payout is made.

(2) At a later time, provided that:

(i) The outstanding vigorish shall be collected prior to beginning play with a new dealing shoe of cards or when the player leaves the gaming table, whichever occurs first.

(ii) The amount of the vigorish shall be tracked by placing a coin or marker button, which contains the amount of the vigorish owed, in the rectangular space on the layout that is imprinted with the number of the player owing the vigorish.

(iii) The coin or marker button may not be removed from the layout until the vigorish owed is collected.

(e) If a certificate holder offers the Dragon Bonus Wager, in accordance with § 629a.7(a)(4) (relating to wagers), a vigorish may not be extracted on a winning Dragon Bonus Wager. Winning Dragon Bonus Wagers shall be paid out at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Win by 9 points	30 to 1	20 to 1	30 to 1
Win by 8 points	10 to 1	8 to 1	10 to 1
Win by 7 points	6 to 1	7 to 1	4 to 1
Win by 6 points	4 to 1	4 to 1	4 to 1
Win by 5 points	2 to 1	3 to 1	2 to 1
Win by 4 points	1 to 1	1 to 1	2 to 1
Natural winner	1 to 1	1 to 1	1 to 1
Natural tie	Push	Push	Push

(f) A winning Dragon 7 Insurance Wager, as described in § 629a.7(a)(5), shall be paid at odds of 40 to 1.

(g) A winning Panda 8 Insurance Wager, as described in § 629a.7(a)(6), shall be paid at odds of 25 to 1.

(h) If a certificate holder offers the House Money Wager and the player elects to take the payout, the player shall be paid in accordance with the following paytable:

Hand	*Odds*
Player and Banker Pair	15 to 1
Player or Banker Pair	3 to 1

§ 629a.13. Irregularities.

(a) Except as provided in subsection (b), a card drawn in error from the dealing shoe that is not disclosed shall be used as the first card of the next hand of play.

(b) A third card dealt to the Player's Hand that is not disclosed, when a third card is not authorized under § 629a.10 (relating to rules for determining whether a third card shall be dealt), shall become the third card of the Banker's Hand if the Banker's Hand is required to draw under § 629a.10(c). If the Banker's Hand is required to stay, the card dealt in error shall become the first card of the next hand of play.

(c) If a third card dealt to the Player's Hand, when a third card is not authorized under § 629a.10, is disclosed at the time it is dealt or is found face up in the dealing shoe, the dealer shall use the disclosed card as the third card of the Banker's Hand if the Banker's Hand is required to draw under § 629a.10(c). If the Banker's Hand is required to stay, the dealer shall, in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Place the disclosed card and one additional card, drawn face down from the dealing shoe, into the discard bucket without disclosing the additional card.

(2) Use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with this chapter and placed in the discard bucket upon completion of the dealing procedures.

(d) Except as provided in subsection (c), if a card is disclosed at the time it is dealt or a card is found face up in the dealing shoe, the dealer shall use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with this chapter and shall be placed in the discard bucket upon completion of the dealing procedures.

(e) If there are insufficient cards remaining in the dealing shoe to complete a round of play, that round shall be void and all wagers shall be returned. A new round shall commence after the entire set of cards has been replaced and the new set of cards have been placed in the dealing shoe.

CHAPTER 631a. BACCARAT

Sec.

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§ 631a.1. Definitions.

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

Curator--The player who accepts the dealing shoe and who is responsible for dealing the cards in accordance with this chapter and the instructions of the dealer calling the game.

Dragon 7--A Banker's Hand which has a Point Count of 7 with a total of three cards dealt and the Player's Hand which has a Point Count of less than 7.

EZ Baccarat--A variation of Baccarat in which vigorish is not collected.

Natural--A hand which has a Point Count of 8 or 9 on the first two cards dealt.

Panda --A Player's Hand which has a Point Count of 8 with a total of three cards dealt and the Banker's Hand which has a Point Count of less than 8.

§ 631a.2. Baccarat table physical characteristics.

(a) Baccarat shall be played on a table having numbered positions for 10 to 14 seated players.

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

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

(2) Separate areas designated for the placement of wagers on the Banker's Hand, Player's Hand and Tie Hand for each player.

(3) The payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Baccarat table.

(4) An area designated for the placement of cards for the Player's Hand and Banker's Hand.

(5) If a certificate holder offers the Dragon Bonus Wager, authorized under § 631a.8(a)(4) (relating to wagers), separate areas designated for the placement of the Dragon Bonus Wager for each player.

(6) If a certificate holder offers EZ Baccarat:

(i) Separate areas designated for the placement of the Dragon 7 Insurance Wager, authorized under § 631a.8(a)(5),for each player.

(ii) Inscriptions that advise patrons that a wager on the Banker's Hand that results in a Dragon 7 shall push and be returned to the player. If the information is not inscribed on the layout, a sign containing the information must be posted at each Baccarat table.

(iii) Separate areas designated for the placement of the Panda 8 Insurance Wager, authorized under § 631a.8(a)(6), for each player.

(7) If a certificate holder offers the House Money Wager, authorized under § 631a.8(a)(7), separate areas designated for the placement of the House Money Wager for each player.

(8) Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the dealer, in accordance with the option selected in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), collects the vigorish from a player at the time the winning payout is made or the table is designated for play as an EZ Baccarat table in which vigorish is not collected.

(c) If marker buttons are used for the purpose of marking vigorish, the marker buttons shall be placed in the table inventory container or in a separate rack designed for the purpose of storing marker buttons. If a separate rack is used, the rack shall be placed in front of the table inventory container during gaming activity.

(d) Each Baccarat table must have a drop box and a tip box attached on the same side of the gaming 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.

(e) Each Baccarat table must have a discard bucket on dealer's side of the table.

§ 631a.3. Cards; number of decks.

(a) Baccarat shall be played with six to eight decks of cards that are identical in appearance and two cover cards.

(b) The decks of cards opened for use at a Baccarat table shall be changed after the play of each dealing shoe.

§ 631a.4. Opening of the table for gaming.

(a) After receiving six or more decks of cards at the table, the dealer calling the game 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 out in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player is 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.

(d) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(c) do not apply.

§ 631a.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), one or more of the dealers shall wash and stack the cards, after which each of the dealers shall shuffle the stack of cards independently.

(b) After shuffling the cards and, when applicable, reshuffling them, the dealer calling the game shall offer the stack of cards, with the backs facing away from the dealer, to the players to be cut. The dealer shall begin with the player seated in the highest number position at the table or, in the case of a reshuffle, the last curator and working clockwise around the table, offer the

stack to each player until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

(d) Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in a position at least 14 cards above 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 the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut by the next person entitled to cut the cards, as determined by subsection (b). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) Prior to commencement of play, the dealer shall remove and expose the first card from the dealing shoe and place it, and an additional number of cards, drawn face down, equal to the face value of the first card drawn, in the discard bucket. When determining the face value of the first card removed from the dealing shoe, a 10, jack, queen or king shall count as ten and an ace shall count as one.

§ 631a.6. Value of cards; Point Count of hand.

(a) The value of the cards in each deck shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any 10, jack, queen or king shall have a value of zero.

(3) Any ace shall have a value of one.

(b) The Point Count of a hand shall be a single digit number from 0 to 9 and determined by totaling the value of the cards in the hand. If the total value of the cards in a hand is a two-digit number, the left digit of the number shall be discarded and the right digit shall constitute the Point Count of the hand. Examples of this rule are as follows:

(1) A hand composed of an ace, 2 and 4 has a Point Count of 7.

(2) A hand composed of an ace, 2 and 9 has a total value of 12 but a Point Count of only 2 since the left digit in the number 12 is discarded.

§ 631a.7. Dealing shoe; selection of the player to deal cards.

(a) Cards used to play Baccarat shall be dealt from a manual dealing shoe specifically designed for that purpose.

(b) After the cards have been shuffled and placed in the dealing shoe, the dealer calling the game shall offer the dealing shoe to the player in seat number one at the table. If that player rejects the dealing shoe or if there is no one in seat number one, the dealer shall offer the dealing shoe to each of the other players in turn, moving counterclockwise around the table, until one of the players accepts the dealing shoe.

(c) The player that accepts the dealing shoe shall be designated as the curator.

(d) Notwithstanding subsections (b) and (c), the dealer may act as the curator if either:

(1) A player who accepts the dealing shoe and any other player to whom the dealing shoe is relinquished under § 631a.14 (relating to continuation of curator as dealer; selection of a new curator) designates the dealer calling the game as the curator.

(2) No player to whom the dealing shoe is offered accepts the dealing shoe.

§ 631a.8. Wagers.

(a) The following are permissible wagers in the game of Baccarat:

(1) A wager on the Banker's Hand which shall:

(i) Win if the Banker's Hand has a Point Count higher than that of the Player's Hand unless EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Banker's Hand has a Point Count lower than that of the Player's Hand.

(iii) Tie and be returned to the player if the Banker's Hand and the Player's Hand have the same Point Count or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(2) A wager on the Player's Hand which shall:

(i) Win if the Player's Hand has a Point Count higher than that of the Banker's Hand and if EZ Baccarat is being played and the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Player's Hand has a Point Count lower than that of the Banker's Hand or if EZ Baccarat is being played and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(iii) Tie and be returned to the player if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(3) A Tie Wager which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand are equal.

(ii) Lose if Point Counts of the Banker's Hand and the Player's Hand are not equal.

(4) If offered by a certificate holder, a Dragon Bonus Wager on the Player's Hand or Banker's Hand, or both, which shall:

(i) Win if the selected hand is:

(A) A Natural and the other hand is not a Natural.

(B) A Natural 9 and the other hand is a Natural 8.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by four or more points.

(ii) Lose if the selected hand is:

(A) A Natural 8 and the other hand is a Natural 9.

(B) Not a Natural and has a Point Count less than or equal to the Point Count of the other hand.

(C) Not a Natural and has a Point Count that exceeds the Point Count of the other hand by less than four points.

(iii) Tie and be returned to the player if the selected hand is a Natural and the other hand is a Natural of equal Point Count.

(5) A Dragon 7 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7.

(ii) Lose if the Point Counts of the Banker's Hand and the Player's Hand do not result in a Dragon 7.

(6) A Panda 8 Insurance Wager, if the table is designated for play as an EZ Baccarat table, which shall:

(i) Win if the Point Counts of the Player's Hand and the Dealer's Hand result in a Panda 8.

(ii) Lose if the Point Counts of the Player's Hand and the Dealer's Hand do not result in a Panda 8.

(7) If offered by a certificate holder, a House Money Wager which shall:

(i) Win if the first two cards of either the Player's Hand or Banker's Hand, or both, are a pair. For purposes of the House Money Wager, a pair must be of the same rank (two queens, for example), regardless of suit.

(ii) Lose if in the first two cards dealt to the player's hand and the banker's hand, neither the player's hand nor the banker's hand contains a pair.

(b) Wagers at Baccarat shall be made by placing value chips or plaques on the appropriate areas of the Baccarat layout. Verbal wagers accompanied by cash may be accepted provided that the verbal wagers are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(c) A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

§ 631a.9. Hands of player and banker; procedure for dealing initial two cards to each hand.

(a) There shall be two hands dealt in the game of Baccarat, one of which shall be designated the Player's Hand and the other designated the Banker's Hand.

(b) After the dealer calling the game announces "no more bets," the dealer calling the game shall instruct the curator to commence dealing the cards by announcing "cards."

(c) The curator shall deal an initial four cards from the dealing shoe face down to the areas designated for the placement of the Player's Hand and the Dealer's Hand. The first and third cards dealt shall constitute the first and second cards of the Player's Hand. The second and fourth cards dealt shall constitute the first and second cards of the Banker's Hand. Except as provided in subsection (d), after the cards are dealt to each hand, the dealer calling the game shall place the cards face up in front of himself. Any third cards that are required to be dealt shall first be dealt face up to the Player's Hand and then to the Banker's Hand by the curator.

(d) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), elect to use the following procedures in lieu of the

procedures in subsection (c) and § 631a.10(a) (relating to procedure for dealing a third card), after all four cards have been dealt:

(1) The curator shall place the Banker's Hand underneath the right corner of the dealing shoe.

(2) The dealer calling the game shall then hand the two cards of the Player's Hand, face down, to the player with the highest wager on the Player's Hand. After viewing the Player's Hand, the player shall return the two cards, face up, to the dealer calling the game, who shall place the cards face up on the area designated for the Player's Hand and announce the Point Count of the Player's Hand.

(3) The dealer calling the game shall then hand the two cards of the Banker's Hand, face down, to the player with the highest wager on the Banker's Hand. After viewing the Banker's Hand, the player shall return the two cards, face up, to the dealer calling the game, who shall place the cards face up on the area designated for the Banker's Hand and announce the Point Count of the Banker's Hand.

(4) Any third card required to be dealt to the Player's Hand shall be placed face down on the area designated for the Player's Hand. The dealer calling the game shall then hand the card, face down, to the player who was handed and returned the Player's Hand. After viewing the card, the player shall return the card, face up, to the dealer calling the game, who shall place the card face up on the area designated for the Player's Hand.

(5) Any third card required to be dealt to the Banker's Hand shall be placed face down on the area designated for the Banker's Hand. The dealer calling the game shall then hand the card, face down, to the player who was handed and returned the Banker's Hand. After viewing the card, the player shall return the card, face up, to the dealer calling the game, who shall place the card face up on the area designated for the Banker's Hand.

(6) If two or more players wager an equally high amount on the Player's Hand, the player making the wager who is closest to the dealer calling the game, moving counterclockwise around the table, shall be handed the Player's Hand and any third card required to be dealt. If two or more players wager an equally high amount on the Banker's Hand, the player making the wager who is closest to the dealer calling the game, moving counterclockwise around the table, shall be handed the Banker's Hand and any third card required to be dealt.

(7) In the event there are no wagers on the Player's Hand, the dealer calling the game shall turn the Player's Hand face up and any additional card required to be dealt. In the event there are no wagers on the Banker's Hand, the dealer calling the game shall turn the Banker's Hand face up and any additional card required to be dealt.

(e) After the initial two cards of the Player's Hand and Banker's Hand have been turned face up on the layout but prior to dealing a third card in accordance with subsections (c) and (d), the dealer shall settle all House Money Wagers as follows:

(1) If a player placed a House Money Wager, beginning from the dealer's right and moving counterclockwise around the table, the dealer shall collect all losing House Money wagers and pay all winning wagers in accordance with § 631a.13(h) (relating to payout odds; vigorish) provided that, at a player's discretion, the player may add the winning House Money payout to the player's original wager on the Player's or Banker's Hand in accordance with the following:

(i) All of the winning House Money payout or, if specified in the certificate holder's Rules Submission filed in accordance with § 601a.2, only a specified portion of the winning House Money payout shall be added to the area designated for the placement of the player's original wager on the Player's or Banker's Hand. The player's original wager and the House Money payout which was added to the player's original wager shall then be settled based on the outcome of the player's wager on the Player's or Banker's Hand.

(ii) A player may not touch the winning House Money payout. The dealer shall either hand the entire winning House Money payout to the player or place all or a portion thereof, as authorized by the certificate holder, on the area designated for the placement of the player's wager on the Player's or Banker's Hand.

(2) After settling the House Money Wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with subsection (c) or (d)(4).

(f) The dealer or floorperson assigned to the table may require any player to relinquish the right to turn over the cards in accordance with subsection (d) if the player unreasonably delays the game. If the voluntary or compulsory relinquishment of that right occurs, the dealer shall offer it to the player immediately to the right of the previous player. If the player does not accept it or there is not a player in that position, the dealer shall offer it to each of the other players in turn, moving counterclockwise around the table for the remainder of that round of play. If no player accepts the cards, the dealer shall turn the cards over and place them on the designated areas of the layout.

§ 631a.10. Procedure for dealing a third card.

(a) Except as provided in § 631a.9(d) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), after the initial four cards have been dealt and the dealer calling the game places the cards face up in front of himself, the dealer calling the game shall announce the Point Count of the Player’s Hand and the Banker’s Hand.

(b) Following the announcement of the Point Counts of each hand, the dealer calling the game shall instruct the curator whether to deal a third card to either or both hands in accordance with § 631a.11 (relating to rules for determining whether a third card shall be dealt). Any third cards required shall be dealt as provided in § 631a.9(c) or (d).

(c) In no event may more than one additional card be dealt to either hand.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer calling the game shall announce "last hand." At the completion of one more hand, the cards shall be replaced with new decks of cards.

§ 631a.11. Rules for determining whether a third card shall be dealt.

(a) If either the Player's Hand or the Banker's Hand is a Natural, no more cards may be dealt to either hand.

(b) If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Player's Hand shall:

(1) Draw (take a third card) if the Player's Hand has a Point Count of less than 6.

(2) Stay (not take a third card) if the Player's Hand has a Point Count of 6 or more.

(c) If the Point Count of the Player's Hand and the Banker's Hand is 0 to 7 on the first two cards, the Banker's Hand shall draw or stay in accordance with the following requirements:

(1) If the Player's Hand does not receive a third card, the Banker's Hand shall be dealt a third card if the Point Count of the Banker's Hand is 5 or less.

(2) If the Player's Hand is dealt a third card and:

(i) The Banker's Hand has a Point Count of less than 3, the Banker's Hand shall be dealt a third card.

(ii) The Banker's Hand has a Point Count of 7, the Banker's Hand may not be dealt a third card.

(iii) The Banker's Hand has a Point Count of 3, 4, 5 or 6, the Banker's Hand shall be dealt or not dealt a third card in accordance with Table 1 as follows:

Table 1

Value of the Third Card Drawn by Player's Hand

Point Count of Banker's Hand After Two Cards	*0*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*
3	D	D	D	D	D	D	D	D	S	D
4	S	S	D	D	D	D	D	D	S	S
5	S	S	S	S	D	D	D	D	S	S
6	S	S	S	S	S	S	D	D	S	S

(d) In Table 1, the first vertical column labeled “Point Count of Banker’s Hand After Two Cards” refers to the Point Count of the Banker’s Hand after the first two cards have been dealt to the Banker’s Hand.

(e) In Table 1, the first horizontal row at the top labeled “Value of the Third Card Drawn by Player’s Hand” refers to the value of the third card drawn by the Player’s Hand, not the Point Count of the Player’s Hand.

(f) In Table 1, the letter “D” means that the Banker’s Hand shall draw a third card and the letter “S” means that the Banker’s Hand shall stay.

(g) To use Table 1, first find the Point Count of the Banker’s Hand in the first vertical column and trace that horizontally across the table until it intersects the vertical column that corresponds to the value of the third card drawn by the Player’s Hand. The symbol located where the intersection occurs determines whether the Banker’s Hand shall draw a third card or stay. For example, if the Point Count of the Banker’s Hand after two cards is 5 and the value of the third card drawn by the Player’s Hand is 4, the table shows that the Banker’s Hand shall draw a third card.

§ 631a.12. Announcement of result of round; payment and collection of wagers.

(a) After each hand has received all the cards to which it is entitled under §§ 631a.9, 631a.10 and 631a.11 (relating to hands of player and banker; procedure for dealing initial two cards to each hand; procedure for dealing a third card; and rules for determining whether a third card shall be dealt), the dealer calling the game shall announce the final Point Count of each hand indicating which hand has won the round. If the two hands have equal Point Counts, the dealer shall announce “tie hand.” If the table is designated for play as an EZ Baccarat table and the Point Counts of the Banker's Hand and the Player's Hand result in a Dragon 7 or a Panda 8, the dealer shall announce “Dragon 7” or “Panda 8.”

(b) After the result of the round is announced, the dealer or dealers responsible for the wagers on the table shall first collect each losing wager. After the losing wagers are collected, the dealer or dealers responsible for the wagers on the table shall, starting at the highest numbered player position at which a winning wager is located, pay that player's winning wager and immediately thereafter mark or collect the vigorish owed by that player unless the table is designated for play as an EZ Baccarat table in which vigorish is not collected. The dealer shall then proceed in descending order to the next highest numbered player position at which a winning wager is located and repeat this procedure until each winning wager is paid and the vigorish owed by each player, if any, is either marked or collected.

(c) At the conclusion of a round of play, the dealer shall remove all cards from the table and place the cards in the discard bucket.

§ 631a.13. Payout odds; vigorish.

(a) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(b) A winning Tie Wager shall be paid at odds of at least 8 to 1.

(c) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won, unless the certificate holder is offering EZ Baccarat in which vigorish is not collected. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢.

(d) A dealer shall collect the vigorish from a player in accordance with one of the following procedures selected by the certificate holder in its Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) At the time the winning payout is made.

(2) At a later time, provided that:

(i) The outstanding vigorish shall be collected prior to beginning play with a new dealing shoe of cards or when the player leaves the gaming table, whichever occurs first.

(ii) The amount of the vigorish shall be tracked by placing a coin or marker button, which contains the amount of the vigorish owed, in the rectangular space on the layout that is imprinted with the number of the player owing the vigorish.

(iii) The coin or marker button may not be removed from the layout until the vigorish owed is collected.

(e) If a certificate holder offers the Dragon Bonus Wager, in accordance with § 631a.8(a)(4) (relating to wagers), a vigorish may not be extracted on a winning Dragon Bonus Wager. Winning Dragon Bonus Wagers shall be paid out at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Win by 9 points	30 to 1	20 to 1	30 to 1
Win by 8 points	10 to 1	8 to 1	10 to 1
Win by 7 points	6 to 1	7 to 1	4 to 1
Win by 6 points	4 to 1	4 to 1	4 to 1
Win by 5 points	2 to 1	3 to 1	2 to 1
Win by 4 points	1 to 1	1 to 1	2 to 1
Natural winner	1 to 1	1 to 1	1 to 1
Natural tie	Push	Push	Push

(f) A winning Dragon 7 Insurance Wager, as described in § 631a.8(a)(5), shall be paid out at odds of 40 to 1.

(g) A winning Panda 8 Insurance Wager, as described in § 631a.8(a)(6), shall be paid at odds of 25 to 1.

(h) If a certificate holder offers the House Money Wager and the player elects to take the payout, the player shall be paid in accordance with the following paytable:

Hand	*Odds*
Player and Banker Pair	15 to 1
Player or Banker Pair	3 to 1

§ 631a.14. Continuation of curator as dealer; selection of a new curator.

(a) The curator, after any round of play, may either pass the dealing shoe or remain as curator except that:

(1) The curator shall pass the dealing shoe whenever the Banker's Hand loses.

(2) The dealer calling the game or a floorperson or above may order the curator to pass the dealing shoe if the curator unreasonably delays the game or repeatedly makes invalid deals.

(b) When a voluntary or compulsory relinquishment of the dealing shoe occurs, the dealer shall offer the dealing shoe to the player immediately to the right of the previous curator and, if that player does not accept the dealing shoe or there is no player in that position, the dealer shall offer the dealing shoe to each of the other players in turn, moving counterclockwise around the table. The first player to accept the dealing shoe when offered shall become the new curator.

§ 631a.15. Irregularities.

(a) Except as provided in subsection (b), a card drawn in error from the dealing shoe that is not disclosed shall be used as the first card of the next hand of play.

(b) A third card dealt to the Player's Hand that is not disclosed, when a third card is not authorized under § 631a.11 (relating to rules for determining whether a third card shall be dealt), shall become the third card of the Banker's Hand if the Banker's Hand is required to draw under § 631a.11(c). If the Banker's Hand is required to stay, the card dealt in error shall become the first card of the next hand of play.

(c) If a third card dealt to the Player's Hand, when a third card is not authorized under § 631a.11, is disclosed at the time it is dealt or is found face up in the dealing shoe, the dealer calling the game shall use the disclosed card as the third card of the Banker's Hand if the

Banker's Hand is required to draw under § 631a.11(c). If the Banker's Hand is required to stay, the dealer calling the game shall, in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Place the disclosed card and one additional card, drawn face down from the dealing shoe, into the discard bucket without disclosing the additional card.

(2) Use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with the rules of this chapter and placed in the discard bucket upon completion of the dealing procedures.

(d) Except as provided in subsection (c), if a card is disclosed at the time it is dealt or a card is found face up in the dealing shoe, the dealer shall use the disclosed card as the first card of a simulated round of play in which wagers may not be accepted. The cards shall be dealt in accordance with this chapter and placed in the discard bucket upon completion of the dealing procedures.

(e) If there are insufficient cards remaining in the dealing shoe to complete a round of play, that round shall be void and all wagers shall be returned. A new round shall commence after the entire set of cards has been replaced and the new set of cards have been placed in the dealing shoe.

CHAPTER 633a. BLACKJACK

Sec.

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§ 633a.1. Definitions.

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

Ace-king suited — An ace and a king of the same suit.

Any 20—Two cards of different suits with a total point count of 20.

Blackjack—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Crown Treasure Bonus—An additional payout when both the player and dealer have a Royal Match.

Determinant card—The first card drawn for each round of play to determine from which side of a double shoe the cards for that hand shall be dealt.

Double shoe—A dealing shoe that has two adjacent compartments in which cards are stacked separately and from which cards may be dealt from only one compartment at any given time.

Flush—Three cards of the same suit.

Four-of-a-kind—Four cards of the same rank.

Hard total—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Lucky Player Bonus—An additional payout to a player who placed a Bad Beat Progressive Wager if the player is seated in the player position that is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Bad Beat Progressive Wager if one of the player's first two cards matches the card randomly selected by the table game system.

Matched 20—Two identical cards with a total point count of 20 except for a queen of hearts pair.

Pair—Two cards of the same rank.

Royal Match—King and queen of the same suit.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

Straight—Three cards in consecutive rank.

Straight flush—Three cards of the same suit in consecutive rank.

Suited Match—Two cards of the same suit that are not a king and queen.

Suited pair—Two cards of the same rank and suit.

Suited 20—Two cards of the same suit with a total point count of 20.

Three-of-a-kind—Three cards of the same rank.

Triple Match—The player's initial two cards and the dealer's up card which are all the same rank.

Two-card straight—Two cards in consecutive rank regardless of suit.

Two-card straight flush—Two cards in consecutive rank of the same suite.

§ 633a.2. Blackjack table; card reader device; physical characteristics; inspections.

(a) Blackjack shall be played at a table having betting positions for no more than seven 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 Blackjack table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Blackjack Wager for each player.

(3) The following inscriptions:

(i) Blackjack pays 3 to 2.

(ii) Insurance pays 2 to 1.

(iii) Dealer shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(4) If the certificate holder offers the Lucky Ladies Twenty Point Bonus Wager authorized under § 633a.6(e)(1) (relating to wagers), a separate area designated for the placement of the Twenty Point Bonus Wager for each player.

(5) If the certificate holder offers the Match-the-Dealer Wager authorized under § 633a.6(e)(2), a separate area designated for the placement of the Match-the-Dealer Wager for each player.

(6) If the certificate holder offers the In Between Wager authorized under § 633a.6(e)(3), a separate area designated for the placement of the In Between Wager for each player.

(7) If the certificate holder offers the Royal Match 21 Wager authorized under § 633a.6(e)(4), a separate area designated for the placement of the Royal Match 21 Wager for each player.

(8) If the certificate holder offers the Bet the Set 21 Wager authorized under § 633a.6(e)(5), a separate area designated for the placement of the Bet the Set 21 Wager for each player.

(9) If the certificate holder offers the King's Bounty Wager authorized under § 633a.6(e)(6), a separate area designated for the placement of the King's Bounty Wager for each player.

(10) If a certificate holder offers Blackjack Switch authorized under § 633a.12(a) (relating to Blackjack variations), the table must be designated for play as a Blackjack Switch table and contain:

(i) Two separate areas designated for the placement of the two equal Blackjack Wagers for each player.

(ii) A separate area designated for the placement of the Super Match Wager authorized under § 633a.6(e)(7) for each player.

(11) If the certificate holder offers the Three Card Poker Wager authorized under § 633a.6(e)(9), a separate area designated for the placement of the Three Card Poker Wager for each player.

(12) If the certificate holder offers the Hit and Run Progressive Wager authorized under § 633a.6(e)(10), a separate area designated for the placement of the Hit and Run Progressive Wager.

(13) If the certificate holder offers the Straight Jack Progressive Wager authorized under § 633a.6(e)(11), a separate area designated for the placement of the Straight Jack Progressive Wager.

(14) If the certificate holder offers the House Money Wager authorized under § 633a.6(e)(12), a separate area designated for the placement of the House Money Wager.

(15) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Blackjack table.

(16) An inscription indicating the payout limit per hand established by the certificate holder under § 633a.13(m) (relating to payout odds; payout limitation) or a generic inscription indicating the game is subject to the posted payout limit. If the payout limit is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Blackjack table.

(c) If the certificate holder offers the Bad Beat Progressive Wager authorized under § 633a.6(e)(8), the Blackjack table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Bad Beat Progressive

Wager. The system must include a mechanism, such as a lock-out button, that prevents the placement of any Bad Beat Progressive Wagers that a player attempts to place after the dealer has begun dealing the cards.

(d) If a certificate holder offers the Hit and Run Progressive Wager in accordance with § 633a.6(e)(10) or the Straight Jack Progressive Wager in accordance with § 633a.6(e)(11), the Blackjack table must have a progressive table game system in accordance with § 605a.7 for the placement of Hit and Run or Straight Jack Progressive Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Hit and Run or Straight Jack Progressive Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table including a mechanism, such as a lock-out button, that prevents the placement of any Hit and Run or Straight Jack Progressive Wagers that a player attempts to place after the dealer has begun dealing the cards.

(e) Each Blackjack 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.

(f) Each Blackjack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Blackjack table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(g) Each Blackjack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

(h) When a double shoe is used at a Blackjack table, the height and marking requirements in subsection (g) for that table's discard rack shall be determined by the number of decks used in one side of the shoe.

§ 633a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsections (b) and (c), Blackjack shall be played with at least one deck of cards that are identical in appearance and at least one cover card.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Blackjack shall be played with at least two decks of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) If a double shoe is utilized, Blackjack shall be played with at least two decks of cards that shall be dealt from separate sides of the dealing shoe, with the same number of decks used in each side of the double shoe. The cards dealt from both sides of the shoe must be of the same design but the backs of the cards being dealt from one side of the shoe must be of a different color than the cards being dealt from the other side of the shoe. A separate cover card shall be used in each side of the shoe.

(d) The decks of cards opened for use at a Blackjack table shall be changed at least once every 24 hours unless the certificate holder is dealing Blackjack from the hand, in accordance with § 633a.12(b) (relating to Blackjack variations), in which the cards shall be changed at least every 4 hours.

(e) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

§ 633a.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 § 633a.5 (relating to shuffle and cut of the cards).

(d) If a double shoe is utilized, all decks that comprise one side of the dealing shoe shall be spread for inspection on the table separate from the decks that comprise the other side of the dealing shoe. After the player is afforded an opportunity to visually inspect the cards, the cards that comprise one side of the dealing shoe and the cards that comprise the other side of the dealing shoe shall be turned face downward on the table separately, mixed thoroughly by a washing of the cards and stacked.

(e) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(f) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(e) do not apply.

§ 633a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, 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. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 633a.7(e) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Blackjack table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section, if there is no automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled, if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

§ 633a.6. Wagers.

(a) Wagers at Blackjack shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the Blackjack layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(b) After the cards have been shuffled as required under § 633a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except an Insurance Wager under § 633a.8 (relating to Insurance Wager), a Double Down Wager under § 633a.10 (relating to Double Down Wager) or a wager on split pairs under § 633a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) To participate in a round of play and compete against the dealer's hand, a player shall place a Blackjack Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Blackjack Wager in accordance with subsection (d) the option of placing the following additional wagers:

(1) A Lucky Ladies Twenty Point Bonus Wager that the player's initial two cards will have a total point count of 20.

(2) A Match-the-Dealer Wager that either of the player's initial two cards will match the rank of dealer's up card.

(3) An In Between Wager that the dealer's up card will either fall between or will be of the same rank as the player's initial two cards.

(4) A Royal Match 21 Wager that either of the player's initial two cards will be a Suited Match or a Royal Match.

(5) A Bet the Set 21 Wager that the player's initial two cards will be a pair or a suited pair.

(6) A King's Bounty Wager that the player's initial two cards will have a total point count of 20.

(7) If offering Blackjack Switch in accordance with § 633a.12(a) (relating to Blackjack variations), a Super Match Wager that the player's first four cards will be a pair, a three-of-a-kind, two pair or a four-of-a-kind.

(8) A Bad Beat Progressive Wager that the player's hand will have a total point count of 20 and the dealer will have Blackjack or a hand with a total point count of 21.

(9) A Three Card Poker Wager that the dealer's up card and the player's initial two cards will form a three-card Poker hand of a straight flush, three-of-a-kind, straight or a flush. For purposes of the Three Card Poker Wager, the rank of the cards shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. 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).

(10) A Hit and Run Progressive Wager that the dealer will have Blackjack or a hand containing five or more cards.

(11) A Straight Jack Progressive Wager that the initial two cards dealt to the player will form at least a two-card straight.

(12) A House Money Wager that the initial two cards dealt to the player will form a two-card straight, a pair, a two-card straight flush or an ace-king suited.

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

§ 633a.7. Procedure for dealing the cards; completion of each round of play.

(a) Except as provided in § 633a.12(b) (relating to Blackjack variations), all cards shall be dealt from a dealing shoe which 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 under § 633a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If a double shoe is utilized, the following procedures shall be used in lieu of the procedures in subsection (c).

(1) Prior to commencement of each round of play, the dealer shall draw a determinate card from either side of the double shoe. The suit of that card shall determine from which side of the shoe that round of play will be dealt. The certificate holder shall designate that the suits of hearts and diamonds correspond to the color of the backs of the cards being dealt from one side of the shoe, and that the suits of spades and clubs correspond to the color of the backs of the cards being dealt from the other side of the shoe.

(2) A determinant card corresponding to the side of the shoe from which it was drawn shall become the player's first card. A determinant card that does not correspond to the side of the shoe from which it was dealt shall be placed in a segregated area of the dealing shoe.

(e) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then collect and reshuffle the cards as follows:

(1) When a single dealing shoe is used, the dealer shall remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing.

(2) When a double shoe is used, the dealer shall remove the cards remaining in the side of the shoe from which the cover card was drawn and the cards, if any, that were put in a separate segregated area for the discards from that side of the double shoe, after which the dealer shall place those cards face down in the discard rack in order to ensure that no cards are missing.

(3) Shuffle the cards so that they are randomly intermixed. If a double shoe is utilized, the shuffle of the cards shall be limited to the side of the shoe from which the cover card was drawn.

(f) At the commencement of each round of play, or immediately after the determinant card has been drawn and either removed or used as the player's first card, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each box on the layout in which a Blackjack Wager is contained.

(2) One card face up to the dealer.

(3) A second card face up to each box in which a wager is contained.

(4) A second card face down to the dealer.

(g) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the player's optional wagers by collecting all losing wagers and paying all winning wagers as follows:

(1) If a player placed a Lucky Ladies Twenty Point Bonus Wager and the player's initial two cards have a total point count of 20, the dealer shall pay the winning Twenty Point Bonus Wager in accordance with § 633a.13(c) (relating to payout odds; payout limitation). If the first card to the dealer is a 10, jack, queen, king or ace and the player has two queens of hearts, that player's Twenty Point Bonus Wager shall be settled after all other Twenty Point Bonus Wagers as follows:

(i) If the dealer has determined that the hole card will not give the dealer a Blackjack, the player shall be paid before any other cards are dealt.

(ii) If the dealer has determined that the hole card will give the dealer a Blackjack, the player shall be paid when the player's Blackjack Wager is collected.

(2) If a player placed a Match-the-Dealer Wager and either of the player's initial two cards match the rank of the dealer's up card, the dealer shall pay the winning Match-the-Dealer Wager in accordance with § 633a.13(d). If both of the player's initial two cards match the rank of the dealer's up card, the player shall be paid for each matching card. Any card with a face value of 10 or a point value of 10 (a jack, queen or king) shall only match an identical card without regard to value.

(3) If a player placed an In Between Wager and the dealer's up card:

(i) Falls between the player's initial two cards, the player shall be paid according to the respective card spread. A one-card spread occurs when only one card falls between the player's initial two cards. For example, if a player is dealt a 7 and a 9, the player shall win with a one-card spread if the dealer's up card is an 8. The dealer shall pay the winning In Between Wager in accordance with § 633a.13(e).

(ii) And the player's initial two cards are all the same rank, the player has a Triple Match. The dealer shall pay the winning In Between Wager in accordance with § 633a.13(e).

(4) If a player placed a Royal Match 21 Wager and the player's initial two cards are a Suited Match or a Royal Match, the dealer shall pay the winning Royal Match 21 Wager in accordance with § 633a.13(f). If the player has a Royal Match and the dealer's up card is a king or a queen, that player's Royal Match 21 Wager shall be settled after the dealer's hole card is exposed but prior to settling the player's Blackjack Wager. If after exposing the hole card, the

dealer also has a Royal Match, the player shall be paid a Crown Treasure Bonus, if offered by the certificate holder, in addition to the payout for the player's Royal Match.

(5) If a player placed a Bet the Set 21 Wager and the player's initial two cards are a pair of the same rank or a suited pair of the same rank, the dealer shall pay the winning Bet the Set 21 Wager in accordance with § 633a.13(g).

(6) If a player placed a King's Bounty Wager and the player's initial two cards have a total point count of 20, the dealer shall pay the winning King's Bounty Wager in accordance with § 633a.13(h). If the first card to the dealer is a 10, jack, queen, king or ace and the player has two kings of spades, that player's King's Bounty Wager shall be settled after all other King's Bounty Wagers as follows:

(i) If the dealer has determined that the hole card will not give the dealer a Blackjack, the player shall be paid before any other cards are dealt.

(ii) If the dealer has determined that the hole card will give the dealer a Blackjack, the player shall be paid when the player's Blackjack Wager is collected.

(7) If a player placed a Super Match Wager at a Blackjack Switch table and the player's initial our cards are a pair, a three-of-a-kind, two pair or a four-of-a-kind, the dealer shall pay the winning Super Match Wager in accordance with § 633a.13(i).

(8) If a player placed a Three Card Poker Wager and the dealer's up card and the player's initial two cards form a three-card Poker hand of a straight flush, three-of-a-kind, straight or a flush, the dealer shall pay the winning Three Card Poker Wager in accordance with § 633a.13(k).

(9) If a player placed a Straight Jack Progressive Wager and the player's initial two cards do not form a two-card straight, the dealer shall collect the player's Straight Jack Progressive Wager.

(10) If a player placed a House Money Wager and the player's initial two cards do not form a two-card straight, a pair, a two-card straight flush or an ace-king suited, the dealer shall collect the player's House Money Wager. If a player has a winning hand:

(i) And the dealer's up card is an ace, king, queen, jack or 10, the dealer shall determine whether the hole card will give the dealer a Blackjack in accordance with subsection (h). If the dealer:

(A) Has a Blackjack, the dealer shall pay the winning House Money Wager in accordance with § 633a.13(n).

(B) Does not have a Blackjack, the dealer shall follow the requirements in subparagraph (ii).

(ii) And the dealer's up card is not an ace, king, queen, jack or 10, the dealer shall pay all winning wagers in accordance with § 633a.13(n) provided that, at a player's discretion, the player may add the winning House Money payout to the player's Blackjack Wager in accordance with the following:

(A) All of the winning House Money payout or, if specified in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions), only a specified portion of the winning House Money payout shall be added to the area designated for the placement of the player's Blackjack Wager.

(B) A player may not touch the winning House Money payout. The dealer shall either hand the entire winning House Money payout to the player or place all or a portion thereof, as authorized by the certificate holder, on the area designated for the placement of the player's Blackjack Wager. If a player has a Blackjack, the player may add the House Money payout to the Blackjack Wager.

(C) If the player adds the House Money payout to his Blackjack Wager, the House Money payout and the Blackjack Wager must be considered the entire Blackjack Wager. Thus, if the player elects to split in accordance with § 633a.11 (relating to splitting pairs) or doubles down in accordance with § 633a.10 (relating to Double Down Wager), the player shall match the entire Blackjack Wager.

(h) After settling the player's optional wagers in accordance with subsection (g), if the dealer's first card is an ace, king, queen, jack or 10, the dealer shall, after offering the Insurance Wager or even money in accordance with § 633a.8 (relating to Insurance Wager), determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and each player's Blackjack Wager and the Bad Beat, Hit and Run Progressive and Insurance Wagers, if applicable, shall be settled.

(i) After the procedures in subsection (h) have been completed, if necessary, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and if the player:

(1) Has Blackjack and the dealer's up card:

(i) Is a 2, 3, 4, 5, 6, 7, 8 or 9, the dealer shall announce and pay the Blackjack and remove the player's cards.

(ii) Is an ace, king, queen, jack or 10 but the dealer's hole card will not give the dealer a Blackjack, the dealer shall announce the player's Blackjack and either:

(A) Immediately pay the player's Blackjack and remove the player's cards.

(B) Leave the player's cards on the table and not make a payment to the player. After all other cards are dealt to the players and the dealer reveals his hole card, the dealer shall pay the player's Blackjack and remove the player's cards.

(2) Does not have Blackjack, the player shall indicate whether he wishes to surrender, as permitted under § 633a.9 (relating to surrender), double down as permitted under § 633a.10, split pairs as permitted under § 633a.11, stand or draw additional cards.

(j) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(k) A player may elect to draw additional cards whenever his point count total is less than 21, except that:

(1) A player having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) A player electing to make a Double Down Wager may draw only one additional card.

(l) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hole card face up. Any additional cards required to be dealt to the hand of the dealer, in accordance with subsection (m), shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(m) Except as provided in subsection (n), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(n) A dealer shall draw no additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play.

(o) After all additional cards have been dealt to the players and the dealer, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the remaining optional wagers by collecting all losing wagers and paying all winning wagers as follows:

(1) If a player placed a Bad Beat Progressive Wager:

(i) A player shall win if the player's hand has a total point count of 20 and the dealer has Blackjack or the total point count of the dealer's hand is 21. If selected by the certificate holder in its Rules Submission under § 601a.2, a player may also win if the total point count of the player's hand is 20, irrespective of the total point count of the dealer's hand.

(ii) If a player has won the Bad Beat Progressive Wager or a Magic Card or Lucky Player Bonus, if offered by the certificate holder, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Have a floorperson or above verify any Bad Beat Progressive payout with odds of 100 for 1 or greater in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(C) Credit the player's game account for the winning Bad Beat Progressive Wager or the Magic Card or Lucky Player Bonus in accordance with § 633a.13(j). If more than one player at the table has won a progressive payout that is 100% of the jackpot amount on the progressive meter, each player shall share the maximum amount proportionally to the amount of the player's respective Bad Beat Progressive Wager.

(2) If a player placed a Hit and Run Progressive Wager:

(i) A player shall win if the dealer has Blackjack or the dealer's hand has five or more cards inclusive of any card which would give the dealer's hand a total point count of greater than 21. For example, if the dealer's hand has a total point count of 14 with five cards drawn and the dealer draws an additional card resulting in a total point count of 23, the dealer's sixth card shall also count toward the Hit and Run Progressive payout.

(ii) If a player has won the Hit and Run Progressive Wager, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Have a floorperson or above verify any Hit and Run Progressive payout with odds of 200 for 1 or greater in accordance with approved internal control procedures submitted under § 465a.2.

(C) Pay the player the winning Hit and Run Progressive Wager in accordance with § 633a.13(l). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of the player must remain on the table until the necessary documentation has been completed. If more than one player at the table has won a progressive payout that is 100% of the jackpot amount on the progressive meter, each player shall share the maximum amount equally.

(3) If a player placed a Straight Jack Progressive Wager:

(i) A player shall win if the player's initial two cards were a two-card straight. Each additional card drawn by the player which does not break the sequence of the two-card straight shall result in a payout increase, provided that an ace, king shall be a two-card straight. For example, if the player's initial two cards are a 4 and a 5 and the player draws:

(A) A 6, the player has a three-card straight.

(B) A 3 then a 6, the player has a four-card straight.

(C) A 2 then a 3, the 2 breaks the sequence and the player has a two-card straight.

(D) A 6 then a 7, resulting in a hand with a total point count greater than 21, the last card drawn may not count toward the Straight Jack Progressive Payout. The player will receive a payout for only a three-card straight.

(ii) If a player has won the Straight Jack Progressive Wager, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Have a floorperson or above verify any Straight Jack Progressive Payout with odds of 100 for 1 or greater in accordance with approved internal control procedures submitted under § 465a.2.

(C) Pay the player the winning Straight Jack Progressive Wager in accordance with § 633a.13(m). If a player has won a progressive payout that is 10% or more of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of the player must remain on the table until the necessary documentation has been completed. If more than one player at the table has won a progressive payout that is 100% of the jackpot amount on the progressive meter, each player shall share the maximum amount equally.

(p) A player shall win the Blackjack Wager and be paid in accordance with the payout odds in § 633a.13(a) if:

(1) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(2) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(3) The player has a Blackjack and the dealer's hand has a total point count of 21 in more than two cards.

(q) A Blackjack Wager shall tie and be returned to the player if the total point count of the player's hand is the same as the dealer's. A player's Blackjack Wager shall be lost if the dealer has a Blackjack and the player's hand has a total point count of 21 in more than two cards.

(r) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2:

(1) Collect all losing wagers and then pay off all winning wagers.

(2) Pay off all winning wagers and collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any winning wagers by using value chips collected from a losing wager.

(s) After all wagers have been settled, the dealer shall remove all 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.

(t) Except as provided in § 633a.12(b), players and spectators may not handle, remove or alter any cards used to play Blackjack.

§ 633a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen, jack or 10.

(b) An Insurance Wager may be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 of the player's initial Blackjack Wager. A player may wager an amount in excess of 1/2 of the initial Blackjack Wager to the next unit that can be wagered in chips, when, because of the limitation of the value of chip denominations, half the initial Blackjack Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 633a.13(b) (relating to payout odds; payout limitation).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

(e) Notwithstanding the requirements of subsection (a)—(d), a certificate holder may, if selected in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer a player who has Blackjack the option to be paid even money on the Blackjack Wager instead of making an Insurance Wager. If the player elects to be paid even money, the dealer shall pay out the Blackjack Wager at odds of 1 to 1 and remove the player's cards.

§ 633a.9. Surrender.

(a) After the first two cards are dealt to the player, the player may elect to discontinue play on his hand for that round by surrendering 1/2 his wager. All decisions to surrender shall be made prior to the player indicating whether he wishes to double down as permitted under § 633a.10 (relating to Double Down Wager), split pairs as permitted under § 633a.11 (relating to splitting pairs), stand or draw. If the first card dealt to the dealer:

(1) Is not an ace or 10 value card, the dealer shall immediately collect 1/2 of the wager and return 1/2 to the player.

(2) Is an ace or 10 value card, the dealer will either:

(i) Place the player's wager on top of the player's cards. When the dealer's second card is revealed, the hand will be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player if the dealer does not have Blackjack. The player's cards shall then be collected.

(ii) Immediately after utilizing the card reader device in accordance with § 633a.7(h) (relating to procedure for dealing the cards; completion of each round of play), the hand shall be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player of the dealer does not have Blackjack. The player's cards shall then be collected.

(b) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (a) and § 633a.8 (relating to Insurance Wager).

§ 633a.10. Double Down Wager.

(a) Except when a player has a Blackjack, a player may elect to make a Double Down Wager, which may not exceed the amount of his original Blackjack Wager, on the first two cards dealt to him or the first two cards of any split pair. Only one additional card shall be dealt to the hand on which the player has elected to double down.

(b) If a dealer obtains Blackjack after a player makes a Double Down Wager, the dealer shall collect only the amount of the original Blackjack Wager of the player and may not collect the additional Double Down Wager.

(c) Upon a player’s election to make a Double Down Wager, the dealer shall deal the one additional card face up or face down and place it sideways on the layout.

§ 633a.11. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he makes a wager on the second hand formed in an amount equal to his original Blackjack Wager. For example, if a player has two 7s or a king and a 10, the player may elect to split the hand.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player’s decisions with respect to the first incomplete hand on the dealer’s left before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to each split pair hand, the player shall indicate his decision to stand, draw or double down with respect that hand. A certificate holder shall specify in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions) the number of additional times a patron may split pairs, including aces.

(d) If the dealer obtains Blackjack after a player splits pairs, the dealer shall collect only the amount of the original wager of the player and may not collect the additional amount wagered in splitting pairs.

§ 633a.12. Blackjack variations.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer Blackjack Switch in accordance with the following requirements:

(1) A player shall make two equal Blackjack Wagers by placing value chips on the two designated betting areas prior to the first card being dealt.

(2) In addition to the two equal Blackjack Wagers, a player may make an additional Super Match Wager in accordance with § 633a.6(e)(7) (relating to wagers).

(3) Two hands shall then be dealt to each player in accordance with the dealing procedures in § 633a.7 (relating to procedure for dealing the cards; completion of each round of play).

(4) As each player's point total is announced, the player shall indicate whether he wishes to switch the second card of each hand dealt. A player may also double down as permitted under § 633a.10 (relating to Double Down Wager), split pairs as permitted under § 633a.11 (relating to splitting pairs), stand or draw additional cards.

(5) The round of play shall then be completed in accordance with the dealing procedures in § 633a.7. However, if the dealer's hand:

(i) Has a total point count of 21 in more than two cards and the player has Blackjack, the winning Blackjack Wager shall be paid at odds of 1 to 1.

(ii) Is a Blackjack and the player's hand is a Blackjack, the Blackjack Wager shall tie and be returned to the player.

(iii) Is a Blackjack and the player has switched to a Blackjack, the player's hand shall have a total point count of 21 and the player's Blackjack Wager shall be lost.

(iv) Has a total point count of 21 or 22 and the player has switched to a Blackjack, the player's Blackjack Wager shall be returned to the player.

(v) Has a total point count of 22 and a player's hand has a total point count of 21 or less, the player's Blackjack Wager shall be returned to the player.

(b) A certificate holder may, if specified in its Rules Submission under § 601a.2, deal Blackjack from the hand and allow the players to touch the cards in accordance with the following requirements:

(1) No more than two decks of cards shall be used in the game.

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

(3) After the procedures required under § 633a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the deck or decks of cards on top of a cover card and then place the deck or decks of cards and the cover card in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand when 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.

(4) The dealer shall deal each card by holding 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.

(5) Prior to commencement of each round of play, the dealer shall remove the first card and place it in the discard rack. The dealer shall then, starting with the player farthest to the dealer's left and continuing around the table in a clockwise direction, deal the cards as follows:

(i) One card face down to each box on the layout in which a Blackjack Wager is contained.

(ii) One card face up to the dealer.

(iii) A second card face down to each box in which a wager is contained.

(iv) A second card face down to the dealer.

(6) After two cards have been dealt face down to each player and the dealer, each player shall, with one hand, examine his cards. All players shall keep their cards in full view of the dealer at all times. Each player, starting with the player farthest to the dealer's left and continuing around the table in a clockwise direction, shall then indicate whether he wishes to surrender as permitted under § 633a.9 (relating to surrender), double down as permitted under § 633a.10, split pairs as permitted under § 633a.11, stand or draw additional cards. If a player:

(i) Indicates that he wishes to surrender, double down or split a pair, the dealer shall turn over the player's two cards and complete the dealing procedures in accordance with § 633a.7.

(ii) Is dealt additional cards which cause the total point count to exceed 21, the player shall immediately discard his cards.

(7) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(8) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn over the hole card and draw any additional cards in accordance with § 633a.7(m). The dealer shall announce the dealer's total point count after each additional card is dealt.

(9) After all additional cards have been dealt, the dealer shall turn over each player's two cards and shall settle all remaining wagers in accordance with § 633a.7.

§ 633a.13. Payout odds; payout limitation.

(a) The certificate holder shall pay each winning Blackjack Wager at odds of 1 to 1 with the exception of Blackjack which shall be paid at odds of 3 to 2.

(b) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

(c) The certificate holder shall pay out winning Lucky Ladies Twenty Point Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Queen of hearts pair and dealer Blackjack	1,000 to 1
Queen of hearts pair	200 to 1
Matched 20	25 to 1
Suited 20	10 to 1
Any 20	4 to 1

(d) The certificate holder shall pay out winning Match-the-Dealer Wagers at the odds in the following paytable:

(1) If six decks of cards are being used:

Hand	*Payout*
Each matching card of the same suit	11 to 1
Each matching card of a different suit	4 to 1

(2) If eight decks of cards are being used:

Hand	*Payout*

Each matching card of the same suit	14 to 1
Each matching card of a different suit	3 to 1

(e) The certificate holder shall pay out winning In Between Wagers at the odds in the following paytable:

Hand	*Payout*
Triple Match	30 to 1
One-card spread	10 to 1
Two-card spread	6 to 1
Three-card spread	4 to 1
All others	1 to 1

(f) The certificate holder shall pay out winning Royal Match 21 Wagers and the Crown Treasure Bonus at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

(1) If a single deck of cards is being used:

Hand	*Paytable A*	*Paytable B*
Royal Match	10 to 1	5 to 1
Suited Match	3 to 1	3 to 1
Crown Treasure	1,000 for 1	1,000 for 1

(2) If multiple decks of cards are being used:

Hand	*Paytable C*	*Paytable D*	*Paytable E*
Royal Match	30 to 1	25 to 1	50 to 1
Suited Match	2.5 to 1	2.5 to 1	2 to 1
Crown Treasure	1,000 for 1	1,000 for 1	1,000 for 1

(g) The certificate holder shall pay out winning Bet the Set 21 Wagers at the odds in one of the following pay tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

(1) If a single deck is being used:

Hand	*Paytable A*
Pairs	15 to 1

(2) If two decks are being used:

Hand	*Paytable B*
Suited Pairs	25 to 1
Pairs	10 to 1

(3) If four or more decks are being used:

Hand	*Paytable C*	*Paytable D*
Suited Pairs	15 to 1	12 to 1
Pairs	10 to 1	10 to 1

(h) The certificate holder shall pay out winning King's Bounty Wagers at the odds in the following paytable:

Hand	*Payout*
King of spades pair and dealer Blackjack	1,000 to 1
King of spades pair	200 to 1
Suited kings pair	50 to 1
Suited queens, jacks or 10s pair	25 to 1
Suited 20	9 to 1
Pair of kings	6 to 1
Any 20	4 to 1

(i) The certificate holder shall pay out winning Super Match Wagers at the odds in the following paytable:

(1) If six decks are being used:

Hand	*Payout*
Four-of-a-kind	40 to 1
Two pair	8 to 1
Three-of-a-kind	5 to 1
Pair	1 to 1

(2) If eight decks are being used:

Hand	*Payout*
Four-of-a-kind	50 to 1
Two pair	7 to 1

Three-of-a-kind	5 to 1
Pair	1 to 1

(j) If a certificate holder offers the Bad Beat Progressive Wager:

(1) The certificate holder shall pay out winning Bad Beat Progressive Wagers at the odds in the following paytable:

Hand	*Payout*
Player has a 20 and dealer has:	
21 with seven or more cards	100% of meter
21 with six cards	1,000 for 1
21 with five cards	100 for 1
21 with four cards	50 for 1
21 with three cards	25 for 1
Blackjack	10 for 1
Player has a 20 (optional)	1 for 1
Magic Card Bonus (optional)	20 for 1
Lucky Player Bonus (optional)	5 for 1

(2) The rate of progression for the meter used for the Bad Beat Progressive Wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the Rules Submission and at least $5,000.

(k) The certificate holder shall pay out winning Three Card Poker Wagers at odds in one of the following pay tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Straight Flush	9 to 1	30 to 1
Three-of-a-kind	9 to 1	20 to 1
Straight	9 to 1	10 to 1
Flush	9 to 1	5 to 1

(l) If the certificate holder offers the Hit and Run Progressive Wager:

(1) The certificate holder shall pay out winning Hit and Run Progressive Wagers at the odds in the following paytable:

Hand	*Payout*
Dealer has:	

Eight or more cards	100% of meter
Seven cards	200 for 1
Six cards	25 for 1
Five cards	8 for 1
Blackjack	4 for 1

(2) The rate of progression for the meter used for the Hit and Run Progressive Wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the Rules Submission and at least $1,000.

(m) If the certificate holder offers the Straight Jack Progressive Wager:

(1) The certificate holder shall pay out winning Straight Jack Progressive Wagers at the odds in the following paytable:

Hand	*Payout*
Player has:	
Six-card straight with an ace of spades	100% of meter and 200 to 1
Six-card straight with an ace of diamonds, clubs or hearts	10% of meter and 200 to 1
Five-card straight	200 to 1
Four-card straight	50 to 1
Three-card straight	15 to 1
Two-card straight	3 to 1

(2) The rate of progression for the meter used for the Straight Jack Progressive Wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the Rules Submission and be at least $5,000.

(n) If a certificate holder offers the House Money Wager and the player elects to take the payout, the player shall be paid in accordance with the following paytable:

(1) If a single deck of cards is being used:

Hand	*Odds*
Ace-king suited	9 to 1
Two-card straight flush	5 to 1
Pair	3 to 1
Two-card straight	1 to 1

(2) If multiple decks of cards are being used:

Hand	*Odds*
Ace-king suited	9 to 1
Two-card straight flush	4 to 1
Pair	3 to 1
Two-card straight	1 to 1

(o) Notwithstanding the payout odds in subsections (b) and (g), a certificate holder may, in its Rules Submission under § 601a.2, establish a maximum amount that is payable to a player with a queen of hearts pair and dealer Blackjack or king of spades pair and dealer Blackjack that is payable to all winning hands in the aggregate on a single round of play. The maximum payout amount shall be at least $25,000 or the maximum amount that one patron could win per round when betting the maximum possible wager, whichever is greater. If a certificate holder establishes a maximum payout, and more than one player at a table has a winning hand of queen of hearts pair and dealer Blackjack or king of spades pair and dealer Blackjack, each player shall share the maximum payout amount proportionately to the amount of the player's respective wager. Any maximum payout limit established by the certificate holder shall apply only to payouts of Royal Match 21 Wagers and King's Bounty Wagers.

§ 633a.14. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack or in a segregated area of the double shoe.

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

(c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(d) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(e) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack or in a segregated area of the double shoe shall be shuffled and cut according to the procedures in § 633a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(g) If no cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) If a double shoe is used, any round of play drawn from the incorrect side of a double shoe shall be treated as if it were drawn from the correct side of the shoe and concluded.

(i) If after receiving the first two cards, the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer revealing his hole card or call the player's hand dead and return the player's original Blackjack Wager.

(j) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen, jack or 10, the dealer, after notification to a floorperson or above, shall:

(1) If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager.

(2) If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(k) If a card reader device malfunctions, the dealer may not continue dealing the game of Blackjack at that table until the card reader device is repaired or replaced.

(l) 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.

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

CHAPTER 635a. SPANISH 21

Sec.

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§ 635a.1. Definitions.

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

Blackjack—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Hard total—The total point count of a hand which contains no aces or which contains an ace that is counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 635a.2. Spanish 21 table; card reader device; physical characteristics; inspections.

(a) Spanish 21 shall be played at a table having betting positions for no more than seven 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 Spanish 21 table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Spanish 21 Wager for each player.

(3) The following inscriptions:

(i) Blackjack pays 3 to 2.

(ii) Insurance pays 2 to 1.

(iii) Dealer shall draw to 16 and stand on all 17s or similar language approved by the Executive Director in accordance with § 601a.10(a).

(4) A sign, approved by the Executive Director, at each Spanish 21 table which explains that the doubled down hands are not eligible for the additional payouts in § 635a.12(b) and (c) (relating to payout odds).

(5) If the certificate holder offers the Match-the-Dealer Wager authorized under § 635a.6(e) (relating to wagers), a separate area designated for the placement of the Match-the-Dealer Wager for each player.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers must be posted at each Spanish 21 table.

(c) Each Spanish 21 table must have a drop box and a tip box attached on the same side of the gaming 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 Spanish 21 table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Spanish 21 table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Spanish 21 table must have a discard rack securely attached to the top of the dealer's side of the table. The height of the discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 635a.3. Cards; number of decks; value of cards.

(a) Spanish 21 shall be played with six or eight decks of cards that are identical in appearance and at least one cover card. The decks shall consist of 48 cards, with the 10 of each suit removed from each deck during the inspection required under § 635a.4 (relating to opening of the table for gaming).

(b) The decks of cards opened for use at a Spanish 21 table shall be changed at least once every 24 hours.

(c) The value of the cards shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21, in which case, the ace shall have a value of 1.

§ 635a.4. Opening of the table for gaming.

(a) After receiving the 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) If the decks contain the 10 of any suit, the dealer and a floorperson shall ensure that these cards are removed from the decks, torn in half and placed in the box, envelope or container that the decks came from.

(c) 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.

(d) 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 § 635a.5 (relating to shuffle and cut of the cards).

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a), (c) and (d) do not apply.

§ 635a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest point to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the discretion of the floorperson, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, 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. If a recut is required, the cards shall be cut either by the player who last cut the cards or by

the next player entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe as provided in § 635a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Spanish 21 table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table for inspection face down unless a player requests that the cards be spread face up on the table. After the first player at the table is afforded an opportunity to visually inspect the cards, the procedures in § 635a.4(d) (relating to opening of the table for gaming) and this section shall be completed.

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is 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 (b)—(g) do not apply.

§ 635a.6. Wagers.

(a) Wagers at Spanish 21 shall be made by placing value chips, plaques or other Board-approved wagering instruments on the appropriate areas of the Spanish 21 layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(b) After the cards have been shuffled as required under § 635a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent rounds of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except an Insurance Wager under § 635a.8 (relating to Insurance Wager), a Double Down Wager under § 635a.10 (relating to Double Down Wager; rescue) or a wager on split pairs under § 635a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) To participate in a round of play and compete against the dealer’s hand, a player shall place a Spanish 21 Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Spanish 21 Wager in

accordance with subsection (d) the option of placing a Match-the-Dealer Wager that either of the player's initial two cards will match the rank of the dealer's up card.

(f) The certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a Spanish 21 Wager in one round of play.

§ 635a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards used to play Spanish 21 shall be dealt from a dealing shoe 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 under § 635a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the first two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand shall be completed. The dealer shall then collect and reshuffle the cards in accordance with § 635a.5.

(e) At the commencement of each round of play, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each box on the layout in which a Spanish 21 Wager is contained.

(2) One card face up to the dealer.

(3) A second card face up to each box in which a wager is contained.

(4) A second card face down to the dealer.

(f) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before a card reader device is utilized, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a

counterclockwise direction, settle all Match-the-Dealer Wagers by collecting all losing wagers and paying all winning wagers as follows:

(1) If either of the player's initial two cards match the rank of the dealer's up card, the dealer shall pay the winning Match-the-Dealer Wager in accordance with § 635a.12(e) (relating to payout odds). Any card with a point value of 10 (a jack, queen or king) must only match an identical card without regard to value.

(2) If both of the player's initial two cards match the rank of the dealer's up card, the player shall be paid for each matching card.

(g) After settling the player's optional wagers in accordance with subsection (f), if the dealer's first card is an ace, king, queen or a jack, the dealer shall, after offering the Insurance Wager in accordance with § 635a.8 (relating to Insurance Wager), determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, no additional cards shall be dealt and each player's Spanish 21 and Insurance Wagers, if applicable, shall be settled.

(h) After the procedures in subsection (g) have been completed, if necessary, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and if the player:

(1) Has Blackjack and the dealer's up card is:

(i) A 2, 3, 4, 5, 6, 7, 8 or 9, the dealer shall announce and pay the Blackjack and remove the player's cards.

(ii) An ace, king, queen or jack but the dealer's hole card will not give the dealer a Blackjack, the dealer shall announce the player's Blackjack but make no payment nor remove any cards until all other cards are dealt to the players and the dealer reveals the hole card.

(2) Does not have Blackjack, the player shall indicate whether he wishes to surrender, as permitted under § 635a.9 (relating to surrender), double down as permitted under § 635a.10 (relating to Double Down Wager; rescue), split pairs as permitted under § 635a.11 (relating to splitting pairs), stand or draw additional cards.

(i) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(j) A player may elect to draw additional cards whenever his point count total is less than 21, except that the player:

(1) Having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) Electing to make a Double Down Wager may draw only one additional card.

(k) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hold card face up. Any additional cards required to be dealt to the hand of the dealer, in accordance with subsection (l), shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(l) Except as provided in subsection (m), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(m) A dealer may not draw additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play.

(n) A player shall win the Blackjack Wager and be paid in accordance with the payout odds in § 635a.12(a)—(c) if:

(1) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(2) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(3) The player has a Blackjack and the dealer's hand has a total point count of 21 in two or more cards.

(4) The total point count of the player's hand and the dealer's hand is 21 in more than two cards.

(o) Except as provided in subsection (n)(3) and (4), a Spanish 21 Wager shall tie and be returned to the player if the total point count of the player's hand is the same as the dealer's. A player's Spanish 21 Wager shall be lost if the dealer has a Blackjack and the player's hand has a total point count of 21 in more than two cards.

(p) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Collect all losing wagers and then pay off all winning wagers.

(2) Pay off all winning wagers and collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any winning wagers by using value chips collected from a losing wager.

(q) After all wagers have been settled, the dealer shall remove all 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.

(r) Players and spectators may not handle, remove or alter any cards used to play Spanish 21.

§ 635a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen or jack.

(b) An Insurance Wager shall be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 the player's initial Spanish 21 Wager. A player may wager an amount in excess of 1/2 the initial Spanish 21 Wager to the next unit that can be wagered in chips when, because of the limitation of the value of chip denominations, half the initial Spanish 21 Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 635a.12(d) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

§ 635a.9. Surrender.

(a) After the first two cards are dealt to the player, the player may elect to discontinue play on his hand for that round by surrendering 1/2 of his Spanish 21 Wager. All decisions to surrender shall be made prior to the player indicating whether he wishes to double down as permitted under § 635a.10 (relating to Double Down Wager; rescue), split pairs as permitted under § 635a.11 (relating to splitting pairs), stand or draw. If the first card dealt to the dealer is:

(1) Not an ace or 10 value card, the dealer shall immediately collect 1/2 of the wager and return 1/2 to the player.

(2) An ace or 10 value card, the dealer shall place the player’s wager on top of the player’s cards. When the dealer’s second card is revealed, the hand shall be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player if the dealer does not have Blackjack.

(b) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (a) and § 635a.8 (relating to Insurance Wager).

§ 635a.10. Double Down Wager; rescue.

(a) Except when a player has Blackjack, a player may elect to make a Double Down Wager, which may not exceed the amount of his original Spanish 21 Wager. A player may double down on two or more cards dealt to him or two or more cards of any split pair. Only one additional card shall be dealt to the hand on which the player has elected to double down. The one additional card shall be dealt face up and placed sideways on the layout.

(b) If a dealer obtains Blackjack after a player makes a Double Down Wager, the dealer shall collect only the amount of the original Spanish 21 Wager of the player and may not collect the additional Double Down Wager.

(c) A winning Double Down Wager shall be paid in accordance with § 635a.12(a) (relating to payout odds). The additional payouts in § 635a.12(b) and (c) are not applicable to winning Double Down Wagers.

(d) After the additional card required under subsection (a) has been dealt to the hand, a player may "rescue" (take back) the Double Down Wager and forfeit his original wager, as long as the additional card does not result in the hand having a total point count in excess of 21.

§ 635a.11. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he makes a wager on the second hand formed in an amount equal to his original Spanish 21 Wager. For example, if a player has two 7s or a king and a jack, the player may elect to split the hand.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to a split pair hand, the player shall indicate his decision to stand, draw or double down with respect to that hand. A certificate holder shall specify in its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the number of additional times a patron may split pairs, including aces.

(d) If the dealer obtains Blackjack after a player splits pairs, the dealer shall collect only the amount of the original wager of the player and may not collect the additional amount wagered in splitting pairs.

(e) The additional payouts provided in § 635a.12(b) and (c) (relating to payout odds) are not applicable to a winning wager on a split hand.

§ 635a.12. Payout odds.

(a) Except as provided in subsections (b) and (c), the certificate holder shall pay each winning Spanish 21 Wager at odds of 1 to 1 with the exception of Blackjack which shall be paid at odds of 3 to 2.

(b) Except when a player has made a Double Down Wager under § 635a.10 (relating to Double Down Wager; rescue), in which case all of the following wagers shall be paid at odds of 1 to 1, a certificate holder shall pay the following payout odds for winning Spanish 21 Wagers:

(1) Three cards consisting of 6, 7 and 8 of mixed suits shall be paid at odds of 3 to 2.

(2) Three cards consisting of 6, 7 and 8 of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of the 6, 7 and 8 of spades shall be paid at odds of 3 to 1.

(3) Three cards consisting of three 7s of mixed suits shall be paid at odds of 3 to 2.

(4) Three cards consisting of three 7s of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of three 7s of spades shall be paid at odds of 3 to 1.

(5) Five cards totaling 21 shall be paid at odds of 3 to 2.

(6) Six cards totaling 21 shall be paid at odds of 2 to 1.

(7) Seven or more cards totaling 21 shall be paid at odds of 3 to 1.

(c) In addition to the payouts under subsection (b)(4), a winning hand that consists of three 7s of the same suit, when the dealer's exposed card is also a 7 of any suit, shall be paid an additional fixed payout in accordance with the following requirements:

(1) If the player's original wager was $5 or more but less than $25, the player shall receive an additional payout of $1,000.

(2) If the player's original wager was $25 or more, the player shall receive an additional payout of $5,000.

(3) All other players at the table who placed a wager during that round of play shall also be paid an additional fixed payout of $50.

(4) The additional fixed payouts are not applicable if a Double Down Wager was made on a winning hand or the winning hand had been split under § 635a.11 (relating to splitting pairs).

(d) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

(e) The certificate holder shall pay out winning Match-the-Dealer Wagers at the odds in the following paytables:

(1) If six decks of cards are being used:

Hand	*Payout*
Each matching card of the same suit	9 to 1
Each matching card of a different suit	4 to 1

(2) If eight decks of cards are being used:

Hand	*Payout*
Each matching card of the same suit	12 to 1
Each matching card of a different suit	3 to 1

§ 635a.13. Irregularities.

(a) A card found face up in the shoe 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 during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) If a 10 card of any suit is found in the shoe, it may not be used in the game and shall be removed from the shoe and torn in half by a floorperson and placed in the box, envelope or container that the decks came from. If more than one 10 card is found in the shoe during the dealing of the cards, the round of play shall be void and the decks of cards shall be removed from play.

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

(d) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(e) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(f) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(g) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut in accordance with § 635a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(h) If no cards are dealt to the player's hand, the player's hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(i) If after receiving the first two cards, the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer revealing his hole card or call the player's hand dead and return the player's original Spanish 21 Wager.

(j) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen or jack, the dealer, after notification to a floorperson or above, shall, if the particular card reader device in use:

(1) Provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager.

(2) Does not provide any player with the opportunity to determine the value of the hole card, continue play.

(k) If a card reader device malfunctions, the dealer may not continue dealing the game of Spanish 21 at that table until the card reader device is repaired or replaced.

(l) 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.

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

CHAPTER 637a. POKER

Sec.

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§ 637a.1. Definitions.

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

All-in—When a player bets all of his funds remaining on the Poker table, does not have funds to continue betting in a round of play but still retains the right to contend for that portion of the pot in which the player has already placed a bet.

Bad Beat—One or more predesignated high value Poker hands which, when held by a player as a losing hand in a round of play, shall result in a Bad Beat payout if offered by the certificate holder in accordance with § 637a.15 (relating to Bad Beat payout; posting of rules;

contributions; counting and displaying of payout amount; procedures for implementation).

Bad Beat payout—One or more payouts made to a player upon the occurrence of a Bad Beat.

Bet—When a player places value chips, tournament chips or plaques into the pot during a betting round.

Betting round—A complete betting cycle in which all players have called, folded or gone All-in.

Blind Bet—A mandatory bet in Hold'em or Omaha Poker which players sitting in specific betting positions shall be required to place prior to any cards being dealt.

Burn card—A card taken from the top of a deck which is not in play, is discarded face down and the identity of which remains unknown.

Button—An object that is moved clockwise around the table to determine the betting and dealing sequence.

Call—When a player places a bet in an amount equal to the immediately preceding bet.

Check—When a player waives the right to initiate the betting in a betting round but retains the right to place a bet if another player initiates the betting.

Common card—A card that is dealt, in any game of Stud Poker, face up if there are insufficient cards left in the deck to deal each player a card individually and which can be used by all players at the showdown.

Community card—A card that is dealt face up and can be used by all players to form the best possible Poker hand.

Draw—In any game of Draw Poker, when a player exchanges the cards held in his hand for an equal number of new cards from the deck.

Fold—The withdrawal of a player from a round of play by refusing to make an equal bet during a betting round and discarding his hand of cards.

Forced Bet—A bet that is required to start the first betting round in Seven-card or Five-card Stud Poker.

Fouled hand—A hand that either has an improper number of cards or has come into contact with other cards in a way as to render it impossible to determine accurately which cards are in the hand.

Half-kill option—In the game of Omaha High-low Split Eight or Better Poker, when one

player wins an entire qualifying pot, the betting limits are increased by 1/2 the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not equal or exceed the qualifying pot.

High hand—A game of Poker in which the highest ranking hand, in accordance with § 637a.6 (relating to Poker rankings), wins the pot.

High Hand Jackpot payout—The total of the contribution amounts collected during a qualifying period which are payable to one or more players upon the occurrence of a Qualifying High Hand.

High-low Split—A form of Poker in which there is a winner for both the highest and lowest ranking hands.

High-low Split Eight or Better—A version of High-low Split Poker in which a winning low hand may not contain pairs or any card ranked above an 8.

Hole card—Any card dealt face down to a player.

Kill option—In the game of Omaha High-low Split Eight or Better Poker, when one player wins an entire qualifying pot, the betting limits are twice the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not equal or exceed the qualifying pot.

Low hand—A game of Poker in which the lowest ranking hand, in accordance with § 637a.6, wins the pot.

Opening bet—The first bet in a round of play.

Pot—The amount that is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount bet by the players during the round of play, less any rake extracted under § 637a.17 (relating to Poker revenue) and, if applicable, any amount contributed to a Bad Beat or High Hand Jackpot payout fund in accordance with § 637a.15 or § 637a.16 (relating to High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation).

Protected hand—A hand of cards that a player is physically holding or has placed under one or more chips or plaques.

Qualifying High Hand—A high hand held by any player or players during a qualifying period which may result in a High Hand Jackpot payout if offered by the certificate holder in accordance with § 637a.16.

Qualifying period—A duration of time, as specified in the certificate holder's Rules

Submission under § 601a.2 (relating to table games Rules Submissions), during which a certificate holder offers the High Hand Jackpot payout.

Qualifying pot—In the game of Omaha High-low Split Eight or Better Poker, a pot which equals or exceeds an amount established by the certificate holder which triggers the increase in the minimum and maximum bets when the Kill or Half-kill option is used.

Raise—When a player bets an amount greater than the immediately preceding bet in that betting round.

Rake—The amount of value chips, tournament chips, plaques or currency collected by the dealer as Poker revenue in accordance with § 637a.17.

Round of play—One complete cycle of play during which all cards have been dealt, all bets have been placed and the winner of the pot is determined and paid in accordance with this chapter.

Showdown—The revealing of the hands of each player to determine who shall win the pot.

Side pot—A separate pot formed when one or more players are All-in.

Table stakes—A player's currency, value chips, tournament chips and plaques on the table that are available for betting during a round of play.

Up card—In a game of Stud Poker, any card dealt face up to a player.

§ 637a.2. Poker table physical characteristics.

(a) Poker shall be played on an oval table which has places for up to ten players and a dealer.

(b) The layout for a Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) A holding area located to the right of the dealer or in another location approved in accordance with § 601a.10(a) designated for the collection of the Poker rake prior to final placement of the rake in the drop box.

(c) Decks of cards used for the play of Poker shall be kept on the Poker table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). This area may be part of the table inventory container.

(d) Each Poker table must have a drop box for the Poker rake and a tip box attached to it 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.

(e) If a certificate holder offers a Bad Beat or High Hand Jackpot payout at a designated Poker table, a transparent locked box or container must be attached on the same side of the table as the drop box and be used to hold the pot contributions that fund the Bad Beat or High Hand Jackpot payout.

§ 637a.3. Cards; number of decks.

(a) Poker shall be played with one deck of cards that are identical in appearance and one cover card. Two decks of cards with different color backs shall be maintained for use at each Poker table at all times. Each deck shall be continuously alternated in and out of play with each deck being used for every other round of play. Unless an automated card shuffling device is being used in accordance with subsection (b), while one deck of cards is in use, the other deck shall be stored in the area designated under § 637a.2(c) (relating to Poker table physical characteristics).

(b) If an automated card shuffling device is being used, one deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(c) The two decks of cards that are alternated in and out of play shall be changed at least every 12 hours and rotated with other decks in accordance with § 603a.15(j) (relating to cards; physical characteristics).

§ 637a.4. Opening of the table for gaming.

(a) After receiving two decks of cards at the table, the dealer shall inspect each deck for any defects. The floorperson or above 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 two players seated at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first two players seated at the table are afforded an opportunity to visually inspect the cards, each deck shall separately be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Each deck of cards shall then be shuffled in accordance with § 637a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is not being used, one of the decks shall be shuffled and cut in accordance with § 637a.5 and the other deck table shall be placed in the area

designated under § 637a.2(c) (relating to Poker table physical characteristics). In the alternative, a certificate holder may mix, shuffle and cut only the deck intended for immediate use and place the other deck in the area designated under § 637a.2(c). Upon rotation of the decks of cards as required under § 637a.3 (relating to cards; number of decks), the other deck shall be mixed, shuffled and cut in accordance with § 637a.5 and this section.

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 637a.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 the 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 device shall place the deck of cards in a single stack.

(b) 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 § 637a.7(e) (relating to Poker overview; general dealing procedures for all types of Poker).

(2) If the cards were shuffled manually or were preshuffled, cut the deck by placing 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.

(c) 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.

(d) If there is no gaming activity at the Poker table which is open for gaming, each deck of cards at the table shall be spread out on the table face up. After the first two players who arrive at the table are afforded an opportunity to visually inspect both of the decks, the procedures in § 637a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 637a.6. Poker rankings.

(a) The rank of the cards used in all types of Poker other than low hand Poker 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

formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace, 2 and 3). All suits shall be considered equal in rank.

(b) The permissible five-card high hands, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest ranking straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

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

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

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

(8) Two pairs, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pairs and two 3s and two 2s being the lowest ranking two pairs.

(9) One pair, which is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) The rank of the cards used in low hand Poker in order of highest to lowest rank, shall be: ace, 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen and king. In Triple Draw 2-7 Lowball Poker, the order of highest to lowest rank shall be: 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, king and ace. All suits shall be considered equal in rank.

(d) The ranking of a five-card low hand shall be the inverse of the rankings for a five-card high hand as set forth in subsection (b). In games except Triple Draw Lowball 2-7 Poker, straights and flushes will not be considered for purposes of determining a winning hand at low Poker.

(e) When comparing two hands that are of identical rank under subsection (b) or (d), or which do not contain the hands authorized for that game, the hand that contains the highest ranking card as provided in subsection (a) or (c), whichever is applicable, which is not in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands will be considered tied and the pot shall be divided equally among the players with the tied hands.

(f) In all games of Poker, a hand shall be ranked according to the cards actually in the player's hand and not by the player's opinion or statement of the hand's value.

§ 637a.7. Poker overview; general dealing procedures for all types of Poker.

(a) Poker shall be conducted in a separate area of the licensed facility designated specifically for the operation of Poker as approved by the Board or the Board's Executive Director in accordance with § 467a.1 (relating to gaming floor plan).

(b) Poker shall be played with no less than two players. For all types of authorized Poker games in this chapter, the dealer may not participate in the playing or outcome of the game in any way except as otherwise authorized in this chapter.

(c) A player shall bet on the cards that the player holds in his hand. All bets by a player shall be placed by the dealer in the designated area of the table known as the pot. A player may be required to place an Ante or Blind Bet prior to the receipt of any cards. After each round of cards is dealt, a betting round shall be conducted. Each player shall decide whether to continue contending for the pot by calling or raising the bet of the other players.

(d) The object of Poker is for a player to win the pot either by making a bet that no other player elects to call or, depending on the type of Poker being played, by having the highest ranking high hand, the highest ranking low hand or both the highest ranking high and low hands in accordance with § 637a.6 (relating to Poker rankings). If two or more players are still in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among those players to determine which player has the winning hand.

(e) The following procedures shall be utilized by the dealer when dealing the game of Poker:

(1) The dealer shall place the stacked deck of cards in either hand. After the dealer has chosen which 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 in front of the dealer at all times and as level with the Poker table as possible. If during a round of play the deck shall be set down to handle a transaction, the dealer shall place a marker button on top of the deck until the transaction has been completed.

(2) The dealer shall verbalize or physically indicate the action that is occurring at the Poker table with regard to the conduct of the game and instruct each player as to the player's various turns to act and options.

(3) All burn cards required under this chapter must be kept separate from the pile of discarded cards.

(4) The dealer shall either:

(i) Count the entire deck of cards at least once every 5 rounds of play to determine if 52 cards are present. The dealer may count the stub in the games of Hold 'Em Poker and Omaha Poker.

(ii) Utilize an automated card shuffling device, submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval), which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present.

(5) If a count of the deck or stub indicates that the number of cards in the deck is incorrect, the deck shall be removed from the table.

(6) At the completion of a round of play, the dealer shall award the pot to the winning player or players after a showdown or to the last remaining player if all other players have folded. Prior to pushing the pot to the winner and collecting the winning hand, the dealer shall:

(i) Collect the cards from all losing players. The losing hands shall be counted by the dealer to determine that the proper number of cards has been returned.

(ii) Award all side pots.

(iii) Collect the rake in accordance with § 637a.17 (relating to Poker revenue).

(iv) Collect, if applicable, any amount required to be contributed to a Bad Beat or High Hand Jackpot payout fund in accordance with §§ 637a.15 and 637a.16 (relating to Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation; and High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation).

§ 637a.8. Placement of bets; minimum and maximum bets.

(a) Only players who are seated at the Poker table may receive cards and participate in each betting round.

(b) A player may participate in the betting during a round of play in accordance with the following requirements:

(1) A player may bet only with the table stakes that were already on the Poker table in front of the player when the round of play commenced.

(2) A player may add to his table stakes only between rounds of play and, except as provided in paragraph (6), may not remove any of his table stakes from the Poker table at any time during a round of play.

(3) Currency that is available for use by a player may be utilized in accordance with this section to initiate, call or raise a bet if the currency is expeditiously converted into value chips, tournament chips or plaques by the dealer.

(4) To participate in a round of play, a player shall be required to have an amount of currency, value chips, tournament chips or plaques available on the Poker table prior to the start of the round of play which is sufficient to make any Ante, Blind or Forced Bet required by the Poker game being played and at least one bet at the posted table minimum.

(5) A player who satisfies the requirements in paragraph (4) but depletes his funds on the Poker table prior to the completion of a round of play shall be deemed All-in as follows:

(i) An All-in player shall retain a financial interest in the outcome of the round of play, but eligible to win only the amount of the pot to which he contributed.

(ii) An All-in player shall continue to receive all cards to which he would normally be entitled.

(iii) Betting shall continue unimpeded among the other players by generating a separate side pot which only those players shall be eligible to win.

(6) If a player indicates an intent to temporarily leave a Poker table during a round of play, without relinquishing his seat at the table, a floorperson or above shall do either of the following:

(i) Determine the amount of the player's table stakes prior to the player's departure from the table and verify that the amount of the player's table stakes have not been changed upon the player's return to the table.

(ii) Maintain the player's table stakes on the table surface using a nontransparent cover until the player's return.

(c) A player's verbal statement of "fold," "check," "call" or "raise" or a player's announcement of a specific bet, which is within the rules of the Poker game being played and the

minimum and maximum betting limits for the Poker table, shall be binding on the player if it is the player's turn to act.

(d) A player who announces a bet or raise of a certain amount but places a different amount of value chips, tournament chips or plaques in the pot shall be required to correct his bet or raise to the announced amount in accordance with the instructions of the dealer.

(e) A player shall be considered to have placed a bet if the player:

(1) Pushes value chips, tournament chips or plaques forward to indicate the intent of placing a bet.

(2) Places value chips, tournament chips or plaques at a sufficient distance from the player and towards the pot to make it obvious that the value chips, tournament chips or plaques are intended as a bet.

(3) Places currency into the pot to be exchanged for chips in accordance with subsection (b)(3).

(f) A player may not make a bet and thereafter attempt to increase the amount of the bet unless the player:

(1) Indicates at the time the bet is being made that the bet is not yet complete.

(2) Puts the proper amount of value chips, tournament chips or plaques into the pot to call a bet and also indicates his intention to raise.

(g) Subject to the posted table betting limits, a player who announces "raise" may continue to bet value chips, tournament chips or plaques until both of his hands come to rest in front of the pot.

(h) The dealer shall ensure that no player touches any of the value chips, tournament chips or plaques once they are placed into the pot.

(i) Unless a raise has been verbally announced by a player, the player who puts a single value chip or tournament chip into the pot that is larger than required is assumed to have only called the preceding bet and to be awaiting change from the dealer.

(j) Unless specifically posted to the contrary, a player may raise after the player has previously checked in a betting round.

(k) The certificate holder shall post a sign specifying any restrictions with regard to the maximum number of raises that may be permitted for any round of betting and the minimum and maximum bets in effect at each Poker table. If all players at a Poker table agree to increase the minimum bet at the table, the minimum bet posted at the table need not be followed. The certificate holder shall include in its Rules Submission under § 601a.2 (relating to table games

Rules Submissions) any restrictions with regard to the maximum number of raises that may be permitted for any round of betting, provisions specifying the maximum amount that the minimum bet may be increased and how the dealer will determine that all of the players have agreed to the increased minimum bet amount.

§ 637a.9. Permissible Poker games; announcement of available games and seats.

(a) A certificate holder may offer the following types of Poker games:

(1) Seven-card Stud (High, Low, High-low Split and High-low Split Eight or Better).

(2) Hold'em (High).

(3) Omaha (High, High-low Split Eight or Better).

(4) Five-card Draw (High and Low).

(5) Five-card Stud (High).

(6) Other Poker games approved by the Board.

(b) A certificate holder may not offer or permit the playing of any Poker game which is not authorized by this chapter.

(c) A certificate holder may announce, in the areas where Poker tables are located, the particular types of available Poker games, the table minimum and maximum bets that are being offered and the availability of any vacant seats at particular Poker tables.

§ 637a.10. Seven-card Stud Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Seven-card Stud High, Seven-card Stud Low, Seven-card Stud High-low Split or Seven-card Stud High-low Split Eight or Better Poker shall observe the procedures in this section.

(b) No more than eight players may participate in a Seven-card Stud Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) Starting with the first player to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal two rounds of cards face down and one round of cards face up to each player.

(d) After each player has been dealt three cards in accordance with subsection (c), the first betting round shall commence with one player making a Forced Bet. The amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted at the Poker table. The player required to place the Forced Bet shall be determined by comparing the up card of each player. In the event that two or more up cards are of the same rank, the up cards shall then be ranked by suit with the highest to lowest ranked suits in the following order: spades, hearts, diamonds and clubs. The Forced Bet shall be made by the player with the:

(1) Lowest ranked up card for Seven-card Stud High Poker.

(2) Highest ranked up card for Seven-card Stud Low Poker.

(3) Highest ranked up card for Seven-card Stud High-low Split Poker. To determine the highest ranked up card, an ace shall be ranked below a two.

(4) Lowest ranked up-card for Stud High-low Split Eight or Better Poker. To determine the lowest ranked up-card, an ace shall be considered the highest ranking card.

(e) Following the placement of the Forced Bet, each subsequent player, starting with the player to the left of player who placed the Forced Bet and continuing around the table in a clockwise manner, may fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to the dealer's left, deal a fourth card face up to each player who made or called the last bet. The next betting round shall commence as follows:

(1) For Seven-card Stud High, Seven-card Stud High-low Split or Seven-card Stud High-low Split Eight or Better Poker, the player with the highest ranking high hand showing shall be required to bet or check.

(2) For Seven-card Stud Low, the player with the highest ranking low hand showing shall be required to bet or check.

(3) If the highest ranking hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

(g) Following the initial bet or check required under subsection (f), each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not made a bet, check. Once a bet has been made, the next player in a clockwise rotation may fold, call or raise. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who made or called the last bet. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck. Notwithstanding the foregoing, if insufficient cards remain in the deck to give each remaining player either a sixth or seventh card, the top card of the deck shall be burned and a common card shall be dealt face up in the center of the table. If there is either one or no card remaining in the deck when a common card is to be dealt, the dealer shall shuffle the burn cards, burn a card and then deal the common card. The dealing of each round of cards or, if applicable, each common card under this subsection shall be followed by a betting round conducted in accordance with subsections (f) and (g).

(i) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card Poker hand from the seven cards dealt to the player. The winner of the pot shall be:

(1) In Seven-card Stud High Poker, the player with the highest ranking five-card high hand.

(2) In Seven-card Stud Low Poker, the player with the highest ranking five-card low hand.

(3) In Seven-card Stud High-low Split Poker or Seven-card Stud High-low Split Eight or Better Poker:

(i) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to subsection (j), shall divide the pot equally. If a pot cannot be divided equally, the excess amount, which may not exceed $1, shall be given to the player with the highest ranking high hand.

(ii) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player with the highest ranking high card by suit.

(iii) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players. If the low hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player with the lowest ranking low hand Poker card by suit.

(iv) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest ranked suit in order as follows: spades, hearts, diamonds and clubs.

(j) In Seven-card Stud High-low Split Eight or Better Poker, a winning low-hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king. In the

event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(k) In Seven-card Stud High-low Split Poker and Seven-card Stud High-low Split Eight or Better Poker, the player may form two different hands of five cards each out of the player's seven available cards, enabling that player to contend for both the high hand and low hand share of the pot. A player may use the same five-card grouping to make a high hand and a low hand. For example:

(1) A hand consisting of a 2, 3, 4, 5 and 6 would qualify as a straight for purposes of the high hand and as a high ranking low hand.

(2) A hand consisting of five cards of the same suit, none higher than an 8, would qualify as a flush for purposes of the high hand and as a high ranking low hand.

(l) In Seven-card Stud High-low Split Poker and Seven-card Stud High-low Split Eight or Better Poker, an ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high Poker hand.

(m) Notwithstanding the requirements in subsection (c), if the certificate holder is offering Super Seven-card Stud High-low Split Eight or better, starting with the first player to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down and one round of cards face up to each player. After examining the cards, each player shall discard two cards. The first betting round shall commence in accordance with subsection (d).

§ 637a.11. Hold'em Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Hold'em Poker shall observe the procedures in this section. Hold'em Poker shall be played to determine a winning high hand only.

(b) No more than ten players may participate in a Hold'em Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal two rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt two cards in accordance with subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The first player to the left of the button who has not folded shall commence the next betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(i) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with subsection (g).

(j) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with subsection (g).

(k) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form the highest ranking five-card high hand using any of the two cards dealt to the player and the five community cards. The winner of the pot shall be the player with the highest ranking five-card high hand. If the highest ranking five-card high hand that each

of the remaining players can form is comprised of the five community cards, all players remaining in the round of play shall share equally in the pot. If the pot cannot be divided evenly among the players, the excess, which may not exceed $1, may be given to the player specified in the certificate holder's Rules Submission under § 601a.2.

§ 637a.12. Omaha Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Omaha High or Omaha High-low Split Eight or Better Poker shall observe the procedures in this section.

(b) No more than ten players may participate in an Omaha Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, and the Kill or Half-kill option, if offered, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt four cards in accordance with subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The first player to the left of the button who has not folded shall commence the next betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(i) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with subsection (h).

(j) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with subsection (g).

(k) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card hand using two of the four cards dealt to the player and three of the five community cards. The winner of the pot shall be:

(1) In Omaha High Poker, the player with the highest ranking five-card high hand.

(2) In Omaha High-low Split Eight or Better Poker:

(i) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to subsection (l), shall divide the pot equally. If a pot cannot be divided equally, the excess amount, which may not exceed $1, shall be given to the player with the highest ranking high hand.

(ii) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player with the highest ranking high card by suit or to the player specified in the certificate holder's Rules Submission under § 601a.2.

(iii) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players. If the low hand share of the pot cannot be divided equally among the tied players, the excess, which

may not exceed $1, shall be given to the player with the lowest ranking low hand Poker card by suit or to the player specified in the certificate holder's Rules Submission under § 601a.2.

(iv) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.

(l) In Omaha High-low Split Eight or Better Poker, the winning low hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(m) In Omaha High-low Split Eight or Better Poker, the player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot. Each hand must consist of any three of the community cards and any two of four cards dealt to the player. A player may use the same five-card grouping to make a high hand and a low hand. An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high hand.

(n) In Omaha High-low Split Eight or Better Poker, the certificate holder may use either the Half-kill or Kill option. If the certificate holder elects to use either option, the certificate holder shall indicate which option is being used in the certificate holder's Rules Submission under § 601a.2 and post on a sign at each Omaha Poker table which option is being used and the minimum value of a qualifying pot.

§ 637a.13. Five-card Draw Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Five-card Draw High or Five-card Draw Low Poker shall observe the procedures in this section.

(b) No more than eight players may participate in a Five-card Draw Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Starting with the first player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal five rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(e) After each player has been dealt five cards in accordance with subsection (d), the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(f) Following the placement of the required Blind Bets, each player, starting with the player to the left of the player or players who were required to place a Blind Bet, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) Upon completion of the initial betting round, each player remaining in the round of play shall have an opportunity to draw new cards. This process shall be accomplished one player at a time starting with the player to the immediate left of the button and continuing around the table in a clockwise manner. Each player may keep his original hand or discard as many cards as he chooses. The dealer shall replace each discarded card with a new card dealt from the deck as follows:

(1) Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck.

(2) If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose. The cards to be discarded by a player who has not yet requested new cards may not be included as part of the reshuffled cards.

(h) The first player to the left of the button who has not folded shall commence the final betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(i) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be:

(1) In Five-card High Poker, the player with the highest ranking five-card high hand.

(2) In Five-card Low Poker, the player with the highest ranking five-card low hand.

§ 637a.14. Five-card Stud Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Five-card Stud Poker shall observe the procedures in this section. Five-card Stud Poker shall be played to determine a winning high hand only.

(b) No more than eight players may participate in a Five-card Stud Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) Starting with the first player to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one round of cards face down and one round of cards face up to each player.

(d) After each player has been dealt two cards in accordance with subsection (c), the first betting round shall commence with one player making a Forced Bet. The amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted at the Poker table. The player required to place the Forced Bet shall be determined by comparing the up card of each player. The player with the lowest ranked up card shall be required to make a Forced Bet. In the event that two or more up cards are of the same rank, the up cards shall then be ranked by suit with the highest to lowest ranked suits in the following order: spades, hearts, diamonds and clubs.

(e) Following the placement of the Forced Bet, each subsequent player, starting with the player to the left of the player who placed the Forced Bet and continuing around the table in a clockwise manner, may bet, fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to the dealer's left, deal another round of cards face up to each player who made or called the last bet. The next betting round shall commence as follows:

(1) The player with the highest ranking hand showing shall be required to bet or check.

(2) If the highest ranking hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

(g) Following the bet or check required under subsection (f), each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not

made a bet, check. Once a bet has been made, the next player in a clockwise rotation may fold, call or raise. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then deal two additional rounds of cards face up to each player who made or called the last bet, with each round followed by a betting round conducted in accordance with subsections (f) and (g). Prior to each round of cards being dealt, the dealer shall burn the top card of the deck.

(i) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking five-card high hand.

§ 637a.15. Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer a Bad Beat payout for one or more Bad Beat hands. A Bad Beat payout shall be made from a separate fund created from pot contributions required at tables where a Bad Beat payout is offered and shall be paid in accordance with the procedures established under this section.

(b) A certificate holder shall post at each Poker table that offers a Bad Beat payout notice advising patrons of eligibility for the Bad Beat payout. The certificate holder shall display the current amount of the Bad Beat payout and post in a conspicuous location within the Poker room the Bad Beat payout rules which must include:

(1) The maximum contribution amount that will be collected from each pot to fund the Bad Beat payout and the method of calculation for any contribution amount.

(2) The minimum pot amount required before the contribution to the Bad Beat payout is collected.

(3) Qualifying Bad Beat requirements and payouts.

(c) A certificate holder shall extract from each pot at a Poker table designated for participation in a Bad Beat payout a prescribed contribution to the Bad Beat payout. The contribution amount shall be collected in accordance with the Bad Beat payout rules as specified in the certificate holder's Rules Submission under § 601a.2. After the dealer has extracted the rake, the amount from each pot to be contributed to a Bad Beat payout shall be determined, segregated from the pot and deposited into the Bad Beat payout box. Notwithstanding the foregoing, a certificate holder may, upon amending its Bad Beat payout rules, terminate collection of Bad Beat contributions at any time in accordance with subsection (i).

(d) At least once each gaming day and upon notice to a casino compliance representative, a certificate holder shall count the accumulated contents of each Bad Beat payout

box. The counting shall occur at a closed Poker table, the main cage or a satellite cage, in accordance with the certificate holder's approved internal controls, as follows:

(1) If the counting of the contents of a Bad Beat payout box occurs at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or above and recorded by the surveillance department. Documentation of the count shall be prepared and signed by both the dealer and the floorperson or above who witnessed the count. The contents of the Bad Beat payout box shall then be placed in a locked container along with documentation of the count and transported to the main cage or satellite cage by a security department employee.

(2) If the counting of the contents of a Bad Beat payout box occurs in the main cage or a satellite cage, a floorperson or above shall account for all locked Bad Beat payout boxes transported from the Poker tables to the cage. A security department employee shall transport the Bad Beat boxes to the main cage or satellite cage for counting.

(e) Once each Bad Beat payout box or locked container is delivered to the main cage or satellite cage, a cashier shall count the contents of each box or, if the contents of the boxes were previously counted by Poker room personnel and combined in a locked container for transport, verify the aggregate count. The finance department shall maintain the official record of the amount of daily contributions to the Bad Beat payout.

(f) The Poker shift supervisor shall verify each Bad Beat Poker hand prior to awarding the Bad Beat payout. Upon verification, the Poker shift supervisor shall:

(1) Post a sign or otherwise provide visible notice that the applicable Bad Beat payout display amount is pending adjustment due to a Bad Beat payout.

(2) Notify a representative from the security department or finance department to deliver to the Poker table the applicable amount of the Bad Beat payout.

(g) The finance department shall prepare a Bad Beat payout distribution in cash or a recognized cash equivalent in accordance with the certificate holder's approved internal controls. Notwithstanding subsection (f)(2), a certificate holder may elect to pay a Bad Beat payout at the main cage or satellite cage.

(h) No less than once a day and immediately upon notification of a Bad Beat verification by the Poker shift supervisor, a finance department employee shall:

(1) In the presence of a floorperson or above, adjust each Bad Beat payout amount displayed in the Poker area to reflect the current Bad Beat payout amount.

(2) Verify that the amount of any Bad Beat payout maintained by the finance department corresponds to the amount being displayed to patrons.

(i) A Bad Beat payout may not be offered at a Poker table until a certificate holder has submitted internal controls and the Executive Director has approved procedures for discontinuing any Bad Beat payout. The procedures must address the method by which pot contributions will be terminated or transferred to other Bad Beat payouts, or both, to ensure that all payout amounts are paid to Poker patrons.

§ 637a.16. High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer a High Hand Jackpot payout for a Qualifying High Hand made during a qualifying period. A High Hand Jackpot payout shall be made from a separate fund created from pot contributions required at tables where a High Hand Jackpot payout is offered and shall be paid in accordance with the procedures established under this section.

(b) A certificate holder shall post at each Poker table that offers a High Hand Jackpot payout notice advising patrons of eligibility for the High Hand Jackpot payout. The certificate holder shall display the current amount of the High Hand Jackpot payout and post in a conspicuous location within the Poker room the High Hand Jackpot payout rules which must include:

(1) The collection and qualifying periods for the High Hand Jackpot payout.

(2) The maximum contribution amount that will be collected from each pot to fund the High Hand Jackpot payout.

(3) The minimum pot amount required before the contribution to the High Hand Jackpot is collected.

(4) The minimum number of players who shall be dealt into a hand to qualify for a High Hand Jackpot payout.

(5) The division of the High Hand Jackpot payout if two or more players have the same value Qualifying High Hand during a qualifying period.

(6) Any time limits on collecting High Hand Jackpot payouts including a statement notifying players that they do not need to be present at the end of the qualifying period to win the High Hand Jackpot payout.

(7) Any restrictions on collecting a High Hand Jackpot payout including a statement notifying players that valid identification shall be presented for a player's hand to qualify for a High Hand Jackpot payout.

(c) A certificate holder shall extract from each pot at a Poker table designated for participation in a High Hand Jackpot payout a prescribed contribution to the High Hand Jackpot

payout. The contribution amount shall be collected in accordance with the High Hand Jackpot payout rules as specified in the certificate holder's Rules Submission under § 601a.2. After the dealer has extracted the rake, the amount from each pot to be contributed to a High Hand Jackpot payout shall be determined, segregated from the pot and deposited into the High Hand Jackpot payout box.

(d) At the end of each qualifying period, a certificate holder shall count the accumulated contents of each High Hand Jackpot payout box. The counting shall occur at a closed Poker table, the main cage or a satellite cage, in accordance with the certificate holder's approved internal controls, as follows:

(1) If the counting of the contents of a High Hand Jackpot payout box occurs at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or above and recorded by the surveillance department. Documentation of the count shall be prepared and signed by both the dealer and the floorperson or above who witnessed the count. The contents of the High Hand Jackpot payout box shall then be placed in a locked container along with documentation of the count and transported to the main cage or satellite cage by a security department employee.

(2) If the counting of the contents of a High Hand Jackpot payout box occurs in the main cage or a satellite cage, a floorperson or above shall account for all locked High Hand Jackpot payout boxes transported from the Poker tables to the cage. A security department employee shall transport the High Hand Jackpot payout boxes to the main cage or satellite cage for counting.

(e) Once each High Hand Jackpot payout box or locked container is delivered to the main cage or satellite cage, a cashier shall count the contents of each box or, if the contents of the boxes were previously counted by Poker room personnel and combined in a locked container for transport, verify the aggregate count. The finance department shall maintain the official record of the amount of contributions to the High Hand Jackpot payout.

(f) At the start of each qualifying period, dealers shall begin tracking hands. When a player has a full house, as defined in § 637a.6(b) (relating to Poker rankings), the dealer shall call a floorperson or above who shall verify the hand and record the value on the High Hand Tracking Slip. As the value of the hands increase during the qualifying period, the value of the next higher hand shall be announced and the floorperson or above shall record on the High Hand Tracking Slip the next higher value hand. The High Hand Tracking Slip must contain:

(1) The name, phone number and seat number of the player with the higher value hand.

(2) The table number.

(3) The higher value hand.

(4) The dealer's name and Board-issued credential number.

(5) The signature and Board-issued credential number of the floorperson or above who verified the higher value hand.

(g) When the qualifying period has ended, the contribution amount collected during the qualifying period shall be counted, verified and taken to the main cage or satellite cage in accordance with subsections (d) and (e). The pooled contribution amounts from all Poker tables that participated in the qualifying period shall then be announced and displayed.

(h) The player or players with the highest Qualifying High Hand during the qualifying period shall be awarded the High Hand Jackpot payout. High Hand Jackpot payouts shall be paid from the main cage or satellite cage. If, however, a full house was not made by any player during the qualifying period, the High Hand Jackpot payout contribution amounts shall be added to the next High Hand Jackpot payout qualifying period.

(i) The certificate holder shall specify in its Rules Submission under § 601a.2 the procedure for distributing High Hand Jackpot payouts which have not been collected within the time period specified in subsection (b)(6).

§ 637a.17. Poker revenue.

(a) A certificate holder shall derive its Poker revenue at all Poker tables by extracting a rake. Each certificate holder shall submit as part of its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the following:

(1) The types of rake utilized.

(2) The methodology used for calculating the rake.

(3) The amount of maximum permissible rake per round of play.

(b) A certificate holder may use one or more of the following procedures in determining and extracting the rake:

(1) A percentage rake, not to exceed 10%, which shall be calculated and extracted from the pot and any side pots:

(i) After the conclusion of a betting round and placed into the designated rake area required under § 637a.2(b)(2) (relating to Poker table physical characteristics) as play progresses.

(ii) Upon completion of a round of play and immediately placed by the dealer into the drop box.

(2) An incremental rake, as certain predetermined dollar levels have been achieved which:

(i) Upon collection shall be placed into the designated rake area required under § 637a.2(b)(2).

(ii) Upon completion of a round of play shall be immediately placed by the dealer into the drop box.

(3) A rake based on time charges which:

(i) May be imposed on a per-player basis or on a per-table basis. If taken on a per-player basis, inactive players seated at the table shall also be assessed.

(ii) Shall be expressed as an hourly fee based on the minimum and maximum betting limits at a game.

(iii) May be assessed fractionally every 20 or 30 minutes as determined by the certificate holder.

(iv) Once assessed shall be placed by the dealer into the designated rake area required under § 637a.2(b)(2).

(v) Upon verification by a floorperson or above of the time charges collected shall be immediately placed by the dealer into the drop box.

(c) A sign describing the type and amount of rake to be collected under subsection (b) shall be posted at each Poker table.

(d) An uncalled final bet may not be considered part of the pot for purposes of calculating the amount of rake under subsection (b)(1) and (2).

(e) Once the dealer has extracted the rake and the pot and any side pots have been collected by the winning player or players, additional rake may not be taken.

§ 637a.18. Conduct of players; general operating rules for all types of Poker; irregularities.

(a) In all disputes in which a ruling, interpretation, clarification or intervention is required, the decision of the Poker shift supervisor is final.

(b) Each player in a Poker game shall play the game solely to improve the player's chance of winning and may not take action to improve another player's chance of winning. A player may not communicate any information to another player which could assist the other player in any manner respecting the outcome of a Poker game.

(c) A certificate holder who has reasonable cause to believe that a player has acted or is acting in violation of subsection (b) may require the player to leave the game and shall notify a casino compliance representative as expeditiously as possible.

(d) Each player shall keep all cards dealt to the player in full view of the dealer at all times. The dealer shall ensure compliance with this requirement.

(e) At a showdown, a winning hand must be clearly displayed in its entirety and properly identified. The player initiating the final bet shall be the first player to show his hand at the showdown. All other players who have not folded shall then reveal their hands in a clockwise rotation. Any player holding a losing hand may concede his rights to the pot and discard the hand without revealing the player's cards unless the certificate holder, in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), requires the disclosure of all discarded hands.

(f) It shall be the responsibility of each player in a showdown to ensure that the player's hand has lost to the other hands at the table before discarding the hand.

(g) Cards that are misdealt shall be returned to the dealer for a reshuffle. The following errors shall be cause for a misdeal:

(1) Failure to shuffle and cut the cards in accordance with § 635a.5 (relating to shuffle and cut of the cards).

(2) Dealing to an incorrect starting position if the error has been detected prior to two players voluntarily placing bets into the pot.

(3) If more than one card is found face up in the deck.

(4) Failure to deal to an eligible seated player, if the error has been detected prior to two players voluntarily placing bets into the pot.

(h) If one or more cards are mistakenly dealt to an ineligible player, the cards dealt to that player shall be discarded and the round of play shall continue.

(i) If at any time during a round of play missing cards are discovered or additional cards are found, the round of play shall be voided, all value chips, tournament chips and plaques in the pot shall be returned to the appropriate player and the deck shall be replaced.

(j) A card found face up in the deck may not be used in that round of play and shall be placed with the pile of discarded cards.

(k) A player who fails to take reasonable means to protect his hand shall have no redress if his hand becomes a fouled hand or the dealer accidentally collects the hand provided that:

(1) Hole cards in a game of Stud Poker shall be considered protected for purposes of fouling a hand.

(2) If a protected hand comes into contact with discarded cards, every effort shall be made to reconstruct the hand and complete the round of play.

(3) A player who has a protected hand collected by the dealer or fouled by discarded cards shall be entitled to a refund from the pot of all moneys that the player put in the pot if the player has been a victim of and not a contributor to the error.

(4) A player who leaves the table without comment and has an unprotected hand shall be assumed to have no interest in the pot and his cards shall be collected and discarded.

(l) Verbal statements which are clearly audible by and directed to the dealer shall always have precedence over actions and gestures and are considered binding on the player whose turn it is to act.

(1) A player shall be deemed to have folded if, when faced with making or calling a bet, the player:

(i) Discards his hand face down towards the pile of discarded cards or the pot.

(ii) Turns his up cards in a game of Stud Poker face down.

(2) If a player is obligated to place a bet as a Blind Bet, Forced Bet or by virtue of a verbal statement, throwing away his cards does not relieve the player of that obligation.

(m) In Seven-card Stud, if a player's first or second hole card is accidentally turned face up in the dealing process, the third card shall be dealt face down. If both hole cards are accidentally turned face up, the dealer shall collect the two cards, call the player's hand void and return the player's Ante bet, if applicable. If a player's third hole card is accidentally turned face up in the dealing process, the player shall be afforded the option to either:

(1) End his obligation to make additional bets and contend only for that part of the pot formed prior to any additional betting.

(2) Continue to contend for the entire pot.

(n) In Five-card Stud, if a player's hole card is accidentally turned face up in the dealing process, the second card shall be dealt face down.

(o) If a card is accidentally dealt off the table, the card may not be used in that round of play and shall be placed with the pile of discarded cards after a thorough examination of the card by the dealer.

(p) In the games of Hold'em and Omaha Poker, if any of the cards that are required to be dealt face down to a player are accidentally dealt face up, the dealer shall exchange the exposed card with a card from the top of the deck and place the exposed card face down with the pile of discarded cards.

(q) 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.

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

(s) A certificate holder may clarify and supplement the procedures related to irregularities in this section in the certificate holder's Rules Submission under § 601a.2.

§ 637a.19. Five-card Omaha Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Five-card Omaha High or Five-card Omaha High-low Split Eight or Better Poker shall observe the procedures in this section.

(b) No more than eight players may participate in a Five-card Omaha Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, and the Kill or Half-kill option, if offered, must be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal five rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt five cards in accordance with subsection (f), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise also applies to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The first player to the left of the button who has not folded shall commence the next betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(i) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with subsection (h).

(j) Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with subsection (h).

(k) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card hand using two of the five cards dealt to the player and three of the five community cards. The winner of the pot shall be:

(1) In Five-card Omaha High Poker, the player with the highest ranking five-card high hand.

(2) In Five-card Omaha High-low Split Eight or Better Poker:

(i) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to subsection (l), shall divide the pot equally. If a pot cannot be divided equally, the excess amount, which may not exceed $1, shall be given to the player with the highest ranking high hand.

(ii) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player with the highest ranking high card by suit or to the player specified in the certificate holder's Rules Submission under § 601a.2.

(iii) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players. If the low hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player with the lowest ranking low hand Poker card by suit or to the player specified in the certificate holder's Rules Submission under § 601a.2.

(iv) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.

(l) In Five-card Omaha High-low Split Eight or Better Poker:

(1) The winning low hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king. In the event that none of the hands of the remaining players satisfy this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(2) The player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot. Each hand must consist of any three of the community cards and any two of five cards dealt to the player. A player may use the same five-card grouping to make a high hand and a low hand. An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high hand.

(3) The certificate holder may use either the Half-kill or Kill option. If the certificate holder elects to use either option, the certificate holder shall indicate which option is being used in the certificate holder's Rules Submission under § 601a.2 and post on a sign at each Omaha Poker table which option is being used and the minimum value of a qualifying pot.

§ 637a.20. Triple Draw Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Triple Draw Poker shall observe the procedures in this section.

(b) No more than seven players may participate in a Triple Draw Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, and the Kill or Half-kill option, if offered, must be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal five rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt five cards in accordance with subsection (f), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise also applies to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then burn the top card of the deck. Each player who has not folded, starting with the player to the immediate left of the button and continuing in a clockwise rotation, shall have the opportunity to draw new cards one player at a time. Each player may keep his original hand or discard as many cards as he chooses. Each discarded card shall be replaced by the dealer with a new card from the deck. If an insufficient number of cards remain in the deck for a player to draw new cards, the discarded cards, except the cards discarded by that player, shall be reshuffled and the new cards shall be dealt to the player. The first player to the left of the button who has not folded shall commence the next betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the second betting round shall be considered complete.

(i) Upon completion of the second betting round, the dealer shall burn the top card of the deck. Each player who has not folded shall then have the opportunity to draw new cards in accordance with subsection (h). The next betting round shall be commenced and completed in accordance with subsection (h).

(j) Upon completion of the third betting round, the dealer shall burn the top card of the deck. Each player who has not folded shall then have the opportunity to draw new cards in accordance with subsection (h). The fourth and final betting round shall be commenced and completed in accordance with subsection (h).

(k) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking five-card low hand provided that:

(1) Hands are counted from the highest card in the hand to the lowest card in the hand.

(2) If a tie exists between two or more players for the highest ranking low hand, the pot shall be divided equally among the tied players. If the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player specified in the certificate holder's Rules Submission under § 601a.2.

(3) In 2-7 Lowball Poker:

(i) An ace is used only as a high card.

(ii) The best possible 2-7 Lowball Poker hand is 7-5-4-3-2 with all five cards not of the same suit.

(iii) A straight, flush or pair shall be considered for purposes of determining a winning hand.

(4) In Ace-5 Lowball Poker:

(i) An ace is used only as a low card.

(ii) The best possible A-5 Lowball Poker hand is a 5-4-3-2-A, regardless of suit.

(iii) A straight or flush shall not be considered for purposes of determining a winning hand.

(l) Notwithstanding the requirements in subsection (k), if specified in its Rules Submission, the certificate holder may offer Triple Draw Poker and split the pot awarded between players as follows:

(1) In 2-7 Lowball Poker, if Badeucey is being offered:

(i) Half of the pot shall be awarded to the highest ranking 2-7 Lowball Poker hand and the other half of the pot shall be awarded to the player with the best Badugi hand. For purposes of Badeucey, a Badugi hand is a hand in which four of the player's five cards

are of a different suit from the others and rank in accordance with § 637a.6(c) (relating to Poker rankings) with the best Badugi hand being a 2, 3, 4 and 5.

(ii) If the pot cannot be split evenly, the excess, which may not exceed $1, shall be given to the player with the highest 2-7 Lowball Poker hand.

(2) In A-5 Lowball Poker, if Badacey is being offered:

(i) Half of the pot shall be awarded to the highest ranking A-5 Lowball Poker hand and the other half of the pot shall be awarded to the player with the best Badugi hand. For purposes of Badacey, a Badugi hand is a hand in which four of the player's five cards are of a different suit from the others and rank in accordance with § 637a.6(c) with the best Badugi hand being an ace, 2, 3 and 4.

(ii) If the pot cannot be split evenly, the excess, which may not exceed $1, shall be given to the player with the highest A-5 Lowball Poker hand.

§ 637a.21. Badugi Poker; procedures for dealing the cards; completion of each round of play.

(a) A certificate holder that offers Badugi Poker shall observe the procedures in this section.

(b) No more than nine players may participate in a Badugi Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, and the Kill or Half-kill option, if offered, must be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, must be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt four cards in accordance with subsection (f), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise also applies to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then burn the top card of the deck. Each player who has not folded, starting with the player to the immediate left of the button and continuing in a clockwise rotation, shall have the opportunity to draw new cards one player at a time. Each player may keep his original hand or discard as many cards as he chooses. Each discarded card shall be replaced by the dealer with a new card from the deck. If an insufficient number of cards remain in the deck for a player to draw new cards, the discarded cards, except the cards discarded by that player, shall be reshuffled and the new cards shall be dealt to the player. The first player to the left of the button who has not folded shall commence the next betting round and may bet or check. Each subsequent player may, in clockwise rotation, fold, call, raise or, if preceding players have not made a bet, make an opening bet or check. After the last player has responded to the most recent bet, the second betting round shall be considered complete.

(i) Upon completion of the second betting round, the dealer shall burn the top card of the deck. Each player who has not folded shall then have the opportunity to draw new cards in accordance with subsection (h). The next betting round shall be commenced and completed in accordance with subsection (h).

(j) Upon completion of the third betting round, the dealer shall burn the top card of the deck. Each player who has not folded shall then have the opportunity to draw new cards in accordance with subsection (h). The fourth and final betting round shall be commenced and completed in accordance with subsection (h).

(k) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot based upon the following rakings in order from highest to lowest:

(1) The lowest Badugi hand shall win the pot. For purposes of this section, a Badugi hand shall be a hand in which each of the player's four cards are of a different suit from the

others and rank in accordance with § 637a.6(c) (relating to Poker rankings) with the best Badugi hand being an ace, 2, 3 and 4.

(2) If no players have a Badugi, the player with the lowest hand containing three cards, each of which are a different suit and rank.

(3) If no players have three cards of a different suit and rank than the player with the lowest hand containing two cards, each of which are a different suit and rank shall win the pot.

(4) If no remaining players have a hand containing two cards of a different suit and rank than the player with the lowest card.

(5) If a tie exists between two or more players, the pot shall be divided equally among the tied players. If the pot cannot be divided equally among the tied players, the excess, which may not exceed $1, shall be given to the player specified in the certificate holder's Rules Submission under § 601a.2.

CHAPTER 639a. CARIBBEAN STUD POKER

Sec.

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§ 639a.1. Definitions.

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

Bet 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.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Caribbean Stud Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 639a.6(b) (relating to Caribbean Stud Poker rankings).

Fold—The withdrawal of a player from a round of play by not making a Bet Wager.

Hand—The five-card hand that is held by each player and the dealer after the cards are dealt.

Hole card—Any of the four cards dealt face down to the dealer.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the player's cards matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the dealer's cards matches the card randomly selected by the table game system.

Progressive Payout Hand—The term means either of the following:

(i) A player's five-card Poker hand with a rank of three-of-a-kind or better.

(ii) If included in the paytable selected by the certificate holder, a two pair or better as defined in § 639a.6(b).

§ 639a.2. Caribbean Stud Poker table physical characteristics.

(a) Caribbean Stud Poker shall be played at a table having betting positions for no more than seven 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 Caribbean Stud Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) Two separate betting areas designated for the placement of Ante and Bet Wagers for each player.

(3) If the certificate holder offers the optional Progressive Payout Wager authorized under § 639a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Caribbean Stud Bonus Wager authorized under § 639a.7(d)(3), a separate area designated for the placement of the Caribbean Stud Bonus Wager for each player.

(5) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 639a.7(d)(4), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Caribbean Stud Poker table.

(7) An inscription indicating that the Bet Wager will be returned if the dealer has less than an ace/king. If the information is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Caribbean Stud Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 639a.7(d)(2), the Caribbean Stud Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 639a.7(d)(4), the Caribbean Stud Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Caribbean Stud Poker 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.

(f) Each Caribbean Stud Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 639a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Caribbean Stud Poker 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, Caribbean Stud Poker 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Caribbean Stud Poker 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.

§ 639a.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 § 639a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 639a.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 § 639a.8, § 639a.9 or § 639a.10 (relating to procedure 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 Caribbean Stud Poker table which is open for gaming, the cards shall be 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 § 639a.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.

§ 639a.6. Caribbean Stud Poker rankings.

(a) The rank of the cards used in Caribbean Stud Poker, 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 straight formed with a 2, 3, 4 and 5, but may not be combined with any other sequence of cards (for example, queen, king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands at the game of Caribbean Stud Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and a 5, 4, 3, 2 and ace being the lowest ranking straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with an ace, king, queen, jack, 9 being the highest ranking flush and a 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and a 5, 4, 3, 2 and ace being the lowest ranking straight.

(7) 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.

(8) Two pair, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(9) A pair, which is a hand containing 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 hands that are of identical Poker hand rank under subsection (b), or that contain none of the hands listed 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 identical rank after the application of this subsection, the hands shall be considered a tie.

§ 639a.7. Wagers.

(a) Wagers at Caribbean Stud Poker 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 the Caribbean Stud Poker 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 Bet Wager, shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 639a.8, § 639a.9 or § 639a.10 (relating to procedure 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 § 639a.11(b) (relating to procedure 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 Caribbean Stud Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager, then a Bet Wager, in accordance with § 639a.11(b).

(2) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Caribbean Stud Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing an Ante Wager, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Caribbean Stud Poker table the option to make an additional Caribbean Stud Bonus Wager that the player's cards will form a five-card Poker hand with a rank of a pair of 10s or better. After placing an Ante Wager, a player may make the additional Caribbean Stud Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing “o more bets.”

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Caribbean Stud Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand or the dealer's five-card Poker hand, or both, will contain a flush or better as defined in § 639a.6(b) (relating to Caribbean Stud Poker rankings). After placing an Ante Wager, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) A player may not wager on more than one player position at a Caribbean Stud Poker table.

§ 639a.8. Procedure 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 § 639a.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 the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce “no more bets” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face down to each player who placed an Ante Wager in accordance with § 639a.7(d)(1) (relating to wagers).

(2) One card face up to the area designated for the placement of the dealer’s hand.

(3) A second card face down to each player directly on top of that player’s first card.

(4) A second card face down to the area designated for the placement of the dealer's hand to the right of the dealer's first card.

(5) A third, fourth and fifth card, in succession, face down to each player and the dealer directly on top of the preceding card.

(e) After five 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 (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player or the dealer has more or less than 5 cards) 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.

§ 639a.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 § 639a.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 he will 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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of

Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face down to each player who has placed an Ante Wager in accordance with § 639a.7(d)(1) (relating to wagers).

(2) One card face up to an area designated for the placement of the dealer's hand.

(3) A second card face down to each player directly on top of that player's first card.

(4) A second card face down to the area designated for the placement of the dealer's hand to the right of the dealer's first card.

(5) A third, fourth and fifth card, in succession, face down to each player and the dealer directly on top of the preceding card.

(c) After five 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 (d), place the stub 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 (a player or the dealer has more or less than 5 cards) 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.

§ 639a.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 § 639a.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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of 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 § 639a.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 five cards face down to the area designated for the placement of the dealer's cards and spread the cards face down on the layout so the top card of the stack is to the dealer's right and the bottom card is to the dealer's left. The dealer shall turn the bottom card of the stack (the card on the dealer's far left) face up on the area designated for the placement of the dealer's cards.

(c) After each stack of five 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.

(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 (a player or dealer has more or less than 5 cards) 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.

§ 639a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 639a.8, § 639a.9 or § 639a.10 (relating to procedure 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 Caribbean Stud Poker 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 the five cards in full view of the dealer at all times.

(3) After each player has made a decision regarding the Bet Wager as required under subsection (b), the player's cards shall be placed face down on the appropriate area of the layout and the player may not touch the cards again.

(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 if he wishes to make a Bet Wager in an amount equal to two times the amount of 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 a Caribbean Stud Bonus Wager, a Progressive Payout Wager or a Five Card Hand Bonus Wager but does not make a Bet Wager, the player shall forfeit all wagers except the Five Card Hand Bonus Wager and does not forfeit the right to receive an Envy Bonus Payout, if applicable.

(c) After each player who has placed an Ante Wager has either placed a Bet Wager on the designated area of the layout or forfeited his wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's four hole cards and place the cards so as to form the highest possible ranking five-card Poker 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 five 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 five-card Poker hand for each player.

(3) If the dealer's highest ranking five-card Poker hand:

(i) Is lower than an ace-king, the dealer shall return each player's Bet Wager and pay out the player's Ante Wager made by the player in accordance with the payout odds in § 639a.12(a) and (b) (relating to payout odds; rate of progression).

(ii) Is an ace-king or better, and the player's highest ranking five-card Poker hand:

(A) Is ranked lower than the dealer's five-card Poker hand, the dealer shall immediately collect the Ante and Bet Wagers made by the player.

(B) Is ranked higher than the dealer's five-card Poker hand, the dealer shall pay the Ante and Bet Wagers made by the player in accordance with the payout odds in § 639a.12(a) and (b).

(C) Is equal in rank to the dealer's five-card hand, the dealer shall return the Ante and Bet Wagers made by the player.

(4) The dealer shall settle any Caribbean Stud Bonus Wager made by the player by determining whether the player's five-card Poker hand qualifies for a payout in accordance with § 639a.12(c). A winning Caribbean Stud Bonus Wager shall be paid irrespective of whether the player's five-card Poker hand outranks the dealer's hand.

(5) After settling a player's Ante, Bet and Caribbean Stud Bonus Wagers, the dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's five-card Poker hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 639a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus won in accordance with § 639a.12(d)(6) if Paytable D in § 639a.12(d)(1) is selected by the certificate holder. Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Caribbean Stud Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(6) After settling a player's Ante, Bet and Caribbean Stud Bonus Wagers, the dealer shall settle the Five Card Hand Bonus Wager, if offered by the certificate holder, and any Magic Card or Lucky Bonus payouts. A winning Five Card Hand Bonus Wager shall be paid

irrespective of whether the player's hand outranks the dealer's hand. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(iii) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 639a.12(e). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(d) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 639a.12. Payout odds; rate of progression.

(a) A certificate holder shall pay each winning Ante Wager at odds of 1 to 1.

(b) A certificate holder shall pay winning Bet Wagers in accordance with the following odds:

Hand	*Paytable*
Royal flush	100 to 1
Straight flush	50 to 1
Four-of-a-kind	20 to 1
Full house	7 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pair	2 to 1
A pair or less	1 to 1

(c) If a certificate holder offers the Caribbean Stud Bonus Wager, the certificate holder shall pay each winning Caribbean Stud Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

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	100 to 1	100 to 1	100 to 1
Full house	50 to 1	50 to 1	50 to 1
Flush	40 to 1	40 to 1	40 to 1
Straight	25 to 1	25 to 1	20 to 1
Three-of-a-kind	7 to 1	6 to 1	6 to 1
Two pair	3 to 1	3 to 1	3 to 1
A pair of 10s or better	1 to 1	1 to 1	1 to 1

(d) If a certificate holder offers the Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the odds 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	100% of meter	100% of meter	100% of meter
Straight flush	5,000 for 1	10% of meter	10% of meter
Four-of-a-kind	500 for 1	500 for 1	200 for 1
Full house	100 for 1	100 for 1	50 for 1
Flush	50 for 1	50 for 1	40 for 1
Straight	10 for 1	10 for 1	30 for 1
Three-of-a-kind	3 for 1	3 for 1	9 for 1
Two pair	2 for 1	2 for 1	N/A

Hand	*Paytable D*	*Paytable E*
Royal flush	100% of meter	100% of meter
Straight flush	10% of meter	10% of meter
Four-of-a-kind	300 for 1	500 for 1
Full house	50 for 1	100 for 1
Flush	40 for 1	50 for 1
Straight	30 for 1	N/A
Three-of-a-kind	9 for 1	N/A

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) Paytables A, B, C and E may not be selected by the certificate holder if the Progressive Payout Wager is offered on multiple linked games with a shared progressive jackpot.

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and may not be less than $10,000.

(5) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 639a.11(c)(5) (relating to procedure for completion of each round of play).

(6) If the certificate holder selects Paytable D, Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(e) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the

highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally among the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 639a.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 any 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 any of the dealer’s hole cards are inadvertently exposed prior to each player having either folded or placed a Bet Wager as provided under § 639a.11 (relating to procedure for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 641a. FOUR CARD POKER

Sec.

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§ 641a.1. Definitions.

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

Aces Up Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted paytable, regardless of whether the player's hand outranks the dealer's hand.

Five-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Four Card Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 641a.6(d) (relating to Four Card Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(d).

Four-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Four-Card Progressive Payout Wager when another player at the Four Card Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand.

Four-Card Envy Bonus Qualifying Hand—A player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, as defined in § 641a.6(b), depending on the paytable selected by the certificate holder.

Four-Card Progressive Payout Hand—A player's Four Card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(b).

Hand—The Four Card Poker hand that is held by each player and the dealer after the cards are dealt.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the player's cards matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the dealer's first five cards matches the card randomly selected by the table game system.

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.

§ 641a.2. Four Card Poker table physical characteristics.

(a) Four Card Poker shall be played at a table having betting positions for no more than seven 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 Four Card Poker table shall be submitted to the Bureau of Gaming Operations and approved 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 separate betting areas designated for the placement of Ante, Play and Aces Up Wagers for each player.

(3) If the certificate holder offers either the Four or Five-Card Progressive Payout Wager authorized under § 641a.7(d)(4) or (5) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Bad Beat Bonus Wager authorized under § 641a.7(d)(6), a separate area designated for the placement of the Bad Beat Bonus Wager for each player.

(5) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 641a.7(d)(7), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Four Card Poker table.

(c) If a certificate holder offers either the Four or Five-Card Progressive Payout Wager in accordance with § 641a.7(d)(4) or (5), the Four Card Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 641a.7(d)(7), the Four Card Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Four Card Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

(f) Each Four Card Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 641a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Four Card Poker 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, Four Card Poker 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 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 Four Card Poker 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.

§ 641a.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 § 641a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 641a.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 § 641a.8, § 641a.9 or § 641a.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 the procedures in 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 Four Card Poker 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 § 641a.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.

§ 641a.6. Four Card Poker rankings.

(a) The rank of the cards used in Four Card Poker, 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, 3 and 4 but may not be combined with any other sequence of cards (for example: king, ace, 2 and 3). All suits shall be equal in rank.

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

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

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3 and 4 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 flush, which is a hand consisting of four cards of the same suit, regardless of rank.

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

(6) Two pairs, which is a hand consisting of two pairs with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(7) 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 listed 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) When the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands must be:

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

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

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

§ 641a.7. Wagers.

(a) Wagers at Four Card Poker 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 Four Card Poker 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 § 641a.8, § 641a.9 or § 641a.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 § 641a.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 Four Card Poker:

(1) A player may compete solely against the dealer's Four Card Poker hand by placing an Ante Wager then a Play Wager, in accordance with § 641a.11(b), in an amount from one to three times the amount of the player's Ante Wager.

(2) A player may compete solely against a posted paytable by placing an Aces Up Wager.

(3) A player may compete against both the dealer's Four Card Poker hand and the posted paytable by placing an Ante Wager and an Aces Up Wager in accordance with paragraphs (1) and (2).

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Four Card Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Four-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Four-Card Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Five-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(6) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Bad Beat Bonus Wager that either the player's hand contains a two pair or better and the dealer's hand outranks the player's hand, or the dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Bad Beat Bonus Wager by placing a value chip onto the designated area of the layout for that player. Winning wagers shall be paid out based on the rank of the losing hand.

(7) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand or the dealer's five-card Poker hand, or both, will contain a flush or better as defined in § 641a.6(d) (relating to Four Card Poker rankings). After placing an Ante Wager, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(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.

§ 641a.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 § 641a.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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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 a wager in accordance with § 641a.7 (relating to wagers) and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players and the first five cards dealt to the dealer shall be dealt face down. The dealer's sixth card shall be dealt face up. The dealer's fifth and sixth cards shall be dealt consecutively.

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

(f) 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.

(g) 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.

(h) 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 (a player has more or less than 5 cards or the dealer has more or less than 6 cards) 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.

§ 641a.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 § 641a.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” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 a wager in accordance with § 641a.7 (relating to wagers) and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players and the first five cards dealt to the dealer shall be dealt face down. The sixth card dealt to the dealer shall be dealt face up. The dealer’s fifth and sixth cards shall be dealt consecutively.

(c) After five cards have been dealt to each player and six cards have been dealt to 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, 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 (a player has more or less than 5 cards or the dealer has more or less than 6 cards) 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.

§ 641a.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 § 641a.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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with § 641a.7 (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 a wager in accordance with § 641a.7. The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards. When the automated dealing shoe dispenses the next sequence of five cards, the dealer shall remove the stack and spread the cards face down on the layout so that the top card of the stack is to the dealer's right and the bottom card is to the dealer's left. The dealer shall turn the bottom card of the stack (the card on the dealer's far left) face up on the dealer's hand. The dealer shall collect the remaining four cards of that stack and place the cards in the discard rack without revealing the cards.

(c) After each stack of five 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.

(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 (a player has more or less than 5 cards or the dealer has more or less than 6 cards) 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's six cards may be dispensed before the five cards are dispensed to each player.

§ 641a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 641a.8, § 641a.9 or § 641a.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 Four Card Poker 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 five cards in full view of the dealer at all times.

(b) After each player has examined his cards and placed the cards face down on the layout, 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 from one to three times the amount of the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player:

(1) Has placed an Ante Wager and an Aces Up Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but may not forfeit the Aces Up Wager.

(2) Has placed an Ante Wager and a Four or Five-Card Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager but may not forfeit the eligibility to receive an Envy Bonus under § 641a.12(d) or (e) (relating to payout odds; Envy Bonus; rate of progression).

(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 and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and select the four cards that form the highest possible ranking Four Card Poker 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 five cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and select the four cards that form the highest possible ranking Poker hand for each player.

(3) If a player's highest ranking Four Card Poker hand is ranked:

(i) Lower than the dealer's Four Card Poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player.

(ii) Higher than or equal to the dealer's Four Card Poker hand, the dealer shall pay the Ante and Play Wagers and any Ante Bonus in accordance with the payout odds in § 641a.12(a) and (b).

(4) After settling a player's Ante and Play Wagers, the dealer shall settle any Aces Up Wagers by determining whether the player's Four Card Poker hand qualifies for a payout in accordance with § 641a.12(c). A winning Aces Up Wager shall be paid irrespective of whether the player's Four Card Poker hand outranks the dealer's hand.

(5) The dealer shall then settle the player's Four or Five-Card Progressive Payout Wager, if offered by the certificate holder. For the Five-Card Progressive Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Four-Card Progressive Payout Wager in accordance with the payout odds in § 641a.12(d) or the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 641a.12(e). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be

paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus as follows:

(A) A player making a Four-Card Progressive Payout Wager shall receive a Four-Card Envy Bonus when another player at the same Four Card Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Four-Card Envy Bonuses if more than one other player is the holder of a Four-Card Envy Bonus Qualifying Hand. A player is not entitled to a Four-Card Envy Bonus for his own hand or the hand of the dealer. Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(d)(5).

(B) A player making a Five-Card Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Four Card Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Five-Card Envy Bonuses if more than one other player is the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand or the hand of the dealer. Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(e)(5).

(6) After settling any Aces Up Wagers, the dealer shall settle a player's Bad Beat Bonus Wager. A player shall win a Bad Beat Bonus payout, in accordance with § 641a.12(f), based on the rank of the losing hand if:

(i) The player's hand contains a two pair or better and the dealer's hand outranks the player's hand.

(ii) The dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand.

(7) After settling a player's Aces Up Wagers, the dealer shall settle the Five Card Hand Bonus Wager, if offered by the certificate holder, and any Magic Card or Lucky Bonus payouts. The dealer shall form the highest ranking five-card Poker hand of the player and the dealer. For the dealer's hand, the dealer shall form the highest ranking five-card Poker hand from the first five cards dealt to the dealer. A winning Five Card Hand Bonus Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(iii) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 641a.12(g). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(d) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 641a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

(b) A player placing an Ante Wager and a Play Wager shall be paid a bonus on the Ante Wager, at the odds in the following paytable, regardless of whether the player's Four Card Poker hand outranks the dealer's hand:

Hand	*Paytable*
Four-of-a-kind	25 to 1
Straight flush	20 to 1
Three-of-a-kind	2 to 1

(c) A player placing an Aces Up Wager shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Four-of-a-kind	50 to 1	50 to 1	50 to 1
Straight flush	30 to 1	30 to 1	40 to 1
Three-of-a-kind	9 to 1	7 to 1	8 to 1
Flush	6 to 1	6 to 1	5 to 1
Straight	4 to 1	5 to 1	4 to 1
Two pair	2 to 1	2 to 1	3 to 1
Pair of aces	1 to 1	1 to 1	1 to 1

Hand	*Paytable D*	*Paytable E*	*Paytable F*
Four-of-a-kind	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	30 to 1	40 to 1
Three-of-a-kind	8 to 1	8 to 1	7 to 1
Flush	6 to 1	6 to 1	5 to 1

Straight	4 to 1	4 to 1	4 to 1
Two pair	2 to 1	2 to 1	3 to 1
Pair of aces	1 to 1	1 to 1	1 to 1

(d) If a certificate holder offers a Four-Card Progressive Payout Wager:

(1) A player placing a Four-Card Progressive Payout Wager shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Four aces	100% of meter	100% of meter
Four-of-a-kind	300 for 1	300 for 1
Straight flush	100 for 1	100 for 1
Three-of-a-kind	9 for 1	15 for 1

(2) A player shall receive the payout for only the highest ranking Four Card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $5,000 for paytable A and $1,000 for paytable B.

(4) Winning Four-Card Progressive Payout Hands shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 641a.11(c)(5) (relating to procedures for completion of each round of play).

(5) Four-Card Envy Bonus payouts shall be made according to one of the following payouts, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2, for Four-Card Envy Bonus Qualifying Hands based upon the amount of the Four-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Paytable A Envy Bonus*	*Paytable B Envy Bonus*
Four aces	$100	$100
Four-of-a-kind	$10	$25
Straight flush	$5	N/A

$5 Progressive Payout Wager

Hand	*Paytable A Envy Bonus*	*Paytable B Envy Bonus*
Four aces	$500	$500
Four-of-a-kind	$50	$125
Straight Flush	$25	N/A

(e) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 641a.11(c)(5).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(f) If a certificate holder offers the Bad Beat Bonus Wager, the certificate holder shall pay out winning Bad Beat Wagers at the amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Four-of-a-kind	25,000 to 1	10,000 to 1
Straight flush	10,000 to 1	5,000 to 1
Three-of-a-kind	100 to 1	100 to 1
Flush	25 to 1	25 to 1
Straight	15 to 1	15 to 1
Two pair	4 to 1	4 to 1

(g) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount

on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally among the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 641a.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 § 641a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 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.

CHAPTER 643a. LET IT RIDE POKER

Sec.

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§ 643a.1. Definitions.

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

Community card—A card which is used by all players to form a five-card Poker hand.

Five-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Let It Ride Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 643a.6(b) (relating to Let It Ride Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 643a.6(b).

Hand—The five-card Poker hand formed for each player by combining the three cards dealt to the player and the two community cards.

Let It Ride—When a player does not withdraw a wager as permitted under § 643a.11(b) and (d) (relating to procedures for completion of each round of play).

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager if the player is seated in the position that is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager if one of the player's three cards or the two community cards match the card randomly selected by the table game system.

Three-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Three-Card Progressive Wager when another player at the Let It Ride Poker table is the holder of a Three Card Envy Bonus Qualifying Hand.

Three-Card Envy Bonus Qualifying Hand—A mini-royal, as defined in § 643a.6(d), formed using the three cards dealt to a player.

Three-Card Progressive Payout Hand—A player's three cards with a rank of a three-of-a-kind or better or a straight or better, as defined in § 643a.6(d), depending on the paytable selected by the certificate holder.

§ 643a.2. Let It Ride Poker table physical characteristics.

(a) Let It Ride Poker shall be played at a table having betting positions for no more than seven 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 Let It Ride Poker 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 separate betting areas designated for the placement of the Let It Ride Poker Wagers required under § 643a.7(d) (relating to wagers) for each player.

(3) Separate areas designated for the placement of the cards of each player.

(4) A separate area designated for the placement of the community cards located directly in front of the table inventory container.

(5) If the certificate holder offers the optional Five Card Bonus Wager authorized under § 643a.7(e), a separate area designed for the placement of the Five Card Bonus Wager for each player.

(6) If a certificate holder offers the optional Three Card Bonus Wager authorized under § 643a.7(f), a separate area designated for the placement of the Three Card Bonus Wager for each player.

(7) If the certificate holder offers either the Three or Five-Card Progressive Payout Wager authorized under § 643a.7(g) or (h), a separate area designated for the placement of the Progressive Payout Wager for each player.

(8) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 643a.7(i), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(9) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Let It Ride Poker table.

(10) An inscription indicating the payout limit per hand established by the certificate holder under § 643a.12(e) (relating to payout odds; payout limitation) or a generic inscription indicating the game is subject to the posted payout limit. If the payout limit is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Let It Ride Poker table.

(c) If a certificate holder offers the Five Card Bonus Wager in accordance with § 643a.7(e), the certificate holder may utilize a table game system, approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval), which includes:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Five Card Bonus Wager.

(2) A device that controls or monitors the placement of Five Card Bonus Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Five Card Bonus Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If a certificate holder offers either the Three or Five-Card Progressive Payout Wager in accordance with § 643a.7(g) or (h), the Let It Ride Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(e) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 643a.7(i), the Let It Ride Poker table must have a table game system, in accordance with §

605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(f) Each Let It Ride Poker 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.

(g) Each Let It Ride Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 643a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Let It Ride Poker 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, Let It Ride Poker 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Let It Ride Poker 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.

§ 643a.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 § 643a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 643a.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 § 643a.8, § 643a.9 or § 643a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 the procedures in 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 the 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 Let It Ride Poker 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 § 643a.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.

§ 643a.6. Let It Ride Poker rankings.

(a) The rank of the cards used in Let It Ride Poker, 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 straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace, 2, 3). All suits shall be equal in rank.

(b) The permissible Poker hands at the game of Let It Ride Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) 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.

(8) Two pairs, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

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

(c) If the certificate holder offers the optional Three Card Bonus Wager under § 643a.7(f) (relating to wagers), the hands eligible for a payout shall be:

(1) A mini-royal, which is a straight flush of an ace, king and queen.

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking.

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

(4) A straight, which is a hand consisting of three cards of consecutive rank, including an ace, 2 and 3.

(5) A flush, which is a hand consisting of three cards of the same suit, not in consecutive order.

(6) A pair, which is a hand consisting of two cards of the same rank.

(d) If the certificate holder offers the Progressive Payout Wager under § 643a.7(g), the following hands eligible for a payout are:

(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, other than a mini-royal, consisting of three cards of the same suit in consecutive rank.

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

(4) A straight, which is a hand consisting of three cards of consecutive rank, including an ace, 2 and 3.

§ 643a.7. Wagers.

(a) Wagers at Let It Ride Poker 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 Let It Ride Poker 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 at Let It Ride Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 643a.8, § 643a.9 or § 643a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 643a.11(b) and (d) (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) To participate in a round of play, a player shall place three equal but separate Let It Ride Poker Wagers designated as Bet Number 1, Bet Number 2 and Bet Number 3. Bet Number 1 and Bet Number 2 may subsequently be removed by the player in accordance with § 643a.11(b) and (d).

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Let It Ride Poker table the option to make an additional Five Card Bonus Wager that the player will have a five-card Poker hand with a rank of a pair of tens or better, two pair or better or three-of-a-kind or better, depending on the paytable selected by the certificate holder in its Rules Submission under § 601a.2. After placing the three wagers required under subsection (d), a player may make an additional Five Card Bonus Wager by placing a value chip onto the designated betting area for that player. If the certificate holder is utilizing a table game system, each player shall be responsible for verifying that the player's respective Five Card Bonus Wager has been accepted.

(f) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Let It Ride Poker table the option to make an additional Three Card Bonus Wager that the three cards dealt to the player will have a rank of a pair or better. After placing the three wagers required under subsection (d), a player may make an additional Three Card

Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing “no more bets.”

(g) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional Three-Card Progressive Payout Wager that the player will receive a Three-Card Progressive Payout Hand. After placing the Let It Ride Poker Wagers, a player may make an additional Three-Card Progressive Payout Wager by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player’s respective Three-Card Progressive Payout Wager has been accepted.

(h) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing the Let It Ride Poker Wagers, a player may make an additional Five-Card Progressive Payout Wager by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(i) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Let It Ride Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand will contain a flush or better as defined in § 643a.6(b) (relating to Let It Ride Poker rankings). After placing an Ante Wager, a player may make the additional Five Card Hand Bonus Wager by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(j) A Five Card Bonus Wager, Three Card Bonus Wager, a Five Card Hand Bonus Wager and Progressive Payout Wager do not have a bearing on any other wagers made by the player.

(k) 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.

§ 643a.8. Procedure 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 § 643a.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” and:

(1) If the Five Card Bonus Wager is being offered utilizing a table game system, use the table game system to prevent the placement of any additional Five Card Bonus Wager. If

any Five Card Bonus Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Five Card Bonus Wagers accepted by the table game system. The dealer shall then place the value chips into the table inventory container.

(2) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(3) If the Five Card Hand Bonus Wager is being offered, use the electronic wagering system to prevent the placement of additional Five Card Hand Bonus Wagers.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face down to each player who has placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d) (relating to wagers).

(2) One card face down to the area designated for the placement of the community cards.

(3) A second card face down to each player who has placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d).

(4) A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area.

(5) A third card face down to each player who has placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d).

(e) After three cards have been dealt to each player and two cards have been dealt to the area designated for the placement of the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player has more or less than 3 cards or the area designed for the placement of the community cards has more or less than 2 cards) 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.

§ 643a.9. Procedure 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 § 643a.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 he will 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” and:

(i) If the Five Card Bonus Wager is being offered utilizing a table game system, use the table game system to prevent the placement of any additional Five Card Bonus Wagers. If any Five Card Bonus Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Five Card Bonus Wagers accepted by the table game system. The dealer shall then place the value chips into the table inventory container.

(ii) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(iii) If the Five Card Hand Bonus Wager is being offered, use the electronic wagering system to prevent the placement of additional Five Card Hand Bonus Wagers.

(b) The dealer shall deal each card by holding 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 the cards as follows:

(1) One card face down to each player who placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d) (relating to wagers).

(2) One card face down to the area designated for the placement of the community cards.

(3) A second card face down to each player who placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d).

(4) A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area.

(5) A third card face down to each player who placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d).

(c) After three cards have been dealt to each player and two cards have been dealt to the area designated for the placement of the community cards, 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, 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 (a player has more or less than 3 cards or the area designed for the placement of the community cards has more or less than 2 cards) 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.

§ 643a.10. Procedure 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 § 643a.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” and:

(i) If the Five Card Bonus Wager is being offered utilizing a table game system, use the table game system to prevent the placement of any additional Five Card Bonus Wagers. If any Five Card Bonus Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Five Card Bonus Wagers accepted by the table game system. The dealer shall then place the value chips into the table inventory container.

(ii) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(iii) If the Five Card Hand Bonus Wager is being offered, use the electronic wagering system to prevent the placement of any additional Five Card Hand Bonus Wagers.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed the three required Let It Ride Poker Wagers in accordance with § 643a.7(d) (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 the three required wagers in accordance with § 643a.7(d). The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the community cards and spread the stack within the designated area so that the top card is to the dealer's right and the bottom card is to the dealer's left. The dealer shall then remove the community card that is to his left and place that card in the discard rack without exposing the card.

(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.

(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 (a player has more or less than 3 cards or the area designed for the placement of the community cards has more or less than 2 cards) 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 two community cards may be dispensed before the three cards are dispensed to each player.

§ 643a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 643a.8, § 643a.9 or §643a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 Let It Ride Poker 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.

(3) After each player has made a decision regarding Bet Number 2 as required under subsection (d), the player's cards shall be placed face down on the appropriate area of the layout as specified by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions). The player may not touch the cards again.

(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 if he wishes to withdraw Bet Number 1 or Let It Ride. If a player:

(1) Chooses to let Bet Number 1 ride, that bet must remain on the designated betting area of the layout until the end of the round of play.

(2) Chooses to withdraw Bet Number 1, the dealer shall move the value chips on the betting area designated for Bet Number 1 toward the player who shall then immediately remove the value chips from the betting area.

(c) After each player has made a decision regarding Bet Number 1, the dealer shall then turn the community card that is to the dealer's left face up and place it to the right of the remaining community card. The exposed card shall become the first community card.

(d) After the first community card is exposed, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to withdraw Bet Number 2 or Let It Ride. This decision shall be made by each player regardless of the decision made concerning Bet Number 1. If a player:

(1) Chooses to let Bet Number 2 ride, that bet must remain on the designated betting area of the layout until the end of the round of play.

(2) Chooses to withdraw Bet Number 2, the dealer shall move the value chips on the betting area designated for Bet Number 2 toward the player who shall then immediately remove the value chips from the betting area.

(e) The dealer shall then turn the second community card face up on the table.

(f) After the second community card is 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 the player face up on the layout. The two community cards and the three cards dealt to the player shall form the five-card Poker hand of that player.

(2) The dealer shall examine the cards of the player and form the highest ranking five-card Poker hand for each player.

(3) The dealer shall first settle all Let It Ride Poker Wagers of that player by collecting losing wagers and paying winning wagers in accordance with § 643a.12(a) (relating to payout odds; payout limitation). After settling the player's Let It Ride Poker Wagers, the dealer shall settle any Five Card Bonus Wagers, Three Card Bonus Wagers, Progressive Payout Wagers or Five Card Hand Bonus Wagers as follows:

(i) If a player placed a Five Card Bonus Wager and the two community cards and the three cards dealt to the player form a five-card Poker hand of two pair or better, or if included in the paytable selected by the certificate holder, a pair of tens, jacks, queens, kings or aces or better, the dealer shall pay the winning Five Card Bonus Wager in accordance with § 643a.12(b).

(ii) If a player placed a Three Card Bonus Wager and the three cards dealt to the player form a three-card Poker hand of a pair or better as defined in § 643a.6(c) (relating to Let It Ride Poker rankings), the dealer shall pay the winning Three Card Bonus Wager in accordance with § 643a.12(c).

(iii) If a player placed a Three-Card Progressive Payout Wager and the three cards dealt to the player form a three-of-a-kind or better, as defined in § 643a.6(d), or a straight or better, depending on the paytable selected by the certificate holder, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Three-Card Progressive Payout Wager in accordance with the payout odds in § 643a.12(d)(1). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(E) Pay any Three-Card Envy Bonus won in accordance with § 643a.12(d)(5). Players making a Three-Card Progressive Payout Wager shall receive a Three-Card Envy Bonus when another player at the same Let It Ride Poker table is the holder of a Three-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of a Three-Card Envy Bonus Qualifying Hand. A player is not entitled to a Three-Card Envy Bonus for his own hand.

(iv) If a player placed a Five-Card Progressive Payout Wager and the player's three cards and the two community cards form a three-of-a-kind or better, as defined in § 643a.6(b), the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 643a.12(e)(1). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(E) Pay any Five-Card Envy Bonus won in accordance with § 643a.12(e)(5). Players making a Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Let It Ride Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is

the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand.

(v) If a player placed a Five Card Hand Bonus Wager, the dealer shall settle any Magic Card or Lucky Bonus payouts and any winning Five Card Hand Bonus wagers as follows:

(A) Verify that the hand is a winning hand.

(B) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(C) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 643a.12(f). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(g) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 643a.12. Payout odds; payout limitation.

(a) Subject to the payout limitation in subsection (g), a certificate holder shall pay out winning Let It Ride Poker Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Paytable B*
Royal flush	1,000 to 1	500 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1
Full house	11 to 1	11 to 1
Flush	8 to 1	8 to 1
Straight	5 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1
Two pair	2 to 1	2 to 1
Pair of tens, jack queens, kings or aces	1 to 1	1 to 1

(b) If a certificate holder offers the Five Card Bonus Wager, the certificate holder shall pay out winning Five Card Bonus Wagers at the amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Royal flush	$20,000	$20,000	$20,000
Straight flush	$2,000	$2,000	$2,000
Four-of-a-kind	$150	$200	$100
Full house	$75	$75	$75
Flush	$50	$50	$50
Straight	$25	$25	$25
Three-of-a-kind	$4	$5	$9
Two pair	$3	$4	$6
Pair of tens, jacks, queens, kings or aces	$2	$1	$0

Hand	*Paytable D*	*Paytable E*	*Paytable F*	*Paytable G*
Royal flush	$10,000	$10,000	$10,000	$25,000
Straight flush	$2,000	$2,000	$2,000	$2,500
Four-of-a-kind	$200	$200	$100	$400
Full house	$75	$100	$75	$200
Flush	$50	$50	$50	$50
Straight	$25	$25	$25	$25
Three-of-a-kind	$5	$10	$9	$5
Two pair	$4	$6	$6	
Pair of tens, jacks, queens, kings or aces	$1	$0	$0	

(c) If a certificate holder offers the Three Card Bonus Wager, the certificate holder shall pay out winning Three Card Bonus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Straight flush	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

Hand	*Paytable D*	*Paytable E*	*Paytable F*
Mini-royal	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

(d) If a certificate holder offers the Three-Card Progressive Payout Wager:

(1) The certificate holder shall pay out winning Three-Card Progressive Payout Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Mini-royal, spades	100% of meter	100% of meter
Mini-royal, hearts, diamonds, clubs	500 for 1	500 for 1
Straight flush	70 for 1	100 for 1
Three-of-a-kind	60 for 1	90 for 1
Straight	6 for 1	

(2) A player shall receive the payout for only the highest ranking hand formed from the player's three cards.

(3) The rate of progression for the meter used for the progressive payouts in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the certificate holder's Rules Submission and may not be less than $1,000.

(4) Winning Three-Card Progressive Payout Wagers shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 643a.11(f)(3)(iii) (relating to procedures for completion of each round of play).

(5) Three-Card Envy Bonus payouts shall be made according to the following payout for every Three-Card Envy Bonus Qualifying Hand based upon the amount of the Three-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Mini-royal, spades	$100
Mini-royal, hearts, diamonds, clubs	$25

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Mini-royal, spades	$500
Mini-royal, hearts, diamonds, clubs	$125

(e) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 643a.11(f)(3)(iv).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(f) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

(g) Notwithstanding the payout odds in subsection (a), a certificate holder may establish in its Rules Submission under § 601a.2 a maximum amount that is payable to a player on a single hand. The maximum amount shall be at least $50,000 or the maximum amount that one patron

could win per round when betting the minimum permissible wager, whichever is greater. Any maximum payout limit established by a certificate holder shall apply only to payouts of Let It Ride Poker Wagers placed under § 643a.7(d) (relating to wagers) but may not apply to payouts of Five Card Bonus Wagers placed under § 643a.7(e), Three Card Bonus Wagers placed under § 643a.7(f), Progressive Payout Wagers placed under § 643a.7(g) or (h) or Five Card Hand Bonus Wagers under § 643a.7(i).

§ 643a.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 any player or the area designated for the placement of the community cards 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 either of the community cards is inadvertently exposed prior to the dealer revealing the community cards in accordance with § 643a.11(c) and (e) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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.

CHAPTER 645a. PAI GOW POKER

Sec.

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§ 645a.1. Definitions.

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

Bank—A player who elects to have the other players and the dealer play against him and accepts the responsibility of paying all winning Pai Gow Poker Wagers.

Co-banking—When the bank and the dealer each cover 50% of all winning Pai Gow Poker Wagers.

EZ Pai Gow Poker—A variation of Pai Gow Poker in which vigorish is not collected.

Envy Bonus—An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's Pai Gow Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

High hand—The five-card hand that is formed from the seven cards dealt so as to rank equal to or higher than the two-card low hand.

Low hand—The two-card hand that is formed from the seven cards dealt so as to rank equal to or lower than the five-card high hand.

Qualifying Wager—An Emperor's Treasure Wager, Fortune Bonus Wager or a Dynasty Bonus Wager of at least $5 which may entitle a player to an Envy Bonus.

Queen's Dragon—The dealer's seven cards of different ranks which do not form a straight, a flush, a straight flush or a royal flush but contain a queen high card.

Setting the hands—The process of forming a high hand and low hand from the seven cards dealt.

§ 645a.2. Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics.

(a) Pai Gow Poker 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 Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Pai Gow Poker Wager for each player.

(3) Two separate areas designated for the placement of the high and low hands of each player.

(4) Two separate areas designated for the placement of the high and low hands of the dealer.

(5) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 645a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(6) If the certificate holder offers the optional Emperor's Treasure Wager authorized under § 645a.7(e)(2), a separate area designated for the placement of the Emperor's Treasure Wager for each player.

(7) If the certificate holder offers the optional Pai Gow Insurance Wager authorized under § 645a.7(e)(3), a separate area designated for the placement of the Pai Gow Insurance Wager for each player.

(8) If the certificate holder offers the optional Progressive Payout Wager authorized under § 645a.7(e)(4), a separate area designated for the placement of the Progressive Payout Wager for each player.

(9) If a certificate holder offers EZ Pai Gow Poker:

(i) Separate areas designated for the following optional wagers, if offered by the certificate holder:

(A) Queen's Dragon Wager authorized under § 645a.7(e)(5)(i).

(B) Dynasty Bonus Wager authorized under § 645a.7(e)(5)(ii).

(C) Protection Wager authorized under § 645a.7(e)(5)(iii).

(D) Red/Black Wager authorized under § 645a.7(e)(5)(iv).

(ii) Inscriptions that advise patrons that if the dealer's hand is a Queen's Dragon, the player's wager shall push and be returned to the player.

(10) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Pai Gow Poker table.

(11) An inscription indicating the payout limit per hand established by the certificate holder under § 645a.13(j) (relating to payout odds; Envy Bonus; rate of progression; payout limitation) or a generic inscription indicating the game is subject to the posted payout limit. If the payout limit is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Pai Gow Poker table.

(c) To determine the starting position for the dealing or delivery of the cards, Pai Gow Poker may be played with:

(1) A Pai Gow Poker shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The Pai Gow Poker shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow Poker shaker. Dice that have been placed in a Pai Gow Poker shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which shall be 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.

(d) If the certificate holder offers the optional Progressive Payout Wager in accordance with § 645a.7(e)(4), the Pai Gow Poker table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(e) Each Pai Gow Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

(f) Each Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 645a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Pai Gow Poker shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play Pai Gow Poker must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

(b) If an automated card shuffling device is utilized, Pai Gow Poker 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 but the backs of the cards in one deck must be of a different color than the cards 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Pai Gow Poker shall be changed:

(1) At least every 4 hours if the cards are dealt by hand.

(2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 645a.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) If the deck of cards used by the certificate holder contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container that the deck came from. 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 and include the one joker.

(c) After the first player is 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 § 645a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing 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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 645a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing 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 the 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 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) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with subsection (i), then deal the cards in accordance with § 645a.8, § 645a.9 or § 645a.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, cut the cards in accordance with the procedures in subsections (c)—(e).

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of one of the cover cards. The dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (d). If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player who accepts the bank under § 645a.12 (relating to player bank; co-banking; selection of bank; procedures for dealing), if offered by the certificate holder. If the bank refuses the cut, the cards shall be offered to the player to the right of the bank, and continuing around the table in a counterclockwise manner, until a player accepts the cut.

(3) The player at the farthest position to the right of the dealer, if there is no bank. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(e) The player or dealer making the cut shall place the second cover card in the stack at least ten cards from the top or the bottom of the deck. Once the second cover card has been inserted, the dealer shall take the second cover card and all the cards on top of the second cover card and place them on the bottom of the stack. The dealer shall then remove the first cover card and place it on the bottom of the stack. The dealer shall remove one of the cover cards and either place it in the discard rack or use it as an additional cover card to be inserted four cards from the bottom of the deck. The dealer shall then determine the starting position in accordance with subsection (i) and deal the cards in accordance with § 645a.8, § 645a.9 or § 645a.10.

(f) After the cards have been cut and before the 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. If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next person entitled to cut the cards, as determined under subsection (d).

(g) If there is no gaming activity at a Pai Gow Poker 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:

(1) If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The deck of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the deck of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

(i) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) A Pai Gow Poker shaker in accordance with the following procedures:

(i) The dealer shall shake the Pai Gow Poker shaker at least three times to cause a random mixture of the dice. If a player is the bank, in accordance with § 645a.12, the player shall shake the Pai Gow Poker shaker instead of the dealer. The dealer shall ensure that the bank shakes the Pai Gow Poker shaker at least three times.

(ii) The dealer shall then remove the lid covering the Pai Gow Poker shaker and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total. If a player is the bank and the player inadvertently removes the lid, the Pai Gow Poker shaker shall be covered and reshaken by the bank.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice. If a player is the bank, when counting the betting positions to determine the starting position for dealing the cards, the bank, instead of the dealer, shall be considered number one.

(iv) After the dealing procedures required under § 645a.8, § 645a.9 or § 645a.10 have been completed, the dealer shall place the cover on the Pai Gow Poker shaker and shake the shaker once. The Pai Gow Poker shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as

number one and continuing around the table in a counterclockwise manner until the count matches the number displayed by the random number generator. If a player is the bank in accordance with § 645a.12, when counting the betting positions to determine the starting position for dealing the cards, the bank, instead of the dealer, shall be considered number one.

(j) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card or similar object approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

§ 645a.6. Pai Gow Poker rankings.

(a) The rank of the cards used in Pai Gow Poker, in order of highest to lowest, 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3). The joker shall be used and ranked as an ace or may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(b) The permissible Poker hands at the game of Pai Gow Poker, in order of highest to lowest rank, shall be:

(1) Five aces, which is a high hand consisting of four aces and a joker.

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

(3) A straight flush, which is a high hand consisting of five cards of the same suit in consecutive ranking, with ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush.

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

(5) A full house, which is a high hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(6) A flush, which is a high hand consisting of five cards of the same suit. When comparing two flushes, the hand which contains the highest ranking card, as provided in subsection (a), which is not in the other hand, shall be considered the higher ranking hand.

(7) A straight, which is a high hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight; an

ace, 2, 3, 4 and 5 being the second highest ranking straight; and a 2, 3, 4, 5 and 6 being the lowest ranking straight.

(8) A three-of-a-kind, which is a high hand containing 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.

(9) Two pair, which is a high hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two pair hand.

(10) A pair, which is either a high hand or a low 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 high hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not in the other hand, shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the hands shall be considered a tie.

(d) If the certificate holder offers the optional Fortune Bonus Wager under § 645a.7(e)(1) (relating to wagers), the following seven-card hands shall have a rank higher than a hand of five aces, as described in subsection (b)(1), and be used to determine the amount of the Fortune Bonus Wager payout or Envy Bonus payment to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush.

(2) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, with one of the following:

(i) An additional ace and king of a same suit if offering Emperor's Challenge Pai Gow Poker.

(ii) An additional king and queen of a same suit if offering Fortune Pai Gow Poker.

(e) If the certificate holder offers the optional Emperor’s Treasure Wager under § 645a.7(e)(2), the following seven-card hands shall have a rank higher than a hand of five aces, as described in subsection (b)(1), and shall be used to determine the amount of the Emperor’s Treasure Wager payout or Envy Bonus payout to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush.

(2) A royal flush plus ace and king suited, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, and an additional ace and king of the same suit without a joker.

(3) A seven-card straight flush with joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the straight flush.

(f) If a certificate holder offers the optional Progressive Payout Wager under § 645a.7(e)(4), the following seven-card hands shall be used to determine the amount of the progressive payout to a winning player:

(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with or without a joker.

(2) Five aces, which is a hand consisting of four aces and a joker.

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

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

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

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

(g) If the certificate holder offers the optional Dynasty Bonus Wager under § 645a.7(e)(5)(ii), in addition to the hands described in subsection (b), the following hands shall also be used to determine the amount of the Dynasty Bonus or Envy Bonus payout to a winning player:

(1) An ace/five natural straight flush and a natural ace/queen suited, which is a hand consisting of an ace, 2, 3, 4 and 5, without a joker, and an additional ace and queen of the same suit without a joker.

(2) A seven-card natural straight flush, which is a hand consisting of seven cards of the same suit in consecutive ranking, without a joker used to complete the straight flush.

(3) A natural royal flush and a natural ace/king suited, which is a hand consisting of an ace, king, queen, jack and a 10 of the same suit, without a joker, and an additional ace and queen of the same suit without a joker.

(4) A seven-card straight flush, which is a hand consisting of seven cards of the same suit in consecutive ranking, with a joker used to complete the straight flush.

(5) An ace/five natural straight flush, which is a hand consisting of an ace, 2, 3, 4 and 5, without a joker.

§ 645a.7. Wagers.

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

(b) Only players who are seated at a Pai Gow Poker 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 at Pai Gow Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 645a.8, § 645a.9 or § 645a.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). A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Pai Gow Poker Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Pai Gow Poker Wager, in accordance with subsection (d), the option of placing the following additional wagers:

(1) A Fortune Bonus Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a straight or better as described in § 645a.6(d) (relating to Pai Gow Poker rankings).

(2) An Emperor's Treasure Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a straight or better as described in § 645a.6(e).

(3) A Pai Gow Insurance Wager that the seven cards dealt to the player will form a seven-card Poker hand that does not contain a pair or better, as described in § 645a.6(b), but will contain a card ranked a nine-high or better.

(4) A Progressive Payout Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a full house or better as described in § 645a.6(f).

(5) If EZ Pai Gow Poker is being played, a certificate holder may offer the following additional wagers:

(i) The Queen's Dragon Wager that the dealer's hand will create a Queen's Dragon.

(ii) The Dynasty Bonus Wager that the seven cards dealt to the player will form a hand with a rank of a three-of-a-kind or better as described in § 645a.6(b) and (g).

(iii) The Protection Wager that the seven cards dealt to the player will form a hand that does not contain a pair or better, as described in § 645a.6(b), but contain a high card of a 9, 10, jack, queen, king or ace.

(iv) The Red/Black Wager that four or more of the cards in the player's hand will be of the player's chosen color.

(f) Except as provided in § 645a.12(f) (relating to player bank; co-banking; selection of bank; procedures for dealing), a certificate holder may, if specified in its Rules Submission under § 601a.2, permit a player to wager on two adjacent betting areas at a Pai Gow Poker table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 645a.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 § 645a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and:

(1) If the Fortune Bonus Wager, Emperor's Treasure Wager or Dynasty Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 645a.5(i).

(d) The dealer shall then deal the first card to the starting position as determined in subsection (c) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(e) After seven cards have been dealt to each position and the dealer, the dealer shall remove the stub from the manual dealing shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(f) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 645a.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 § 645a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the 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 when 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” and:

(i) If the Fortune Bonus Wager, Emperor's Treasure Wager or Dynasty Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips

wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 then determine the starting position for dealing the cards using one of the procedures authorized under § 645a.5(i).

(c) The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards.

(d) After seven cards have been dealt to each position and the dealer, the dealer shall determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 645a.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 under § 645a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing 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” and:

(i) If the Fortune Bonus Wager, Emperor's Treasure Wager or Dynasty Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers

and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures authorized under § 645a.5(i).

(c) After the starting position for delivering the cards has been determined, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. 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 positions, regardless of whether there is a wager at the position, and the dealer.

(d) After seven cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 645a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 645a.8, § 645a.9 or § 645a.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 a Pai Gow Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands of the dealer to be set in accordance with the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions).

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

(3) Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(b) Each player shall set his hands by arranging the cards into a high hand and a low hand. When setting the two hands, the five-card high hand must be equal to or higher in rank than the two-card low hand. For example, if the two-card hand contains a pair of sevens, the five-card hand must contain at least a pair of sevens and the three remaining cards.

(c) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his hands by arranging the cards into a high and low hand. The certificate holder shall specify in its Rules Submission under § 601a.2 the manner in which the hands of the dealer shall be set. The dealer shall then place the two hands face up on the appropriate area of the layout. If a player is acting as the bank in accordance with § 645a.12 (relating to player bank; co-banking; selection of bank; procedures for dealing), after all players have set their hands and placed the cards on the table, the bank shall turn over his seven cards and set the two hands by arranging the cards in a high and low hand on the appropriate area of the layout.

(d) Unless a player has placed an optional wager authorized under § 645a.7(e)(1)—(5) (relating to wagers), a player may surrender his wager after the hands of the dealer or the bank have been set. The player shall announce his intention to surrender prior to the dealer exposing either of the two hands of that player as provided in subsection (e). Once the player has announced his intention to surrender, the dealer shall immediately collect the Pai Gow Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. If any Qualifying Wagers have been placed, the cards of the player shall remain on the table until collected in accordance with subsection (h). The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(e) After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the Pai Gow Poker Wager of that player wins, loses or is a tie.

(f) A Pai Gow Poker Wager will:

(1) Lose and will immediately be collected if:

(i) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is identical in rank to the high hand of the dealer or the low hand of the player is identical in rank to the low hand of the dealer and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer.

(iii) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player.

(iv) The two hands of the player were not otherwise set correctly in accordance with this chapter.

(v) Notwithstanding subparagraphs (i)—(iv), if the table is designated for play as an EZ Pai Gow Poker table in which vigorish is not collected and if the dealer has a Queen's Dragon, the player's Pai Gow Poker Wager shall push and be returned to the player.

(2) Tie and will be returned to the player if:

(i) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer or lower in rank than the low hand of the dealer.

(ii) The high hand of the player is identical in rank to the high hand of the dealer or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer.

(iii) The dealer has a Queen's Dragon and the table is designated for play as an EZ Pai Gow Poker table in which vigorish is not collected.

(3) Win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer provided that if the table is designated for play as an EZ Pai Gow Poker table and the dealer has a Queen's Dragon, the player's Pai Gow Poker Wager shall push and be returned to the player. The dealer shall pay the winning Pai Gow Poker Wager in accordance with the payout odds in § 645a.13(a) (relating to payout odds; Envy Bonus; rate of progression; payout limitation).

(g) Except as provided in subsection (h), after settling the player's Pai Gow Poker Wager, the dealer shall place the cards of the player in the discard rack.

(h) After settling the player's Pai Gow Poker Wager, the dealer shall rearrange the seven cards of any player who placed an optional wager, in accordance with § 645a.7(e)(1)—(5), to form the highest ranking hand and be responsible for creating the hand for purposes of all optional wagers offered by the certificate holder. If any player at the table has placed a Qualifying Wager, the dealer shall rearrange the cards of all players regardless of whether the player placed a Fortune Bonus, Emperor's Treasure or Dynasty Bonus Wager. After rearranging the player's seven cards, the dealer shall:

(1) Settle the player's Fortune Bonus Wager as follows:

(i) If a player:

(A) Does not have a straight or higher, as described in § 645a.6(d) (relating to Pai Gow Poker rankings), the dealer shall collect the Fortune Bonus Wager and place the cards of the player in the discard rack.

(B) Has a straight or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 645a.13(b) and shall place the cards of the player in the discard rack. If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 645a.13(b) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(iii) After all Envy Bonuses have been paid, the dealer shall collect all remaining cards and place them in the discard rack.

(2) Settle the player's Emperor's Treasure Wager as follows:

(i) If a player:

(A) Does not have a straight or higher as described in § 645a.6(e), the dealer shall collect the Emperor's Treasure Wager and place the cards of the player in the discard rack.

(B) Has a straight or higher, the dealer shall pay the winning Emperor's Treasure Wager in accordance with § 645a.13(c) and place the cards of the player in the discard rack. If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place an Emperor's Treasure Wager but has an Envy Bonus Qualifying Hand and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Emperor's Treasure Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 645a.13(c) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(iii) After all Envy Bonuses have been paid, the dealer shall collect all remaining cards and place them in the discard rack.

(3) Settle the player's Pai Gow Insurance Wager. If a player:

(i) Has a pair or better as described in § 645a.6(b), the dealer shall collect the Pai Gow Insurance Wager and place the cards of the player in the discard rack.

(ii) Does not have a pair or better, but has a card ranked a nine-high or better, the dealer shall pay the winning Pai Gow Insurance Wager in accordance with § 645a.13(d). The dealer shall then place the cards of the player in the discard rack.

(4) Settle the player's Progressive Payout Wager. If a player:

(i) Does not have a full house or better, as described in § 645a.6(f), the dealer shall collect the Progressive Payout Wager and place the cards of the player in the discard rack.

(ii) Has a full house or better, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 645a.13(e). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.

(5) Settle the player's Queen's Dragon Wager. If the dealer does not have Queen's Dragon, the dealer shall collect the Queen's Dragon Wager and place the cards of the player in the discard rack. If the dealer has a Queen's Dragon, the dealer shall pay the winning wager in accordance with § 645a.13(f).

(6) Settle the player's Dynasty Bonus Wager as follows:

(i) If a player:

(A) Does not have a three-of-a-kind or better as described in § 645a.6(b) and (g), the dealer shall collect the Dynasty Wager and place the cards of the player in the discard rack.

(B) Has a three-of-a-kind or better, the dealer shall pay the winning Dynasty Wager in accordance with § 645a.13(g). If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Dynasty Wager but has an Envy Bonus Qualifying Hand and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Dynasty Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 645a.13(g) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(7) Settle the player's Protection Wager. If the player's hand does not contain a high card of a 9, 10, jack, queen, king or ace, or the hand contains a pair or better, as described in § 645a.6(b), the dealer shall collect the Protection Wager and place the cards of the player in the discard rack. If the player's hand does not contain a pair or better but contains a high card of a 9, 10, jack, queen, king or ace, the dealer shall pay the winning wager in accordance with § 645a.13(h).

(8) Settle the player's Red/Black Wager. If the player wagered on red and the player's hand does not contain four or more red cards, or if the player wagered on black and the player's hand does not contain four or more black cards, the dealer shall collect the Red/Black Wager and place the cards of the player in the discard rack. If a player's hand does contain four or more of the cards of the player's chosen color, the dealer shall pay the winning Red/Black Wager in accordance with § 645a.13(i).

(i) Notwithstanding the requirements in subsection (h), if the certificate holder offers more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(j) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 645a.12. Player bank; co-banking; selection of bank; procedures for dealing.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to all players at a Pai Gow Poker table the opportunity to bank the game. If the certificate holder elects this option, the provisions of this section control for any round of play in which a player is the bank. All other provisions of this chapter apply to the extent that they do not conflict with the provisions in this section.

(b) A player may not be the bank at the start of the game. For the purposes of this section, the start of the game means the first round of play after the dealer is required to shuffle the cards in accordance with § 645a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards).

(c) After the first round of play, each player at the table shall have the option to either be the bank or pass the bank to the next player. The dealer shall offer the bank to each player, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, until a player accepts the bank. The dealer shall place a marker designating the bank in front of the player who accepts the bank. If the first player offered the bank accepts, the player seated to the right of the bank shall be offered the bank first on the next round of play. A player may not bank two consecutive rounds of play. If no player accepts the bank, the round of play shall proceed in accordance with the rules of play provided in this chapter.

(d) Before a player may bank a round of play, the dealer shall confirm that:

(1) The player placed a Pai Gow Poker Wager against the dealer during the last round of play in which there was no player banking the game.

(2) The player has sufficient value chips or plaques on the table to cover all of the Pai Gow Poker Wagers placed by other players at the table for that round of play.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer the bank the option of co-banking the round of play. If the certificate holder offers this option, it shall be made available to all players at the table. If the bank wishes to use this option and co-bank 50% of the winning Pai Gow Poker Wagers, the bank must specifically request to co-bank with the dealer. The dealer shall place a marker designating the player co-banking that round of play. When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in the manner as specified in the certificate holder's Rules Submission under § 601a.2. When co-banking is in effect, the dealer may not place a wager against the bank.

(f) If a player is the bank, the player may wager on only one betting area.

(g) Once the dealer has determined that a player may be the bank, as required under subsection (d), the dealer shall shuffle the cards in accordance with § 645a.5. The dealer shall then, unless co-banking is in effect, remove value chips from the table inventory container in an amount equal to the banker's last Pai Gow Poker Wager made against the dealer or in an amount as specified in the certificate holder's Rules Submission. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a

lesser amount or that the dealer place no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container.

(h) The dealer shall then determine the starting position for dealing the cards in accordance with § 645a.5(i) and deal the cards in accordance with § 645a.8, § 645a.9 or § 645a.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).

(i) If the dealer placed a wager against the bank, after each player has set his two hands and placed them on the table layout, the two hands of the dealer shall then be set. Once the dealer has formed a high and low hand and placed the hands face up on the appropriate area of the table layout, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank. If the bank did not set his hands correctly, the dealer shall reset the bank's hands in accordance with the certificate holder's Rules Submission under § 601a.2. If the dealer wins, the cards of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top. If the dealer's hand is a tie with the bank's hand, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container. If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.

(j) If a player is banking the round of play, once the dealer has determined the outcome of the Pai Gow Poker Wager of the dealer against the bank, if any, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of the player to the high and low hand of the bank and announce if the wager shall win, lose or tie. Losing wagers shall be immediately collected and placed in the center of the table. All winning Pai Gow Poker Wagers, including the dealer's wager, shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning Pai Gow Poker Wagers have been paid, the dealer shall collect from the bank an amount equal to the remaining winning wagers and place that amount in the center of the layout. The remaining winning wagers shall be paid from the amount in the center of the layout. If, after collecting all losing wagers and paying all winning Pai Gow Poker Wagers, there is a surplus in the center of the table, this amount shall be charged a 5% vigorish in accordance with § 645a.13(a) (relating to payout odds; Envy Bonus; rate of progression; payout limitation). Once the vigorish has been paid, the remaining amount shall be given to the bank.

(k) Immediately after a winning Pai Gow Poker Wager of the dealer is paid, this amount and the dealer's original wager shall be returned to the table inventory container.

(l) If a player and the dealer are co-banking the round of play, once the dealer has set the co-bank's hand under subsection (e), the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of the player to the high and low hand of the bank and announce if the wager shall win, lose or tie. Losing wagers shall be immediately collected and placed in the center of the table. All winning Pai Gow Poker Wagers

shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning Pai Gow Poker Wagers have been paid, the dealer shall collect from the bank an amount equal to 1/2 of the remaining winning wagers and place that amount in the center of the layout. The dealer shall remove an amount equal to 1/2 of the remaining winning wagers from the table inventory container and place that amount in the center of the layout. The remaining winning wagers shall be paid from the total amount in the center of the layout. If, after collecting all losing wagers and paying all winning Pai Gow Poker Wagers, there is a surplus in the center of the table, this amount will be counted and the dealer shall place 1/2 of this amount into the table inventory container. The dealer shall collect a 5% vigorish, in accordance with § 645a.13(a), on the remaining amount. Once the vigorish has been paid, the remaining amount shall then be given to the bank.

(m) Each player who has a winning Pai Gow Poker Wager against the bank shall pay to the dealer, in accordance with § 645a.13(a), a 5% vigorish on the amount won.

(n) If the certificate holder offers an optional wager authorized under § 645a.7(e)(1)—(4) (relating to wagers), the optional wager shall be resolved in accordance with § 645a.11(g)—(j) (relating to procedures for completion of each round of play) and the dealer, not the bank, shall pay all winning optional wagers.

§ 645a.13. Payout odds; Envy Bonus; rate of progression; payout limitation.

(a) A certificate holder shall pay each winning Pai Gow Poker Wager at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢. A certificate holder shall collect the vigorish from a player at the time the winning payout is made.

(b) The certificate holder shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Envy Bonus*
Seven card straight flush	8,000 to 1	$5,000
Royal flush and Royal Match	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	

Straight	2 to 1

Hand	*Paytable B*	*Envy Bonus*
Seven-card straight flush	5,000 to 1	$3,000
Royal flush and Royal Match	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

Hand	*Paytable C*	*Envy Bonus*
Seven-card straight flush	5,000 to 1	$1,000
Royal flush and Royal Match	1,000 to 1	$250
Seven-card straight flush with joker	750 to 1	$100
Five aces	250 to 1	$50
Royal flush	100 to 1	$25
Straight flush	50 to 1	$10
Four-of-a-kind	20 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	
Three pair	Push	

Hand	*Paytable D*	*Envy Bonus*
Seven-card straight flush	2,500 to 1	$1,000
Royal flush and Royal Match	1,000 to 1	$750
Seven-card straight flush with joker	750 to 1	$250

Five aces	250 to 1	$100
Royal flush	125 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(c) The certificate holder shall pay out winning Emperor's Treasure Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Envy Bonus*
Seven-card straight flush	8,000 to 1	$5,000
Royal flush and ace king suited	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

Hand	*Paytable B*	*Envy Bonus*
Seven-card straight flush	5,000 to 1	$3,000
Royal flush and ace king suited	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	

Straight	2 to 1

Hand	*Paytable C*	*Envy Bonus*
Seven-card straight flush	5,000 to 1	$1,000
Royal flush and ace king suited	1,000 to 1	$250
Seven-card straight flush with joker	750 to 1	$100
Five aces	250 to 1	$50
Royal flush	100 to 1	$25
Straight flush	50 to 1	$10
Four-of-a-kind	20 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

Hand	*Paytable D*	*Envy Bonus*
Seven-card straight flush	2,500 to 1	$1,000
Royal flush and ace king suited	1,000 to 1	$750
Seven-card straight flush with joker	750 to 1	$250
Five aces	250 to 1	$100
Royal flush	125 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(d) The certificate holder shall pay out winning Pai Gow Insurance Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 provided that if the licensee is offering Emperor's Challenge Pai Gow Poker, the licensee may select from paytables a or b or if the licensee is offering Fortune Pai Gow Poker, the licensee may select from paytables c, d or e:

Hand	*Paytable A*	*Paytable B*	*Paytable C*	*Paytable D*	*Paytable E*
Nine-high	100 to 1	100 to 1	100 to 1	100 to 1	100 to 1
Ten-high	25 to 1	25 to 1	40 to 1	50 to 1	40 to 1
Jack-high	15 to 1	15 to 1	10 to 1	10 to 1	10 to 1
Queen-high	6 to 1	7 to 1	7 to 1	7 to 1	7 to 1
King-high	5 to 1	5 to 1	6 to 1	5 to 1	5 to 1
Ace-high	3 to 1	3 to 1	3 to 1	3 to 1	3 to 1

(e) If the certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay out winning Progressive Payout Wagers at the odds in the following paytable:

Hand	*Payout*
Seven-card straight flush	100%
Five aces	10%
Royal flush	500 for 1
Straight flush	100 for 1
Four-of-a-kind	75 for 1
Full house	4 for 1

(2) The initial and resent amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least $2,000.

(3) Winning Progressive Payout Wagers shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 645a.11(h)(4) (relating to procedures for completion of each round of play) irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

(f) The certificate holder shall pay out winning Queen's Dragon Wagers at odds of 50 to 1.

(g) The certificate holder shall pay out winning Dynasty Bonus Wagers and Envy Bonus payouts at the odds and amounts in the following paytable:

Hand	*Payout*	*Envy Bonus*
Ace/five natural straight flush and a natural ace/queen suited	2,000 to 1	$500
Seven-card natural	2,000 to 1	$400

straight flush		
Natural royal flush and natural ace/queen suited	1,000 to 1	$300
Seven-card straight flush	1,000 to 1	$200
Five aces	500 to 1	$100
Ace/five natural straight flush	120 to 1	$75
Royal flush	120 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(h) The certificate holder shall pay out winning Protection Wagers at the odds in the following paytable:

Hand	*Payout*
Ace/five natural straight flush	120 to 1
Nine-high	100 to 1
Ten-high	25 to 1
Jack-high	15 to 1
Queen-high	7 to 1
King-high	5 to 1
Ace-high	3 to 1

(i) The certificate holder shall pay out winning Red/Black Wagers at the odds in the following paytable:

Hand	*Payout*
Seven cards of the chosen color	5 to 1
Six cards of the chosen color	1 to 1
Five cards of the chosen color	1 to 1
Four cards of the chosen color	1 to 1

(j) Notwithstanding the payout odds in subsections (b)—(i), a certificate holder may, in its Rules Submission under § 601a.2, establish a maximum amount that is payable to a player on

a single hand. The maximum payout amount shall be at least $50,000 or the maximum amount that one player could win per round when betting the minimum permissible wager, whichever is greater. Any maximum payout limit established by a certificate holder may not apply to Envy Bonus payouts.

§ 645a.14. Irregularities; invalid roll of dice.

(a) If the dealer uncovers the Pai Gow Poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a “no roll” and reshake the dice.

(b) If the dealer uncovers the Pai Gow Poker shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card to the wrong position, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If the dealer exposes any of the cards dealt to a player, the player may void the hand. The player shall make the decision to either play out the hand or to void the hand without looking at the unexposed cards.

(e) If a card or cards in the dealer’s hand or the bank’s hand, if applicable, are exposed, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(f) 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.

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

(h) If any 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.

(i) If the dealer or the bank, if applicable, does not set his hands in the manner in which the certificate holder requires the hands of the dealer to be set, the hands shall be reset in accordance with the certificate holder’s Rules Submission and the round of play shall be completed.

(j) If a card is exposed while the dealer is dealing the seven stacks in accordance with § 645a.9 (relating to procedures for dealing the cards from the hand), all wagers shall be returned to the players and the cards shall be reshuffled.

(k) If any player position or the dealer is dealt an incorrect number of cards, all hand shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(l) 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.

(m) 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.

(n) If an automated 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 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.

CHAPTER 647a. TEXAS HOLD ’EM BONUS POKER

Sec.

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§ 647a.1. Definitions.

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

Burn—To remove the top or next card from the deck and place it face down in the discard rack without exposing the card to anyone.

Community card—A card which may be used by each player and the dealer to form the best possible five-card Poker hand.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Texas Hold 'Em Bonus Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 647a.6(b) (relating to Texas Hold 'Em Bonus Poker rankings).

Flop—The first three community cards dealt during a round of play.

Flop Wager—The second wager that a player shall make prior to the Flop being dealt to continue participation in the round of play.

Fold—The withdrawal of a player from a round of play by not making a Flop Wager.

Hand—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the cards in the player's hand or the three-card Flop matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the cards in the dealer's hand or the three-card Flop matches the card randomly selected by the table game system.

Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 647a.6(b).

River card—The fifth and final community card dealt during a round of play.

River Wager—The fourth wager that a player may place prior to the River card being dealt.

Turn card—The fourth community card dealt during a round of play.

Turn Wager—The third wager that a player may place prior to the Turn card being dealt.

§ 647a.2. Texas Hold ’Em Bonus Poker table physical characteristics.

(a) Texas Hold 'Em Bonus Poker 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 Texas Hold 'Em Bonus Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) Four separate betting areas designated for the placement of Ante, Flop, Turn and River Wagers for each player.

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container.

(4) A separate area designated for the placement of the dealer's two cards.

(5) If the certificate holder offers the optional Texas Hold 'Em Bonus Wager authorized under § 647a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Texas Hold 'Em Bonus Wager for each player.

(6) If a certificate holder offers the optional Progressive Payout Wager authorized under § 647a.7(d)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(7) If a certificate holder offers the optional Five Card Hand Bonus Wager authorized under § 647a.7(d)(4), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(8) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Texas Hold 'Em Bonus Poker table.

(9) Inscriptions indicating the following:

(i) The Ante Wager will be returned if the player's winning hand is not a straight or better or a flush or better as specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions).

(ii) The payout limit per hand established by the certificate holder under § 647a.12(c) (relating to payout odds; payout limitation) or a generic inscription indicating that the game is subject to the posted payout limit.

(10) If the information required under paragraph (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Texas Hold 'Em Bonus Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 647a.7(d)(3), the Texas Hold 'Em Bonus Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 647a.7(d)(4), the Texas Hold 'Em Bonus Poker table must have a table game system, in accordance with § 605a.7 (relating to progressive table games) and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Texas Hold 'Em Bonus Poker 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.

(f) Each Texas Hold 'Em Bonus Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 647a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Texas Hold ’Em Bonus Poker shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, Texas Hold ’Em Bonus Poker 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Texas Hold ’Em Bonus Poker shall be changed:

(1) At least every 4 hours if the cards are dealt by hand.

(2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 647a.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 out 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 § 647a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 647a.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 § 647a.8, § 647a.9 or § 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 Texas Hold ’Em Bonus Poker table which is open for gaming, the cards shall be 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 § 647a.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.

§ 647a.6. Texas Hold ’Em Bonus Poker rankings.

(a) The rank of the cards used in Texas Hold ’Em Bonus Poker, 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 straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example queen, king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands at the game of Texas Hold ’Em Bonus Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) 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.

(8) Two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(9) 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 hands that are of identical rank under subsection (b), or that contain none of the hands listed 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 identical rank after the application of this subsection, the hands shall be considered a tie.

§ 647a.7. Wagers.

(a) Wagers at Texas Hold 'Em Bonus Poker 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 the Texas Hold 'Em Bonus Poker table may place a 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 Ante, Texas Hold 'Em Bonus, Five Card Hand Bonus and Progressive Payout Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 647a.8, § 647a.9 or § 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 647a.11(b), (d) and (f) (relating to procedure 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 Texas Hold 'Em Bonus Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager then a Flop, Turn and River Wager in accordance with § 647a.11(b), (d) and (f).

(2) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Texas Hold 'Em Bonus Wager that the player's first two cards will qualify for a payout in accordance with § 647a.12(b) (relating to payout odds; payout limitation). A Texas Hold 'Em Bonus Wager shall have no bearing on any other wager made by the player.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing the Ante Wager, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand formed from the player's two cards and the three-card Flop, the dealer's five-card Poker hand formed from the dealer's two cards and the three-card Flop, or both, will contain a flush or better as defined in § 647a.6(b) (relating to Texas Hold 'Em Bonus Poker rankings). After placing an Ante Wager, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) A player may not wager on more than one player position at a Texas Hold 'Em Bonus Poker table.

§ 647a.8. Procedure 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 as 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 § 647a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante and Texas Hold 'Em Bonus Wagers have been placed, the dealer shall announce “no more bets” and, if the Progressive Payout Wager or Five Card Hand Bonus Wager is being offered, use the progressive table game system or electronic wagering system to prevent the placement of additional Progressive Payout or Five Card Hand Bonus Wagers. If Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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, face down, to each player who placed an Ante Wager in accordance with § 647a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards.

(e) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards in accordance with § 647a.11(c), (e) and (g) (relating to procedure for completion of each round of play). After all community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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.

§ 647a.9. Procedure 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 § 647a.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 he will 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.

(b) The dealer shall announce "no more bets" and, if the Progressive Payout Wager or Five Card Hand Bonus Wager is being offered, use the progressive table game system or electronic wagering system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container. The dealer shall then deal each card by holding 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 placed an Ante Wager in accordance with § 647a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards.

(c) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards in accordance with § 647a.11(c), (e) and (f) (relating to procedure for completion of each round of play). After all community cards have been dealt, 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, 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.

§ 647a.10. Procedure 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 § 647a.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" and, if the Progressive Payout Wager or Five Card Hand Bonus Wager is being offered, use the progressive table game system or electronic wagering system to prevent the placement of additional Progressive Payout Wagers. If Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of two 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 § 647a.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 of two cards face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of two cards face down under a cover card to the area designated for the dealer's cards.

(c) After each stack of two cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 647a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards in accordance with § 647a.11(c), (e) and (f) (relating to procedure for completion of each round of play). After all five community cards have been dealt, 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, 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 which automatically reshuffles the cards, the five community cards may be dispensed before the two cards are dispensed to each player and to the dealer. The community cards shall then be revealed in accordance with § 647a.11(c), (e) and (f).

§ 647a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 647a.8, § 647a.9 or § 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 Texas Hold 'Em Bonus Poker 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 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 if he wishes to place a Flop Wager prior to the dealing of the Flop. The player may either fold or place a Flop Wager equal to twice the amount of the player's Ante Wager. If a player:

(1) Places a Flop Wager, the wager shall be placed in the area designated for the Flop Wager.

(2) Folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed:

(A) A Texas Hold 'Em Bonus Wager, the dealer shall place the cards of the player face down underneath the Texas Hold 'Em Bonus Wager pending its resolution at the conclusion of the round of play.

(B) A Progressive Payout Wager, the player is not eligible to receive a Progressive Payout. The player's cards shall remain face down on the table pending resolution of the Envy Bonus in accordance with subsection (i)(5).

(C) A Five Card Hand Bonus Wager, the dealer shall place the cards of the player face down on the table pending resolution of the Five Card Hand Bonus Wager in accordance with subsection (j).

(ii) Has not placed a Texas Hold 'Em Bonus Wager, Five Card Hand Bonus Wager or a Progressive Payout Wager, the dealer shall immediately collect the player's cards and place them in the discard rack provided that if another player at the table placed a Progressive Payout Wager, the player's cards shall remain on the table pending the resolution of the Progressive Payout Wager in accordance with subsection (i).

(c) After each player has either placed a Flop Wager or folded, the dealer shall burn the next card. The dealer shall then deal the Flop face up to the designated area for the community cards.

(d) After the Flop has been dealt, the dealer shall, beginning with the player farthest to the dealer's left who has placed a Flop Wager and moving clockwise around the table, ask each player who has placed a Flop Wager if he wishes to place a Turn Wager prior to the dealing of the Turn card. The player may either check and remain in the game or place a Turn Wager in an amount equal to the player's Ante Wager.

(e) Once all remaining players have either placed a Turn Wager or checked, the dealer shall burn the next card. The dealer shall then deal the Turn card face up to the designated area for the community cards.

(f) After the Flop and Turn cards have been dealt, the dealer shall, beginning with the player farthest to the dealer's left who has placed a Flop Wager and moving clockwise around the table, ask each player if he wishes to place a River Wager prior to the dealing of the River card. The player may either check and remain in the game or place a River Wager in an amount equal to the player's Ante Wager.

(g) Once all remaining players have either placed a River Wager or checked, the dealer shall burn the next card face down. The dealer shall then deal the River card face up to the designated area for the community cards.

(h) After the five community cards have been dealt, the dealer shall remove the cover card on top of the dealer's cards and turn his two cards face up on the layout. The dealer shall then select five cards using the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right who has placed a Flop Wager 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 two cards of each player who has placed a Flop Wager face up on the layout.

(2) The dealer shall examine the cards of the player and select the five cards using the player's two cards and the five community cards to form the highest ranking five-card Poker hand. The wagers of each player shall be resolved one player at a time regardless of outcome. If a player's five-card Poker hand:

(i) Is ranked lower than the dealer's five-card Poker hand, the dealer shall immediately collect the Ante, Flop, Turn and River Wagers made by the player.

(ii) Is ranked higher than the dealer's five-card Poker hand, the dealer shall pay the Ante, Flop, Turn and River Wagers in accordance with the payout odds in § 647a.12 (relating to payout odds; payout limitation). The player's Ante Wager will be returned if the player's winning hand is not a straight or higher or a flush or higher as specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions).

(iii) Is equal in rank to the dealer's five-card hand, the dealer shall return the player's Ante, Flop, Turn and River Wagers.

(3) After settling a player's Ante, Flop, Turn and River Wagers, the dealer shall settle any Texas Hold 'Em Bonus Wager made by the player by determining whether the player's two cards qualify for a payout in accordance with § 647a.12(b).

(i) The dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand and be based on the rank of the player's two cards and the three-card Flop. If a player has won a progressive payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Verify that the appropriate light on the progressive table game system has been illuminated.

(3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(4) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 647a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus won in accordance with § 647a.12(d). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Ultimate Texas Hold 'Em Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(j) The dealer shall settle the Five Card Hand Bonus Wager, if offered by the certificate holder, and any Magic Card or Lucky Bonus payouts. A winning Five Card Hand Bonus shall be

paid irrespective of whether the player's hand outranks the dealer's hand and based on the rank of the player's or the dealer's two cards and the three-card Flop. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(3) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 647a.12(e). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(k) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 647a.12. Payout odds; payout limitation.

(a) A certificate holder shall pay each winning Ante, Flop, Turn and River Wager at odds of 1 to 1.

(b) A certificate holder shall pay each winning Texas Hold ’Em Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Paytable B*
Ace-ace (dealer and player)	1,000 to 1	N/A
Ace-ace	30 to 1	30 to 1
Ace-king (same suit)	25 to 1	25 to 1
Ace-queen or ace-jack (same suit)	20 to 1	20 to 1
Ace-king (different suits)	15 to 1	15 to 1
King-king, queen-queen or jack-jack	10 to 1	10 to 1
Ace-queen or ace-jack (different suits)	5 to 1	5 to 1
A pair of 10-10 through 2-2	3 to 1	3 to 1

(c) Notwithstanding the payout odds in subsections (a) and (b), the maximum aggregate payout limit on all winning Ante, Flop, Turn, River and Texas Hold ’Em Bonus Wagers for any

hand shall be $50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

(d) If a certificate holder offers the Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $10,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 647a.11(i) (relating to procedure for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000

Straight flush	$1,500

(e) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally amongst the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 647a.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. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer have received their initial two cards, any Texas Hold ’Em Bonus Wager shall be settled in accordance with the payout odds in § 647a.12(b) (relating to payout odds; payout limitation).

(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 any player, the dealer or the area designated for the placement of the community cards 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 either of the cards dealt to the dealer in Texas Hold ’Em Bonus Poker is inadvertently exposed prior to each player having either folded or placed a Flop, Turn or River Wager as provided for under § 647a.11 (relating to procedure for completion of each round of play), all hands shall be void and all Ante, Flop, Turn and River Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, if a player has placed a Texas Hold ’Em Bonus Wager, the wager shall be settled in accordance with the payout odds in § 647a.12(b).

(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 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.

CHAPTER 649a. THREE CARD POKER

Sec.

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§ 649a.1. Definitions.

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

Five-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Three Card Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in accordance with § 649a.6(d) (relating to Three Card Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of a three-of-a-kind or better as defined in § 649a.6(d).

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

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the cards in the player's hand or the two additional community cards matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the cards in the dealer's hand or the two additional community cards matches the card randomly selected by the table game system.

Pair Plus Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted paytable, regardless of the outcome of the player's hand against the dealer's hand.

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.

Three-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Three-Card Progressive Payout Wager when another player at the Three Card Poker table is the holder of a Three-Card Envy Bonus Qualifying Hand.

Three-Card Envy Bonus Qualifying Hand—A player's Three Card Poker hand of an ace, king and queen of the same suit.

Three-Card Progressive Payout Hand—A player's Three Card Poker hand with a rank of a three-of-a-kind or better, as defined in § 649a.6 or a straight or better depending on the paytable selected by the certificate holder.

§ 649a.2. Three Card Poker table physical characteristics.

(a) Three Card Poker shall be played at a table having betting positions for no more than seven 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 Poker 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 separate betting areas designed for the placement of Ante, Play and Pair Plus Wagers for each player.

(3) If the certificate holder offers the optional Three-Card Progressive Payout Wager authorized under § 649a.7(d)(4) (relating to wagers) or the Five-Card Progressive Payout

Wager authorized under § 649a.7(d)(6), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Six Card Bonus Wager authorized under § 649a.7(d)(5), a separate area designated for the placement of the Six Card Bonus Wager for each player.

(5) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 649a.7(d)(7), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder and the phrase "Dealer Plays with Queen High or Better." If payout odds or amounts are not inscribed on the layout, a sign indicating the payout odds or amounts for all permissible wagers shall be posted at each Three Card Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 649a.7(d)(4) or (6), the Three Card Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 649a.7(d)(7), the Three Card Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8.

(e) Each Three Card Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

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

§ 649a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Three Card Poker 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 Poker 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 Poker 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.

§ 649a.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 § 649a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 649a.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 § 649a.8, § 649a.9 or § 649a.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 the procedures in 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 Poker 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 § 649a.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.

§ 649a.6. Three Card Poker rankings.

(a) The rank of the cards used in Three Card Poker, 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 Poker, in order of highest to lowest rank, shall be:

(1) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, with an ace, king and queen being the highest ranking straight flush and an ace, 2 and 3 being the lowest ranking straight flush.

(2) 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.

(3) 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.

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

(5) 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 listed 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 a payout based on the rank of a five-card Poker hand, the rank of the hands shall be:

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

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

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

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

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

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

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

(8) A Super Royal, if the certificate holder selects paytable E in § 649a.12(f) (relating to payout odds; Envy Bonus; rate of progression), which is a six-card Poker hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

(e) If the paytable selected by the certificate holder includes a mini-royal flush, which is a hand consisting of an ace, king and queen, a mini-royal flush outranks a straight flush in subsection (b).

§ 649a.7. Wagers.

(a) Wagers at Three Card Poker 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 Poker 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 § 649a.8, § 649a.9 or § 649a.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 § 649a.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 Poker:

(1) A player may compete solely against the dealer's Three Card Poker hand by placing an Ante Wager then a Play Wager, in accordance with § 649a.11(b), in an amount equal to the player's Ante Wager.

(2) A player may compete solely against a posted paytable by placing a Pair Plus Wager.

(3) A player may compete against both the dealer's Three Card Poker hand and the posted paytable by placing an Ante Wager and a Pair Plus Wager in accordance with paragraphs (1) and (2).

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Three Card Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(5) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Three Card Poker table the option to make an additional Six Card Bonus Wager that the three cards dealt to the dealer and the three cards dealt to the player will form a five-card Poker hand with a rank of a three-of-a-kind or better. If the certificate holder has selected paytable E in § 649a.12(f) (relating to payout odds; Envy Bonus; rate of progression), the three cards dealt to the dealer and the three cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout. After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Six Card Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing “no more bets.”

(6) If specified in its Rules Submission under § 601a.2, certificate holder may offer to each player at a Three Card Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Five-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(7) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand or the dealer's five-card Poker hand, or both, will contain a flush or better as defined in § 649a.6(d) (relating to Three Card Poker rankings). After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the

electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) Notwithstanding subsection (d)(1)—(3), a certificate holder may offer a version of Three Card Poker requiring:

(1) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to or greater than the Pair Plus Wager.

(2) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to at least 1/2 the Pair Plus Wager.

(3) The compulsory placement of an Ante Wager and a Pair Plus Wager, provided that one wager may be placed in an amount up to a maximum of five times the amount of the other wager without regard to which wager is the greater of the two.

(f) 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.

§ 649a.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 § 649a.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” and, if a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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 a wager in accordance with § 649a.7 (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. All cards shall be dealt face down. If a player has placed a Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, the dealer

shall deal an additional two cards face down on the table to a dedicated area to the right of the dealer.

(e) 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 (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player or the dealer has more or less than 3 cards) 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.

§ 649a.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 § 649a.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” and, if a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 a wager in accordance with § 649a.7 (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. All cards shall be dealt face down. If a player has placed a Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, the dealer shall deal an additional two community cards face down on the table to a dedicated area to the right of the dealer.

(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, 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 (a player or the dealer has more or less than 3 cards) 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.

§ 649a.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 § 649a.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” and, if a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with § 649a.7 (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 a wager in accordance with § 649a.7. 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 Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, after removing the stub from the automated dealing shoe, the dealer shall deal an additional two community cards face down on the table to a dedicated area to the right of the dealer. 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 is 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 (a player or the dealer has more or less than 3 cards) 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.

§ 649a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 649a.8, § 649a.9 or § 649a.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 Poker 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:

(1) Has placed an Ante Wager and a Pair Plus Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager.

(2) Has placed an Ante Wager and a Three or Five-Card Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager but may not forfeit the eligibility to receive an Envy Bonus under § 649a.12(e) or (h) (relating to payout odds; Envy Bonus; rate of progression).

(3) Has placed an Ante Wager, a Pair Plus Wager and a Six Card Bonus or Five Card Hand Bonus Wager, but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager but does not forfeit the Six Card Bonus or Five Card Hand Bonus Wager.

(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 and hand, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed a Six Card Bonus or Five Card Hand 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 Poker 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 Poker hand for each player.

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

(i) Is lower than a queen high, the dealer shall pay each player's Ante Wager and return the player's Play Wager.

(ii) Is a queen high or better, and the player's highest ranking Three Card Poker hand is ranked:

(A) Lower than the dealer's Three Card Poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player.

(B) Higher than the dealer's Three Card Poker hand, the dealer shall pay the Ante and Play Wagers and any Ante Bonus in accordance with the payout odds in § 649a.12(a) and (b).

(C) Equally with the dealer's Three Card Poker hand, the dealer shall return the player's Ante and Play Wagers.

(4) After settling the player's Ante and Play Wagers, the dealer shall settle any Pair Plus Wagers by determining whether the player's Three Card Poker hand qualifies for a payout in accordance with § 649a.12(d). A winning Pair Plus Wager shall be paid irrespective of whether the player's Three Card Poker hand outranks the dealer's hand.

(5) The dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 649a.12(e). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus won in accordance with § 649a.12(e). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Three Card Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(6) The dealer shall then settle the Six Card Bonus Wager, if offered by the certificate holder. A winning Six Card Bonus Wager shall be paid irrespective of the outcome of the player's Ante Wager or Pair Plus Wager. The dealer shall arrange the dealer's three cards and the player's three cards to form the highest ranking five-card Poker hand for each player. If a player has a three-of-a-kind or better, as described in § 649a.6(d) (relating to Three Card Poker rankings), the dealer shall pay the winning Six Card Bonus Wager in accordance with the payout odds in § 649a.12(f). If the certificate holder has selected paytable E in § 649a.12(f), the three

cards dealt to the dealer and the three cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout.

(7) If the certificate holder offers the Five-Card Progressive Payout Wager, after settling all other wagers, the dealer shall expose the two additional community cards dealt in accordance with §§ 649a.8(d), 649a.9(b) and 649a.10(c) and form the highest ranking five-card Poker hand of the player from the player's three cards and the two community cards. If a player has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 649a.12(h)(1). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(v) Pay any Five-Card Envy Bonus won in accordance with § 643a.12(h)(5). Players making a Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Three Card Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand.

(8) If the certificate holder offers the Five Card Hand Bonus Wager, after settling all other wagers, the dealer shall then settle the Five Card Hand Bonus Wager and any Magic Card or Lucky Bonus payouts. The dealer shall expose the two additional community cards dealt in accordance with §§ 649a.8(d), 649a.9(b) and 649a.10(c) and form the highest ranking five-card Poker hand of the player and the dealer from the player's or dealer's three cards and the two community cards. A winning Five Card Hand Bonus Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(iii) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 649a.12(i). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(d) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 649a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

(b) A player placing an Ante Wager and a Play Wager shall be paid a bonus on the Ante Wager, at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions), regardless of whether the player's Three Card Poker hand outranks the dealer's hand:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Straight flush	5 to 1	5 to 1	4 to 1
Three-of-a-kind	4 to 1	3 to 1	3 to 1
Straight	1 to 1	1 to 1	1 to 1

(c) If a certificate holder offers the version of Three Card Poker as described in § 649a.7(e) (relating to wagers), a player placing an Ante Wager and Play Wager shall be paid an Ante Bonus at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*
Ace, king, queen of spades	50 to 1	50 to 1	50 to 1
Ace, king, queen of hearts, diamonds or clubs	5 to 1	50 to 1	10 to 1
Straight flush	4 to 1	8 to 1	6 to 1
Three-of-a-kind	3 to 1	6 to 1	3 to 1
Straight	1 to 1		

(d) A player placing a Pair Plus Wager shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*	*Paytable C*

Straight flush	35 to 1	40 to 1	40 to 1
Three-of-a-kind	25 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

Hand	*Paytable D*	*Paytable E*
Straight flush	40 to 1	40 to 1
Three-of-a-kind	30 to 1	25 to 1
Straight	6 to 1	6 to 1
Flush	4 to 1	4 to 1
Pair	1 to 1	1 to 1

(e) If a certificate holder offers a Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Ace, king and queen of spades	100% of meter	100% of meter
Ace, king and queen of hearts, diamonds or clubs	500 for 1	500 for 1
Straight flush	70 for 1	100 for 1
Three-of-a-kind	60 for 1	90 for 1
Straight	6 for 1	N/A

(2) A player shall receive the payout for only the highest ranking Three Card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payouts in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and must be at least 14% for Paytable A and 20% for Paytable B. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $1,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 649a.11(c) (relating to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Ace, king and queen of spades	$100
Ace, king and queen of hearts, diamonds or clubs	$25

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Ace, king and queen of spades	$500
Ace, king and queen of hearts, diamonds or clubs	$125

(f) If a certificate holder offers the Six Card Bonus Wager, the certificate holder shall pay out winning Six Card Bonus Wagers at the amounts in one of the following paytables 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	100 to 1	100 to 1
Full house	25 to 1	20 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	9 to 1	10 to 1
Three-of-a-kind	5 to 1	8 to 1	7 to 1

Hand	*Paytable D*	*Paytable E*
Super Royal of diamonds		$1,000,000
Super Royal of hearts, spades or clubs		$100,000
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1
Full house	25 to 1	20 to 1
Flush	15 to 1	15 to 1

Straight	10 to 1	10 to 1
Three-of-a-kind	5 to 1	5 to 1

(g) If selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2, the paytables in subsections (b) and (d) may include a payout for a mini-royal flush in accordance with the following:

(1) In subsection (b), a mini-royal flush shall pay out at odds of no less than 5 to 1.

(2) In subsection (d), a mini-royal flush shall pay out at odds of no less than 40 to 1.

(h) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 649a.11(c)(7).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(i) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally amongst the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with §

601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 649a.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 § 649a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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.

CHAPTER 651a. CASINO WAR

Sec.

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§ 651a.1. Definitions.

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

Initial Wager—The wager that shall be made by a player prior to any cards being dealt to participate in the round of play.

Original deal—The first card that is dealt to each player and the dealer to determine the result for the Initial Wager in a round of play.

Tie hand—A hand in the original deal or War deal when the rank of a player's card and the rank of the dealer's card are equal.

War—The decision of a player, in accordance with the option offered under § 651a.9(c)(2) (relating to procedures for completion of each round of play; collection and payment of wagers), to place a War Wager when there is a tie hand on the original deal.

War deal—The deal of the cards that follows the placement of a War Wager.

War Wager—A wager, equal to the player's Initial Wager, that is required to be made if the player elects to go to War with the dealer.

§ 651a.2. Casino War table; physical characteristics.

(a) Casino War shall be played at a table having betting positions for no more than nine 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 Casino War table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of Initial and War Wagers for each player.

(3) A separate betting area designated for the placement of Tie Wagers for each player.

(4) The payout odds for permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Casino War table.

(c) Each Casino War table must have a drop box and a tip box attached on the same side of the gaming 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 Casino War table must have a discard rack securely attached to the top of the dealer's side of the table, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 651a.3. Cards; number of decks; dealing shoe.

(a) Casino War shall be played with six or eight decks of cards that are identical in appearance and two cover cards.

(b) All cards used in Casino War shall be dealt from a manual dealing shoe. 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).

(c) If an automated card shuffling device is utilized, Casino War shall be played with 12 to 16 decks of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design, but the backs of the cards in one batch must be of a different color than the cards included in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(d) The decks of cards opened for use at a Casino War table shall be changed at least once every 24 hours.

(e) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards, provided that the device is approved by the Bureau of Gaming Laboratory Operations, 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 (b) and (c) do not apply.

§ 651a.4. Opening of the table for gaming.

(a) After receiving six 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 is 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.

(d) If an automated shuffling device is utilized and two batches of cards are received at the table, all the decks in one batch of cards shall be spread for inspection on the table separate from the decks in the other batch of cards. After the first player is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face down on the table and stacked.

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16 (u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a) and (d) do not apply.

§ 651a.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 dealing shoe of cards is dealt 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 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 the dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player as determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player to the table if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the discretion of a floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place a cover card in the stack at least ten cards in from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next player entitled to cut the cards, as determined under subsection (c)(4). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe as required under § 651a.8(d) (relating to procedure for dealing the cards) except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at the Casino War table which is open for play, the cards shall be removed from the dealing shoe and the 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 is afforded an opportunity to visually inspect the cards, the cards shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section, if there is not an automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled, if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if:

(i) The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(ii) The shuffled cards have been secured, released and prepared for play in accordance with procedures submitted to the Bureau of Gaming Operations and approved in accordance with § 465a.2 (relating to internal control systems and audit protocols).

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards, provided that the device is approved by the Bureau of Gaming Laboratory Operations, 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 (b)—(g) do not apply.

§ 651a.6. Casino War card rankings.

The rank of the cards used in Casino War, for the purpose of determining a winning hand, shall be, in order from the highest to lowest rank: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. The suit of a card does not have an effect on its rank.

§ 651a.7. Wagers.

(a) Wagers at Casino War shall be made by placing value chips or plaques on the appropriate betting area of the Casino War layout. Verbal wagers accompanied by cash may not be accepted.

(b) To participate in a round of play, a player shall place an Initial Wager.

(c) At the same time as an Initial Wager or a War Wager is placed, each player shall have the option of placing a Tie Wager which shall win if the deal results in a tie hand.

(d) Except as provided in § 651a.9(e) (relating to procedures for completion of each round of play; collection and payment of wagers), all wagers at Casino War shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 651a.8 (relating to procedure for dealing the cards). Once a wager has been placed, a player may not handle, remove or alter any wagers until a decision has been rendered and implemented with respect to that wager.

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

§ 651a.8. Procedure for dealing the cards.

(a) All cards used to play Casino War shall be dealt from a dealing shoe. The dealer shall remove cards from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place the cards on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(b) After the cards have been cut and placed in the dealing shoe as required under § 651a.5 (relating to shuffle and cut of the cards), the dealer shall remove the first card from the dealing shoe face down and, without revealing its rank to anyone, place it in the discard rack. Each new dealer who comes to the table shall also remove the first card from the dealing shoe face down and, without revealing its rank to anyone, place it in the discard rack.

(c) Prior to dealing any cards, the dealer shall announce "no more bets." The dealer shall, starting with the player farthest to the dealer's left and continuing in a clockwise manner, deal the cards in the following order:

(1) One card face up to each player who has placed an Initial Wager in accordance with § 651a.7 (relating to wagers).

(2) One card face up to the dealer.

(d) When the cover card is the first card in the dealing shoe at the beginning of a round of play or is reached during the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the cards shall be collected and reshuffled.

(e) Players and spectators may not handle, remove or alter any cards used to play Casino War.

§ 651a.9. Procedures for completion of each round of play; collection and payment of wagers.

(a) After the dealing procedures required under § 651a.8 (relating to procedure for dealing the cards) have been completed, the dealer shall, starting from his right and continuing around the table in a counterclockwise direction, compare the rank of each player's card with that of the dealer's card and settle all Initial and Tie Wagers as follows:

(1) If a player's card is lower in rank than the dealer's card, the dealer shall immediately collect the Initial Wager and Tie Wager, if applicable.

(2) If a player's card is higher in rank than the dealer's card, the player shall win his Initial Wager and lose his Tie Wager, if applicable.

(3) If the player's card and the dealer's card are of equal rank (a tie hand), the player shall select one of the options in subsection (c) as to his Initial Wager and win his Tie Wager, if applicable.

(b) Losing Initial and Tie Wagers made on the original deal shall be collected by the dealer and placed in the table inventory container. Winning Initial and Tie Wagers made on the original deal shall be paid by the dealer in accordance with the payout odds provided in § 651a.10(a)(1) and (2) (relating to payout odds).

(c) If a player has a tie hand, the player shall select one of the following options:

(1) The player may surrender 1/2 of his Initial Wager and end his participation in that round of play. If a player selects this option, the dealer shall collect 1/2 of the player's Initial Wager and place it in the table inventory container. The dealer shall then return the remaining 1/2 of the Initial Wager to the player. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player with a tie hand who selects this option.

(2) The player may place a War Wager in an amount equal to the player's Initial Wager, in accordance with subsection (e).

(d) After settling Initial Wagers and Tie Wagers on the original deal, the dealer shall collect the cards of all players except for the cards of those players with a tie hand who have elected to go to War. The collected cards shall be placed in the discard rack in a manner that permits the reconstruction of each hand of the original deal in the event of a question or dispute.

(e) If any player elects to place a War Wager upon the occurrence of a tie hand, the dealer shall confirm the placement of the War Wager prior to dealing additional cards. The player's card and the dealer's card from the original deal shall remain exposed during the War deal. The dealer shall offer any player who has elected to go to War the opportunity to also place a Tie Wager on the War deal.

(f) The War deal shall begin with the dealer removing three cards from the shoe face down and, without revealing the rank of the three cards to anyone, placing them in the discard rack and then dealing the next card face up to the player farthest to the dealer's left who has placed a War Wager. The dealer shall place the player's War card on the table adjacent to the player's card from the original deal. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player who has placed a War Wager and the dealer.

(g) After the dealing procedures required under subsection (f) have been completed, the dealer shall, beginning from the dealer's right and proceeding around the table in a counterclockwise direction, compare the rank of each player's War card to the dealer's War card and settle all War and Tie Wagers as follows:

(1) If the player's War card is lower in rank than the dealer's War card, the dealer shall immediately collect the Initial Wager, War Wager and Tie Wager, if applicable.

(2) If the player's War card is higher in rank than the dealer's War card, the Initial Wager shall be returned to the player, the player shall win his War Wager and lose his Tie Wager, if applicable.

(3) If the player's War card and the dealer's War card are of equal rank, the Initial Wager shall be returned to the player and the player shall win his War Wager and his Tie Wager, if applicable.

(h) Losing Initial, War and Tie Wagers shall be collected by the dealer and placed in the table inventory container. Winning War and Tie Wagers shall then be paid in accordance with the payout odds in § 651a.10(a)(2) and (3). After the collection of all losing wagers and the payment of all winning wagers from the War deal, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand of the War deal in the event of a question or dispute.

§ 651a.10. Payout odds.

The certificate holder shall pay out winning Casino War wagers as follows:

(1) An Initial Wager shall be paid at odds of 1 to 1.

(2) A Tie Wager shall be paid at odds of 10 to 1.

(3) A War Wager shall be paid at odds of 1 to 1, unless the War deal results in a tie hand, in which case a War Wager shall be paid at odds of 2 to 1.

§ 651a.11. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack.

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

(c) If a card is not dealt to a player's Initial Wager or Tie Wager in the original deal, the wager shall be void and returned to the player. The player shall be included in the next round of play.

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

(e) 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.

CHAPTER 653a. ULTIMATE TEXAS HOLD ’EM POKER

Sec.

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§ 653a.1. Definitions.

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

Burn—To remove the top or next card from the deck and place it face down in the discard rack without exposing the card to anyone.

Check—Waiving the right to place a Play Wager but remaining in the round of play.

Community card—A card which may be used by all players and the dealer to form the best possible five-card Poker hand.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Ultimate Texas Hold 'Em Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 653a.6(b) (relating to Ultimate Texas Hold 'Em Poker rankings).

Flop—The first three community cards dealt during a round of play.

Fold—The withdrawal of a player from a round of play by not making a Play Wager.

Hand—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the cards in the player's hand or the three-card Flop matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the cards in the dealer's hand or the three-card Flop matches the card randomly selected by the table game system.

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.

Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 653a.6(b).

Trips Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted paytable, regardless of the outcome of the player's hand against the dealer's hand.

§ 653a.2. Ultimate Texas Hold ’Em Poker table physical characteristics.

(a) Ultimate Texas Hold 'Em Poker shall be played on 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 an Ultimate Texas Hold 'Em Poker 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) Four separate betting areas designated for the placement of Ante, Blind, Play and Trips Wagers for each player. The Blind Wager betting area must be located to the right of the Ante Wager betting area and separated by an “=” symbol.

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container.

(4) A separate area designated for the placement of the dealer's two cards.

(5) If a certificate holder offers the optional Progressive Payout Wager authorized under § 653a.7(d)(3) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(6) If a certificate holder offers the optional Five Card Hand Bonus Wager authorized under § 653a.7(d)(4), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(7) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Ultimate Texas Hold 'Em Poker table.

(8) Inscriptions indicating the following:

(i) An Ante Wager will push if the dealer has less than a pair.

(ii) A Blind Wager will push if the player's winning hand is not a straight or better or a flush or better, depending on the paytable selected by the certificate holder.

(iii) The rules governing the required amount of a Play Wager as a multiple of the player's Ante Wager.

(iv) The payout limit per hand established by the certificate holder under § 653a.12(e) (relating to payout odds; Envy Bonus; rate of progression; payout limitation) or a generic inscription indicating that the game is subject to the posted payout limit.

(9) If the information required under paragraph (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Ultimate Texas Hold 'Em Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 653a.7(d)(3), the Ultimate Texas Hold 'Em Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the

recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 653a.7(d)(4), the Ultimate Texas Hold 'Em Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Ultimate Texas Hold 'Em Poker 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.

(f) Each Ultimate Texas Hold 'Em Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 653a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Ultimate Texas Hold ’Em Poker shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, Ultimate Texas Hold ’Em Poker 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 Ultimate Texas Hold ’Em Poker 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.

§ 653a.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 § 653a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 653a.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 or deliver the cards in accordance with § 653a.8, § 653a.9 or § 653a.10 (relating to procedure for

dealing the cards from a manual dealing shoe; procedure 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 an Ultimate Texas Hold ’Em Poker table which is open for gaming, the cards shall be 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 § 653a.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.

§ 653a.6. Ultimate Texas Hold ’Em Poker rankings.

(a) The rank of the cards used in Ultimate Texas Hold ’Em Poker, 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands at the game of Ultimate Texas Hold ’Em Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest ranking straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) 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.

(8) Two pairs, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(9) 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 listed 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 identical rank after the application of this subsection, the hands shall be considered a tie.

§ 653a.7. Wagers.

(a) Wagers at Ultimate Texas Hold 'Em Poker shall be made by placing value chips or plaques on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at an Ultimate Texas Hold 'Em Poker 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 procedure in § 653a.8, § 653a.9 or § 653a.10 (relating

to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 653a.11(b), (d) or (f) (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 Ultimate Texas Hold 'Em Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing both an Ante Wager and a Blind Wager in equal amounts, then a Play Wager, in accordance with § 653a.11(b), (d) or (f).

(2) In addition to the Ante Wager and Blind Wager, a player may compete against a posted paytable by placing a Trips Wager.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at an Ultimate Texas Hold 'Em Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing the Ante and Blind Wagers, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at an Ultimate Texas Hold 'Em Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand formed from the player's two cards and the three-card Flop or the dealer's five-card Poker hand formed from the dealer's two cards and the three-card Flop, or both, will contain a flush or better as defined in § 653a.6(b) (relating to Ultimate Texas Hold 'Em Poker rankings). After placing an Ante and a Blind Wager, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) A player may not wager on more than one player position at an Ultimate Texas Hold 'Em Poker table.

§ 653a.8. Procedure 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 § 653a.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 the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce “no more bets” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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 placed the required wagers in accordance with § 653a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed the required wagers, and the dealer have two cards.

(e) After two cards have been dealt to each player and to the area designated for the placement of the dealer’s hand, the dealer shall deal the five community cards in accordance with § 653a.11 (relating to procedures for completion of each round of play). After all community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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.

§ 653a.9. Procedure 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 § 653a.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 he will 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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 placed the required wagers in accordance with § 653a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed the required wagers, and the dealer have two cards.

(c) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards in accordance with § 653a.11 (relating to procedures for completion of each round of play). After all community cards have been dealt, 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, 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.

§ 653a.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 § 653a.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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed the required wagers in accordance with § 653a.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 a required wager in accordance with § 653a.7(d)(1). The dealer shall then deliver a stack of two cards face down under a cover card to the area designated for the placement of the dealer's cards.

(c) After each stack of two cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 653a.9(a)(2) and (b) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards in accordance with § 653a.11 (relating to procedures for completion of each round of play). After all five community cards have been dealt, 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, 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 which automatically reshuffles the cards, the five community cards may be dispensed before the two cards are dispensed to each player and to the dealer. The community cards shall then be revealed in accordance with § 653a.11.

§ 653a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 653a.8, § 653a.9 or § 653a.10 (relating to procedure for dealing the cards from a manual shoe; procedure 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 Ultimate Texas Hold ’Em Poker 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 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 if he wishes to place a Play Wager prior to the dealing of the Flop. The player may either check or place a Play Wager in an amount equal to three or four times the amount of the player’s Ante Wager. If a player:

(1) Places a Play Wager, the wager shall be placed in the area designated for the Play Wager.

(2) Checks, the player shall remain in the game and defer his decision to place a Play Wager until after the Flop is dealt.

(c) Once all players have either placed a Play Wager or checked, the dealer shall burn the next card. The dealer shall then deal the Flop face up to the designated area for the community cards.

(d) After the Flop has been dealt, the dealer shall, beginning with the player farthest to the dealer’s left and moving clockwise around the table, ask each player who has not already placed a Play Wager if he wishes to place a Play Wager prior to the dealing of the final two community cards. The player may either check or place a Play Wager in an amount equal to two times the amount of the player’s Ante Wager. If a player:

(1) Places a Play Wager, the wager shall be placed in the area designated for the Play Wager.

(2) Checks, the player shall remain in the game and defer his decision to place a Play Wager until after the next two community cards are dealt.

(e) Once all players have either placed a Play Wager or checked, the dealer shall burn the next card. The dealer shall then deal the next two cards in the deck face up to the designated area for the community cards.

(f) After the final two community cards have been dealt, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who has not already placed a Play Wager whether he wishes to fold or place a Play Wager equal in amount to the player's Ante Wager. If a player:

(1) Places a Play Wager, the wager shall be placed in the area designated for the Play Wager.

(2) Folds, the Ante and Blind Wagers of the player shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed a Trips Wager, the dealer shall place the cards of the player face down underneath the player's Trips Wager pending its resolution at the conclusion of the round of play.

(ii) Has not placed a Trips Wager, the dealer shall immediately collect the player's cards and place them in the discard rack.

(g) After each player has either folded or placed a Play Wager, the dealer shall remove the cover card and turn his two cards face up on the layout. The dealer shall then select five cards from the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand and announce the dealer's hand to the players.

(h) If the dealer's highest ranking five-card Poker hand:

(1) Is lower than a pair, the dealer shall, starting with the player farthest to the dealer's right who has placed a Play Wager and proceeding in a counterclockwise manner around the table, return each player's Ante Wager and resolve the Blind and Play Wagers in accordance with paragraph (2).

(2) Is a pair or better, the dealer shall, starting with the player farthest to the dealer's right who has placed a Play Wager and proceeding in a counterclockwise manner around the table, turn the two cards of each player who has placed a Play Wager face up on the layout. The dealer shall select five cards from the player's two cards and the five community cards to form the highest ranking five-card Poker hand and shall announce the player's hand. The wagers of each player shall be resolved one player at a time regardless of outcome. If a player's five-card Poker hand:

(i) Is ranked lower than the dealer's five-card Poker hand, the dealer shall immediately collect the Ante, Blind and Play Wagers made by the player.

(ii) Is ranked higher than the dealer's five-card Poker hand, the dealer shall pay the Ante, Blind and Play Wagers made by the player in accordance with the payout odds in § 653a.12(a) and (b) (relating to payout odds; Envy Bonus; rate of progression; payout limitation). The player's Blind Wager shall be returned if the player's winning hand is not a straight or better or a flush or better depending on the paytable selected by the certificate holder.

(iii) Is equal in rank to the dealer's five-card hand, the dealer shall return the player's Ante, Blind and Play Wagers.

(i) After settling a player's Ante, Blind and Play Wagers, the dealer shall settle any Trips Wager made by the player by determining whether the player's five-card Poker hand qualifies for a payout in accordance with § 653a.12(c). A winning Trips Wager shall be paid irrespective of whether the player's five-card Poker hand outranks the dealer's hand.

(j) The dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand and be based on the rank of the player's two cards and the three-card Flop. If a player has won a progressive payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Verify that the appropriate light on the progressive table game system has been illuminated.

(3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(4) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 653a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus won in accordance with § 653a.12(d). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Ultimate Texas Hold 'Em Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(k) The dealer shall settle the Five Card Hand Bonus Wager, if offered by the certificate holder, and any Magic Card or Lucky Bonus payouts. A winning Five Card Hand Bonus shall be paid irrespective of whether the player's hand outranks the dealer's hand and based on the rank of the player's or the dealer's two cards and the three-card Flop. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(3) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 653a.12(e). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(l) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 653a.12. Payout odds; Envy Bonus; rate of progression; payout limitation.

(a) A certificate holder shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

(b) A certificate holder shall pay the player’s winning Blind Wager in accordance with the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*
Royal flush	500 to 1
Straight flush	50 to 1
Four-of-a-kind	10 to 1
Full house	3 to 1
Flush	3 to 2
Straight	1 to 1
Less than a straight	Push

Hand	*Paytable B*
Royal flush	500 to 1
Straight flush	50 to 1
Four-of-a-kind	10 to 1
Full house	3 to 1

Flush	3 to 2
Less than a flush	Push

(c) A player placing a Trips Wager shall be paid at the odds in one of the following paytables, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Royal flush	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1
Full house	9 to 1	8 to 1
Flush	7 to 1	6 to 1
Straight	4 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1

Hand	*Paytable C*	*Paytable D*
Royal flush	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1
Four-of-a-kind	30 to 1	20 to 1
Full house	8 to 1	7 to 1
Flush	7 to 1	6 to 1
Straight	4 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1

(d) If a certificate holder offers the Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed from the player's two cards and the three-card Flop.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $10,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 653a.11(j) (relating to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(e) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the

highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally among the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

(f) Notwithstanding the payout odds in subsections (a)—(c), a certificate holder may, in its Rules Submission under § 601a.2, establish a maximum amount that is payable to a player on a single hand. The maximum amount shall be at least $50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. Any maximum payout limit established by the certificate holder shall apply only to payouts of Ultimate Texas Hold 'Em Poker Wagers placed under § 653a.7(d)(1) and (2) (relating to wagers) but does not apply to payouts for Progressive Payout Wagers placed under § 653a.7(d)(3) or the Five Card Hand Bonus Wager under § 653a.7(d)(4).

§ 653a.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. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer has received their initial two cards, the community cards shall be dealt and any Trips Wager shall be settled in accordance with the payout odds in § 653a.12(c) (relating to payout odds; Envy Bonus; rate of progression; payout limitation).

(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 any player, the dealer or the area designated for the placement of the community cards 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 either of the dealer's cards is inadvertently exposed prior to each player having either folded or placed a Play Wager as provided for under § 653a.11 (relating to procedures for completion of each round of play), all hands shall be void, all Ante, Blind and Play Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the foregoing, if a player has placed a Trips Wager, the community cards shall be dealt and each Trips Wager shall be settled in accordance with the payout odds in § 653a.12(c).

(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 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 shall 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.

CHAPTER 655a. MISSISSIPPI STUD

Sec.

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§ 655a.1. Definitions.

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

Bet Wager—A 3rd Street, 4th Street or 5th Street Wager made by a player.

Community card—A card which is used by all players to form the best possible five-card Poker hand.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A Mississippi Stud hand with a rank of a royal flush or a straight flush as defined in § 655a.6(b) (relating to Mississippi Stud hand rankings).

5th Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the second community card is revealed by the dealer.

Fold—The withdrawal of a player from a round of play by not making a Bet Wager.

4th Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the first community card is revealed by the dealer.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager if the player is seated in the position that is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager if one of the player's two cards or the three community cards matches the card randomly selected by the table game system.

Progressive Payout Hand—A Mississippi Stud hand formed using the two player cards and three community cards with a rank of a three-of-a-kind or better as defined in § 655a.6(b).

Push—A player's hand that results in neither payment on nor collection of the player's wagers.

3rd Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the player has been dealt the initial two cards.

§ 655a.2. Mississippi Stud table physical characteristics.

(a) Mississippi Stud shall be played on 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 Mississippi Stud table shall be submitted to the Bureau of Gaming Operations and approved 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) Four separate betting areas designated for the placement of the wagers required under § 655a.7(d)(1) and (2) (relating to wagers) for each player.

(3) Separate areas designated for the placement of the three community cards located directly in front of the table inventory container. One area shall be inscribed 3rd Street, a second area inscribed 4th Street and a third area inscribed 5th Street.

(4) If the certificate holder offers the optional Progressive Payout Wager authorized under § 655a.7(d)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(5) If the certificate holder offers the optional Three Card Bonus Wager authorized under § 655a.7(d)(4), a separate area designated for the placement of the Three Card Bonus Wager for each player.

(6) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 655a.7(d)(5), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(7) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers and the rules governing the required amount of the 3rd Street, 4th Street or 5th Street Wager as a multiple of the player's Ante Wager. If the information is not inscribed on

the layout, a sign that sets forth the required information must be posted at each Mississippi Stud table.

(c) If a certificate holder offers the Progressive Payout Wager, in accordance with § 655a.7(d)(3), the Mississippi Stud table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 655a.7(d)(5), the Mississippi Stud table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Mississippi Stud table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite side 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.

(f) Each Mississippi Stud table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 655a.3. Cards, number of decks.

(a) Except as provided in subsection (b), Mississippi Stud shall be played with one deck of cards and one cover card.

(b) If an automated card shuffling device is utilized, Mississippi Stud 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 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 continually alternated in and out of play, with each deck being used for every other round of play.

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

(c) The decks of cards used in Mississippi Stud shall be changed at least:

(1) Every 4 hours if the cards are dealt by hand.

(2) Every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 655a.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 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 out 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 § 655a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspections and removal from use), subsections (a)—(d) do not apply.

§ 655a.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 card 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 do the following:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 the procedures in 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 the 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 Mississippi Stud table that is open for gaming, the cards shall be removed from the dealing shoe and the 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 is afforded an opportunity to visually inspect the cards, the procedures in § 655a.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 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.

§ 655a.6. Mississippi Stud hand rankings.

(a) The rank of the cards used in Mississippi Stud, in order of highest to lowest rank, must 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: king, queen, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands in the game of Mississippi Stud, in order of highest to lowest rank, must be:

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

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

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

(8) Two pairs, which is a hand consisting of two pairs.

(9) One pair, which is a hand consisting of two cards of the same rank.

(c) For purposes of the Three Card Bonus authorized under § 655a.7(d)(4) (relating to wagers), the permissible three-card Poker hands must be:

(1) A mini-royal, which is straight flush of an ace, king and queen.

(2) A straight flush, which is three cards of the same suit in consecutive rank.

(3) A Three-of-a-kind, which is three cards of the same rank.

(4) A straight, which is three cards of consecutive rank.

(5) A flush, which is three cards of the same suit.

(6) A pair, which is two cards of the same rank.

§ 655a.7. Wagers.

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

(b) Only players who are seated at the Mississippi Stud table may place a 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 Ante, Progressive Payout, Three Card Bonus and Five Card Hand Bonus Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 655a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer announces "no more bets" and begins dealing the cards.

(d) The following wagers may be placed in the game of Mississippi Stud:

(1) A player shall place an Ante Wager to participate in a round of play.

(2) In accordance with § 655a.11(b), (d) and (f), 3rd Street, 4th Street and 5th Street Wagers.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Mississippi Stud table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing an Ante Wager, a player may make an additional Progressive Payout Wager by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Mississippi Stud table the option to make an additional Three Card Bonus Wager that the three community cards will form a three-card Poker hand of a pair or better as defined in § 655a.6(c) (relating to Mississippi Stud hand rankings).

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Mississippi Stud table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand will contain a flush or better as defined in § 655a.6(b). After placing an Ante Wager, a player may make the additional Five Card Hand Bonus Wager by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) A player may not wager on more than one player position at a Mississippi Stud table.

§ 655a.8. Procedure 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 § 655a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) Two cards face down to each player who placed an Ante Wager in accordance with § 655a.7(d)(1) (relating to wagers).

(2) Three cards face down to the area designated for the placement of the community cards.

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

(f) 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.

(g) 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.

(h) 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 (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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.

§ 655a.9. Procedure 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 § 655a.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 he will 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 the cards, the dealer shall announce “no more bets” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall then collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) Two cards face down to each player who placed an Ante Wager in accordance with § 655a.7(d)(1) (relating to wagers).

(2) Three cards face down to the area designated for the placement of the community cards.

(c) After two cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, 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, 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 (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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.

§ 655a.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 § 655a.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 dealing shoe dispensing any stacks, the dealer shall announce “no more bets” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of 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 § 655a.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.

(c) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 655a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the three community cards. Except as provided in subsection (d), after all three community cards have been dealt, the dealer shall 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 that 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 (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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 three community cards may be dispensed before the two cards are dispensed to each player.

§ 655a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 Mississippi Stud 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 cards in full view of the dealer at all times.

(3) A player may not exchange or communicate information regarding his hand prior to the dealer revealing all of the community cards. Any violation shall result in a forfeiture of all wagers on that round by such person.

(b) After each player has examined his cards and replaced them face down on the layout, 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 place a 3rd Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager or fold. If a player folds, the Ante Wager shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout, Three Card Bonus or Five Card Hand Bonus Wager in which case the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(c) Once all players have either placed a 3rd Street Wager or folded, the dealer shall turn over and reveal the first community card.

(d) Each player shall then either place a 4th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 4th Street betting area or fold. If a player folds, the Ante Wager and 3rd Street Wager shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout, Three Card Bonus or Five Card Hand Bonus Wager in which case the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(e) Once all remaining players have either placed a 4th Street Wager or folded, the dealer shall turn over and reveal the second community card.

(f) Each player shall then either place a 5th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 5th Street betting area or fold. If a player folds, the Ante Wager and the 3rd Street and 4th Street Wagers shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout, Three Card Bonus or Five Card Hand Bonus Wager in which case the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(g) Once all remaining players have either placed a 5th Street Wager or folded, the dealer shall turn over and reveal the third community card.

(h) If a player has placed an Ante Wager and a Progressive Payout or Three Card Bonus Wager but does not make a 3rd Street, 4th Street or 5th Street Wager, the player shall forfeit the Ante Wager, the Progressive Payout Wager and, if applicable, the 3rd Street and 4th Street Wagers but may not forfeit the eligibility to receive an Envy Bonus under § 655a.12(c)(5) (relating to payout odds; Envy Bonus; rate of progression), a Three Card Bonus payout under § 655a.12(d) or a Five Card Hand Bonus payout under § 655a.12(e).

(i) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards. The dealer shall then evaluate and announce the best possible five-card Poker hand that can be formed using the player's two cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All wagers shall be settled as follows:

(1) All losing wagers shall immediately be collected by the dealer and placed in the table inventory container and the player's cards shall be collected and placed in the discard rack.

(2) If the player's five-card Poker hand is a pair of 6s, 7s, 8s, 9s or 10s, the player's hand is a push. The dealer may not collect or pay the wagers, but shall immediately collect the cards of that player.

(3) All winning Mississippi Stud wagers shall be paid in accordance with the payout odds in § 655a.12(a).

(4) After settling the player's Mississippi Stud Wager, the dealer shall settle the Progressive Payout, Three Card Bonus or Five Card Hand Bonus Wager, if offered by the certificate holder, as follows:

(i) If a player has won the progressive payout, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Progressive Payout Wager in accordance with § 655a.12(c)(1). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(E) Pay any Envy Bonus won in accordance with § 655a.12(c)(5). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand.

(ii) If a player has won the Three Card Bonus, the dealer shall pay the winning Three Card Bonus Wager in accordance with § 655a.12(d).

(iii) If a player placed a Five Card Hand Bonus Wager, the dealer shall settle any Magic Card or Lucky Bonus payouts and any winning Five Card Hand Bonus wagers as follows:

(A) Verify that the hand is a winning hand.

(B) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(C) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 655a.12(e). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has

won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(j) After all wagers have been settled, the dealer shall remove all 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.

§ 655a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Mississippi Stud wager in accordance with the following odds:

Hand	*Payout*
Royal flush	500 to 1
Straight flush	100 to 1
Four-of-a-kind	40 to 1
Full house	10 to 1
Flush	6 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pair	2 to 1
Pair of jacks or better	1 to 1
Pair of 6s to 10s	Push

(b) Notwithstanding the payout odds in subsection (a), the aggregate payout limit for any hand may not exceed $50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

(c) If a certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay each winning Progressive Payout Wager in accordance with the following odds:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking hand formed from the player's two cards and the three community cards.

(3) The rate of progression for the meter used for the progressive payouts in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions). The initial and reset amount must also be in the certificate holder's Rules Submission and may not be less than $10,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 655a.11(i)(4)(i)(D) (relating to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payout schedules for every Envy Bonus Qualifying Hand based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(d) A certificate holder shall pay each winning Three Card Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Mini-royal	40 to 1	40 to 1
Straight flush	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1
Straight	6 to 1	5 to 1
Flush	4 to 1	4 to 1
Pair	1 to 1	1 to 1

Hand	*Paytable C*	*Paytable D*
Mini-royal	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1
Straight	5 to 1	6 to 1
Flush	4 to 1	3 to 1
Pair	1 to 1	1 to 1

(e) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 655a.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 any player or the area designated for the placement of the community cards 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 any of the community cards are exposed prior to the dealer revealing the community cards in accordance with § 655a.11(c), (e) and (g) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 657a. CRAZY 4 POKER

Sec.

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§ 657a.1. Definitions.

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

Five-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 657a.6(d) (relating to Crazy 4 Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(d).

Four-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Four-Card Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand.

Four-Card Envy Bonus Qualifying Hand—A player's four-card Poker hand with a rank of four-of-a-kind or, if included in the paytable selected by the certificate holder, a straight flush, as defined in § 657a.6(b).

Four-Card Progressive Payout Hand—A player's four-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(b).

Hand—The four-card Poker hand that is held by each player and the dealer after the cards are dealt.

Lucky Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

Magic Card Bonus—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the player's cards matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the dealer's cards matches the card randomly selected by the table game system.

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.

Queens Up Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted paytable, regardless of the outcome of the player's hand against the dealer's hand.

§ 657a.2. Crazy 4 Poker table physical characteristics.

(a) Crazy 4 Poker 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 Crazy 4 Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) Four separate betting areas designated for the placement of the Ante, Play, Super Bonus and Queens Up Wagers for each player. The Super Bonus betting area must be located to the right of the Ante Wager betting area and be separated by an “=” symbol.

(3) If the certificate holder offers either the Four or Five-Card Progressive Payout Wager authorized under § 657a.7(d)(3) or (4) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 657a.7(d)(5), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Crazy 4 Poker table.

(6) Inscriptions that advise patrons of the following:

(i) The best four-card hand plays.

(ii) The dealer qualifies with a king or better.

(iii) A player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager.

(iv) The player's Super Bonus Wager shall be returned if the player beats or ties the dealer with a hand that is not a straight or better.

(7) If the information in paragraph (6) is not on the layout, a sign which sets forth the required information must be posted at each Crazy 4 Poker table.

(c) If a certificate holder offers either a Four or Five-Card Progressive Payout Wager in accordance with § 657a.7(d)(3) or (4), the Crazy 4 Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 657a.7(d)(5), the Crazy 4 Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a

mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8 (relating to linked progressive table games).

(e) Each Crazy 4 Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

(f) Each Crazy 4 Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 657a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Crazy 4 Poker 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, Crazy 4 Poker 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 Crazy 4 Poker shall be changed at least:

(1) Every 4 hours if the cards are dealt by hand.

(2) Every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 657a.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 § 657a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 657a.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 § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 the procedures in 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 Crazy 4 Poker 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 § 657a.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 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.

§ 657a.6. Crazy 4 Poker rankings.

(a) The rank of the cards used in Crazy 4 Poker, 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, 3 and 4 but may not be combined with any other sequence of cards (for example: king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Crazy 4 Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3, 4 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 flush, which is a hand consisting of four cards of the same suit, regardless of rank.

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

(6) Two pairs, which is a hand consisting of two pairs with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(7) 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 listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not 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 the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands must be:

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

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

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

§ 657a.7. Wagers.

(a) Wagers at Crazy 4 Poker shall be made by placing value chips, plaques or other Board-approved 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 Crazy 4 Poker 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 § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 657a.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 Crazy 4 Poker:

(1) A player shall compete against the dealer's four-card Poker hand by placing both an Ante Wager and a Super Bonus Wager in equal amounts, then a Play Wager, in accordance with § 657a.11(b).

(2) In addition to the Ante and Super Bonus Wagers, a player may compete against a posted paytable by placing a Queens Up Wager.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Crazy 4 Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Four-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Crazy 4 Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Five-Card Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Five-Card Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Crazy 4 Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand or the dealer's five-card Poker hand, or both, will contain a flush or better as defined in § 657a.6(d) (relating to Crazy 4 Poker rankings). After placing Ante and Super Bonus Wagers, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(e) A player may not wager on more than one player position at a Crazy 4 Poker table.

§ 657a.8. Procedure 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 § 657a.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 the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(d) 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 placed the required wagers in accordance with § 657a.7(d)(1) (relating to wagers) and to the dealer until each player and the dealer have five cards.

(e) After five 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 (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player or the dealer has more or less than 5 cards) 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.

§ 657a.9. Procedure 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 § 657a.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” and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 placed the required wagers in accordance with § 657a.7(d)(1) (relating to wagers) and to the dealer until each player and the dealer have five cards.

(c) After five 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 (d), place the stub 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 (a player or the dealer has more or less than 5 cards), 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.

§ 657a.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 § 657a.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" and, if the Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with § 657a.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 a wager in accordance with § 657a.7(d)(1). The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of five 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.

(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 is 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 (a player or the dealer has more or less than 5 cards), 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.

§ 657a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 Crazy 4 Poker 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 five 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 Ante and Super Bonus Wagers if he wishes to forfeit the Ante and Super Bonus Wagers and end his participation in the round of play or make a Play Wager in an amount equal to the player's Ante Wager. A player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager. If a player:

(1) Has placed Ante, Super Bonus and Queens Up Wagers but does not make a Play Wager, the player shall forfeit all three wagers.

(2) Has placed Ante, Super Bonus and Four or Five-Card Progressive Payout Wagers but does not make a Play Wager, the player shall forfeit all three wagers but may not forfeit the eligibility to receive an Envy Bonus under § 657a.12(d)(5) or (e)(5) (relating to payout odds; Envy Bonus; rate of progression).

(c) After each player who has placed Ante and Super Bonus Wagers has either placed a Play Wager on the designated area of the layout or forfeited his wagers and hand, the dealer shall collect all forfeited wagers and associated cards 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 four-card Poker 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 five 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 four-card Poker hand for each player.

(3) If the dealer's highest ranking four-card Poker hand:

(i) Is ranked lower than a king, the dealer shall return each player's Ante Wager and pay out the Play and Super Bonus Wagers made by the player in accordance with the payout odds in § 657a.12(a) and (b). The player's Super Bonus Wager shall be returned if the player's winning hand is not a straight or better.

(ii) Is a king or better, and the player's highest ranking four-card Poker hand is ranked:

(A) Lower than the dealer's four-card Poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player but shall pay out the Super Bonus Wager made by the player in accordance with the payout odds in § 657a.12(b).

(B) Higher than the dealer's four-card Poker hand, the dealer shall pay the Ante, Play and Super Bonus Wagers made by the player in accordance with the payout odds in § 657a.12(a) and (b). The player's Super Bonus Wager will be returned if the player's winning hand is not a straight or better.

(C) Is equal in rank to the dealer's four-card hand, the dealer shall return the Ante and Play Wagers and pay out the Super Bonus Wager in accordance with the payout odds in § 657a.12(b). The player's Super Bonus Wager will be returned if the player's winning hand is not a straight or better.

(d) After settling the player's Ante, Play and Super Bonus Wagers, the dealer shall settle a Queens Up Wager by determining whether the player's four-card Poker hand qualifies for a payout in accordance with § 657a.12(c). A winning Queens Up Wager shall be paid irrespective of whether the player's four-card Poker hand outranks the dealer's hand.

(e) After settling a player's Ante, Play, Super Bonus and Queens Up Wagers, the dealer shall then settle the Four-Card or Five-Card Progressive Payout Wager, if offered by the certificate holder. For the Five-Card Progressive Payout Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Verify that the appropriate light on the progressive table game system has been illuminated.

(3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(4) Pay the winning Four-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(d)(1) or the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(e)(1). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus as follows:

(i) Players making a Four-Card Progressive Payout Wager shall receive a Four-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of a Four-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Four-Card Envy Bonuses if more than one other player is the holder of a Four-Card Envy Bonus Qualifying Hand. A player is not entitled to a Four-Card Envy Bonus for his own hand or the hand of the dealer. Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(d)(5).

(ii) Players making a Five-Card Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Five-Card Envy Bonuses if more than one other player is the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand or the hand of the dealer. Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(e)(5).

(f) After settling a player's Ante, Play, Super Bonus and Queens Up Wagers, the dealer shall then settle the Five Card Hand Bonus Wager, if offered by the certificate holder, and any Magic Card or Lucky Bonus payouts. A winning Five Card Hand Bonus Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(3) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with § 657.12(f). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(g) After all wagers have been settled, the dealer shall remove all 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.

§ 657a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Ante and Play Wagers at odds of 1 to 1.

(b) A certificate holder shall pay the player’s Super Bonus Wager in accordance with the following odds:

Hand	*Paytable*
Four aces	200 to 1
Four-of-a-kind	30 to 1
Straight flush	15 to 1
Three-of-a-kind	2 to 1
Flush	3 to 2
Straight	1 to 1

(c) A player placing a Queens Up Wager shall be paid at the odds in one of the following paytables, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Paytable B*
Four-of-a-kind	50 to 1	50 to 1
Straight flush	30 to 1	40 to 1
Three-of-a-kind	9 to 1	8 to 1
Flush	4 to 1	4 to 1
Straight	3 to 1	3 to 1
Two pair	2 to 1	2 to 1
Pair of queens or better	1 to 1	1 to 1

Hand	*Paytable C*	*Paytable D*
Four-of-a-kind	50 to 1	50 to 1
Straight flush	30 to 1	40 to 1
Three-of-a-kind	8 to 1	7 to 1
Flush	4 to 1	4 to 1
Straight	3 to 1	3 to 1
Two pair	2 to 1	2 to 1
Pair of queens or better	1 to 1	1 to 1

(d) If a certificate holder offers the Four-Card Progressive Payout Wager:

(1) A player placing a Four-Card Progressive Payout Wager shall be paid at the odds 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*
Four aces	100% of meter	100% of meter

Four-of-a-kind	300 for 1	300 for 1
Straight flush	100 for 1	100 for 1
Three-of-a-kind	9 for 1	15 for 1

(2) A player shall receive the payout for only the highest ranking four-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $5,000 for paytable A and $1,000 for paytable B.

(4) Winning Four-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 657a.11(e) (relating to procedures for completion of each round of play).

(5) Four-Card Envy Bonus payouts shall be made according to the following payout schedules for Four-Card Envy Bonus Qualifying Hands based upon the amount of the Four-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

(i) If the certificate holder selects paytable A from paragraph (1), the payout shall be:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Four aces	$100
Four-of-a-kind	$10
Straight flush	$5

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Four aces	$500
Four-of-a-kind	$50
Straight flush	$25

(ii) If the certificate holder selects paytable B from paragraph (1), the payout shall be:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Four aces	$100
Four-of-a-kind	$25

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Four aces	$500
Four-of-a-kind	$125

(e) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

Hand	*Paytable*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

(4) Winning Five-Card Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 657a.11(e).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$1,000
Straight flush	$300

$5 Progressive Payout Wager

Hand	*Envy Bonus*
Royal flush	$5,000
Straight flush	$1,500

(f) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following paytable:

Hand	*Payout*
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	500 for 1
Full house	100 for 1
Flush	50 for 1

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally among the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following paytable:

Hand	*Payout*
Magic Card	20 for 1
Lucky Bonus	5 for 1

(4) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with §

601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $10,000.

§ 657a.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 any 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 any of the dealer’s cards are inadvertently exposed prior to each player having either folded or placed a Play Wager as provided under § 657a.11 (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 659a. FORTUNE ASIA POKER

Sec.

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§ 659a.1. Definitions.

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

Copy hand—A high hand, medium hand or low hand of a player that is identical in rank to the corresponding high hand, medium hand or low hand of the dealer.

Envy Bonus—An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Fortune Asia Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's Fortune Asia Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

High hand—The four-card hand that is formed from the seven cards dealt so as to rank higher than the medium hand and the low hand.

Low hand—The one-card hand that is formed from the seven cards dealt so as to rank lower than the high hand and the medium hand.

Medium hand—The two-card hand that is formed from the seven cards dealt so as to rank lower than the high hand and higher than the low hand.

Qualifying Wager—A Fortune Bonus Wager of at least $5 that may entitle a player to an Envy Bonus.

Setting the hands—The process of forming a high hand, medium hand and low hand from the seven cards dealt.

§ 659a.2. Fortune Asia Poker table; shaker; physical characteristics.

(a) Fortune Asia Poker 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 Fortune Asia Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Fortune Asia Poker Wager for each player.

(3) Three separate areas designated for the placement of the high hand, medium hand and low hand of each player.

(4) Three separate areas designated for the placement of the high hand, medium hand and low hand of the dealer.

(5) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 659a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(6) If the certificate holder offers the optional Insurance Wager authorized under § 659a.7(e)(2), a separate area designated for the placement of the Insurance Wager for each player.

(7) If the certificate holder offers the optional Progressive Payout Wager authorized under § 659a.7(e)(3), a separate area designed for the placement of the Progressive Payout Wager for each player.

(8) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Fortune Asia Poker table.

(c) To determine the starting position for the dealing or delivery of the cards, Fortune Asia Poker may be played with:

(1) A shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken shall be maintained within the shaker. Dice that have been placed in a shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which must be approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

(d) If the certificate holder offers the optional Progressive Payout Wager in accordance with § 659a.7(e)(3), the Fortune Asia Poker table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(e) Each Fortune Asia Poker table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer and in locations 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.

(f) Each Fortune Asia Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 659a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Fortune Asia Poker shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play Fortune Asia Poker must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

(b) If an automated card shuffling device is utilized, Fortune Asia Poker 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Fortune Asia Poker 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.

§ 659a.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) If the deck of cards used by the certificate holder contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container that the deck came from. 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 and include the one joker.

(c) After the first player is 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, they shall be shuffled in accordance with § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing 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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 659a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing 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 the 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 device shall place the deck of cards in a single stack provided, however, that 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) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with subsection (g), then deal the cards in accordance with § 659a.8, § 659a.9 or § 659a.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 (c).

(c) 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. The dealer shall then determine the starting position in accordance with subsection (g), and deal the cards in accordance with § 659a.8, § 659a.9 or § 659a.10.

(d) 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.

(e) If there is no gaming activity at a Fortune Asia Poker 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 § 659a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(f) A certificate holder may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that the device is submitted 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 (c)—(e) do not apply.

(g) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) A shaker in accordance with the following procedures:

(i) The dealer shall shake the shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the dice and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(iv) After the dealing procedures required under § 659a.8, § 659a.9 or § 659a.10 have been completed, the dealer shall place the cover on the shaker and shake the shaker once. The shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the number displayed by the random number generator.

(h) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card or similar object approved by the Bureau of Gaming Operations.

§ 659a.6. Fortune Asia Poker rankings.

(a) The rank of the cards used in Fortune Asia Poker, in order of highest to lowest, 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 formed with a 2, 3 and 4 but may not be combined with any other sequence of cards (for example: queen, king, ace and 2). The joker shall be used and ranked as an ace or may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(b) The permissible Poker hands at the game of Fortune Asia Poker, in order of highest to lowest rank, shall be:

(1) Four aces, which is a hand consisting of four aces.

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with ace, king, queen, jack being the highest ranking straight flush and an ace, 2, 3, 4 being the second highest ranking straight flush.

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

(4) A flush, which is a hand consisting of four cards of the same suit. When comparing two flushes, the provisions in subsection (c) shall be applied.

(5) A straight, which is a hand consisting of four cards of consecutive rank, regardless of suit, with an ace, king, queen and jack being the highest ranking straight; an ace, 2, 3 and 4 being the second highest ranking straight; and a 2, 3, 4 and 5 being the lowest ranking straight.

(6) A three-of-a-kind, which is a hand containing 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.

(7) Two pair, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two-pair hand.

(8) 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 high hands, two medium hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a) shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the hands shall be considered a copy.

(d) If the certificate holder offers the optional Fortune Bonus Wager under § 659a.7(e)(1) (relating to wagers), the following seven-card hands shall be used to determine the amount of the bonus payout to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush.

(2) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, with an additional king and queen of the same suit.

(3) A seven-card straight flush with a joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker used to complete the straight flush.

(4) Five aces, which is a hand consisting of four aces and a joker.

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

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

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

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

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

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

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

(e) If the certificate holder offers the optional Progressive Payout Wager under § 659a.7(e)(3), the following seven-card hands shall be used to determine the amount of the progressive payout to a winning player:

(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with or without a joker.

(2) Five aces, which is a hand consisting of four aces and a joker.

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

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

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

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

§ 659a.7. Wagers.

(a) Wagers at Fortune Asia Poker shall be made by placing value chips or plaques on the appropriate areas of the Fortune Asia Poker layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Fortune Asia Poker 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 at Fortune Asia Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 659a.8, § 659a.9 or § 659a.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). A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high hand, medium hand and low hand, a player shall place a Fortune Asia Poker Wager.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Fortune Asia Poker Wager in accordance with subsection (d), the option of placing the following additional wagers:

(1) A Fortune Bonus Wager that the seven cards dealt to the player will form a hand with a rank of a straight or better as described in § 659a.6(d) (relating to Fortune Asia Poker rankings) or three pairs or better, depending on the payout table selected by the certificate holder.

(2) An Insurance Wager that the seven cards dealt to the player will form a seven-card Poker hand that does not contain a pair or better, as described in § 659a.6(d), but will contain a card ranked a 9-high or better.

(3) A Progressive Payout Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a full house or better as described in § 659a.6(e).

(f) If specified in its Rules Submission under § 601a.2, a certificate holder may permit a player to wager on two adjacent betting areas at a Fortune Asia Poker table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 659a.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. Once the procedures required under § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position

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

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and:

(1) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 659a.5(g). The dealer shall then deal the first card to the starting position as determined in § 659a.5(g) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(d) After seven cards have been dealt to each position and the dealer, the dealer shall remove the stub from the manual dealing shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 659a.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 § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the 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 when 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” and:

(i) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 659a.5(g). The dealer shall then deal the first card to the starting position as determined in § 659a.5(g) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards.

(c) After seven cards have been dealt to each position and the dealer, the dealer shall determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(d) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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.

(e) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 659a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, after the procedures under § 659a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the cards shall be placed in the automated dealing shoe. Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets” and:

(1) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player's wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures under § 659a.5(g). After the starting position for delivering the cards has been determined in accordance with § 659a.5(g), the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. 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 positions, regardless of whether there is a wager at the position, and the dealer.

(c) After seven cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(d) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), 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.

(e) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 659a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 659a.8, § 659a.9 or § 659a.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 a Fortune Asia Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands of the dealer to be set in accordance with the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions).

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

(3) Once each player has set his three hands and placed them face down on the appropriate area of the layout, the player may not touch the cards again.

(b) Each player shall set his hands by arranging the cards into a high hand, a medium hand and a low hand. When setting the three hands, the four-card high hand must be higher in rank than the two-card medium hand and the medium hand must be higher in rank than the one-card low hand. For example, if the two-card medium hand contains a pair of sevens, the four-card high hand must contain at least a pair of sevens and the two remaining cards.

(c) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his hands by arranging the cards into a high hand, medium hand and low hand. The certificate holder shall specify in its Rules Submission under § 601a.2 the manner in which the hands of the dealer shall be set. The dealer shall then place the three hands face up on the appropriate area of the layout.

(d) Unless a player has placed an optional wager in accordance with § 659a.7(e) (relating to wagers), a player may surrender his wager after the hands of the dealer have been set. The player shall announce his intention to surrender prior to the dealer exposing any of the three hands of that player as provided in subsection (e). Once the player has announced his intention to surrender, the dealer shall immediately collect the Fortune Asia Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. If any Qualifying Wagers have been placed, the cards of the player must remain on the table until collected in accordance with subsection (h). The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(e) After the dealer has set a high hand, medium hand and a low hand, the dealer shall reveal all three hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high, medium and low hand of each player to the high, medium and low hand of the dealer and shall announce if the Fortune Asia Poker Wager of that player wins or loses.

(f) A Fortune Asia Poker Wager will:

(1) Lose and will immediately be collected if:

(i) Any two of the player's three hands are identical or lower in rank than the dealer's corresponding hands.

(ii) Any one of the player's three hands is identical in rank to the corresponding hand of the dealer and one of the player's remaining hands is lower in rank than the dealer's corresponding hand.

(iii) The high hand of the player was not set so as to rank higher than the medium hand of that player.

(iv) The medium hand of the player was not set so as to rank higher than the low hand of that player.

(v) The three hands of the player were not otherwise set correctly in accordance with this chapter.

(2) Win if any two of the player's three hands are higher in rank than the dealer's corresponding hands. The dealer shall pay the winning Fortune Asia Poker Wager in accordance with the payout odds in § 659a.12(a) (relating to payout odds).

(g) Except as provide in subsection (h), after settling the player's Fortune Asia Poker Wager, the dealer shall place the cards of the player in the discard rack.

(h) If a player placed a Fortune Bonus, Insurance or Progressive Payout Wager, after settling the player's Fortune Asia Poker Wager, the dealer shall rearrange the seven cards of any player and form the highest ranking hand and shall be responsible for creating the hand. If any player at the table placed a Qualifying Wager, the dealer shall rearrange the cards of all players regardless of whether the player placed a Fortune Bonus Wager. After rearranging the player's seven cards, the dealer shall settle the player's Fortune Bonus, Insurance or Progressive Payout Wagers as follows:

(1) For the player's Fortune Bonus Wager:

(i) If a player:

(A) Does not have a straight or higher, as described in § 659a.6(d) (relating to Fortune Asia Poker rankings) or three pair or higher, depending on the payout table selected by the certificate holder, the dealer shall collect the Fortune Bonus Wager and place the cards of the player in the discard rack.

(B) Has a straight or higher, or three pair or higher, depending on the payout table selected by the certificate holder, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 659a.12(b) and place the cards of the player in the discard rack. If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 659a.12(b) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Fortune Asia

Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(2) For the player's Insurance Wager, if a player:

(i) Has a pair or better, the dealer shall collect the player's Insurance Wager and place the cards of the player in the discard rack.

(ii) Does not have a pair or better, but has a card ranked a 9-high or better, the dealer shall pay the winning Insurance Wager in accordance with § 659a.12(c). The dealer shall then place the cards of the player in the discard rack.

(3) For the player's Progressive Payout Wager, if a player:

(i) Does not have a full house or better, as described in § 659a.6(e), the dealer shall collect the Progressive Payout Wager and place the cards of the player in the discard rack.

(ii) Has a full house or better, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 659a.12(d). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.

(i) Notwithstanding the card collection requirements in subsection (h), if the certificate holder offers more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(j) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 659a.12. Payout odds.

(a) A certificate holder shall pay each winning Fortune Asia Poker Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	**Paytable A**	**Envy Bonus**
Seven-card straight flush	8,000 to 1	$5,000
Royal flush and Royal Match	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

Hand	**Paytable B**	**Envy Bonus**
Seven-card straight flush	5,000 to 1	$3,000
Royal flush and Royal Match	2,000 to 1	$1,000
Seven-card straight flush with joker	1,000 to 1	$500
Five aces	400 to 1	$250
Royal flush	150 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

Hand	**Paytable C**	**Envy Bonus**
Seven-card straight flush	5,000 to 1	$1,000
Royal flush and Royal Match	1,000 to 1	$250
Seven-card straight flush with joker	750 to 1	$100
Five aces	250 to 1	$50
Royal flush	100 to 1	$25
Straight flush	50 to 1	$10
Four-of-a-kind	20 to 1	$5
Full house	5 to 1	
Flush	4 to 1	

Three-of-a-kind	3 to 1	
Straight	2 to 1	
Three pair	Push	
Hand	**Paytable D**	**Envy Bonus**
Seven-card straight flush	2,500 to 1	$1,000
Royal flush and Royal Match	1,000 to 1	$750
Seven-card straight flush with joker	750 to 1	$250
Five aces	250 to 1	$100
Royal flush	125 to 1	$50
Straight flush	50 to 1	$20
Four-of-a-kind	25 to 1	$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(c) The certificate holder shall pay out winning Insurance Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	**Paytable A**	**Paytable B**	**Paytable C**
9-high	100 to 1	100 to 1	100 to 1
10-high	40 to 1	50 to 1	40 to 1
Jack-high	10 to 1	10 to 1	10 to 1
Queen-high	7 to 1	7 to 1	7 to 1
King-high	6 to 1	5 to 1	5 to 1
Ace-high	3 to 1	3 to 1	3 to 1

(d) If the certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay out winning Progressive Payout Wagers at the odds in the following paytable:

Hand	**Payout**
Seven-card straight flush	100%
Five aces	10%
Royal flush	500 for 1
Straight flush	100 for 1
Four-of-a-kind	75 for 1
Full house	4 for 1

(2) The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least $2,000.

CHAPTER 661a. THREE DICE FOOTBALL

Sec.

661a.1. Definitions.
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661a.6. Rules of the game; settlement of wagers.
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661a.8. Payout odds.

§ 661a.1. Definitions.

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

Defensive Die—The red die thrown by the Quarterback.

Down—Each time the Quarterback throws the dice with a corresponding outcome occurring on the field.

Extra point roll—An additional throw that occurs after a touchdown or Trips TD is scored.

Offensive Dice—Two green dice thrown by the Quarterback.

Penalty—When the total of the Offensive Dice is less than the value of the Defensive Die. A turnover is not a penalty.

Quarterback—The player responsible for throwing the dice.

Stickperson—An employee of the certificate holder whose primary function is to control the selection and use of the dice at a Three Dice Football table.

Touchdown—When, through downs, the 0 yard line is passed by the Quarterback resulting in the end of the game.

Triple—On an extra point roll when all three dice show the same number.

Trips TD—When all three dice show the same number resulting in an instant end of the game.

Turnover—When the Defensive Die is a 6 and the Offensive Dice have a total of 2 or 3 resulting in an instant end of the game.

§ 661a.2. Three Dice Football table; physical characteristics.

(a) Three Dice Football shall be played on an oblong table with rounded corners, high walled sides and wagering locations for a maximum of 16 players.

(b) The layout for a Three Dice Football table shall be submitted to the Bureau of Gaming Operations and approved 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) Specific areas designated for the placement of wagers authorized under § 661a.3(b) and (d) (relating to wagers).

(3) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Three Dice Football table.

(4) A football field containing two end zones, two 10 yard lines and two 20 yard lines. Each yard, from 1 through 23, shall also be labeled in the center of the football field.

(5) An area designated for the following:

(i) 1st Down.

(ii) 2nd Down.

(iii) 3rd Down.

(iv) 1st & Goal.

(v) 2nd & Goal.

(vi) 3rd & Goal.

(vii) Extra Point.

(6) An area designated for the game length, labeled 1 through 6.

(c) Each Three Dice Football table must have a drop box and tip box attached to the table in locations approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 661a.3. Wagers.

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

(b) The following full game wagers are authorized in Three Dice Football:

(1) A Touchdown Wager which shall win if a touchdown or Trips TD is scored.

(2) A Defense Wager which shall win if a touchdown or Trips TD is not scored.

(3) An Extra Point Wager which shall win if a touchdown or Trips TD is made and on the extra point roll either:

(i) One or more of the three dice shows a 1.

(ii) Any triple, other than three 1s, is rolled.

(4) A Quick Strike TD Wager which shall win if a touchdown or Trips TD is scored in 4 downs or fewer.

(5) A Game Changer Wager which shall win if a Trips TD or a turnover occurs.

(6) The following Game Length Wagers which shall win if the game lasts exactly:

(i) One play.

(ii) Two plays.

(iii) Three plays.

(iv) Four plays.

(v) Five plays.

(vi) Six plays.

(c) The full game wagers authorized in subsection (b) shall be placed prior to the start of each new game and may not be increased or withdrawn after the first throw of the dice.

(d) The following single play wagers are authorized in Three Dice Football:

(1) A Trips TD Wager which shall win if a Trips TD is scored.

(2) A Penalty Wager which shall win if a penalty or turnover occurs.

(3) A Turnover Wager which shall win if a turnover occurs. A turnover on downs does not qualify.

(4) A Cover Three Wager which shall win if a Trips TD is scored or a penalty or turnover occurs.

(5) A No Gain Wager which shall win if zero yards are gained or if a penalty or turnover occurs.

(6) A Big Play Wager which shall win if 7 yards or more are gained or if a Trips TD is scored.

(7) An Over Four Yards Wager which shall win if 5 yards or more are gained or if a Trips TD is scored.

(8) An Under Four Yards Wager which shall win if 3 yards or less are gained or if a penalty or turnover occurs. A Trips TD does not qualify.

(e) The single play wagers authorized in subsection (d) may be placed at any time during the game prior to the Quarterback's throw of the dice. Single play wagers shall be settled after each throw of the dice.

§ 661a.4. Dice; physical characteristics, retention and selection.

(a) The physical characteristics of the dice used in Three Dice Football must comply with the requirements of § 603a.12(a) (relating to dice; physical characteristics) except a set of four green and two red dice must be present at the table during gaming. Control of the dice at the table is the responsibility of the stickperson. The stickperson shall retain all dice, except those in active play, in a dice cup at the table.

(b) At the commencement of play, the stickperson shall offer the set of dice to the player immediately to the left of the stickperson. If that player rejects the dice, the stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice.

(c) The first player to accept the dice when offered shall become the Quarterback who selects and retains two of the green dice and one red die offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the stickperson.

(d) A set of dice used at a Three Dice Football table shall be changed at least once every 24 hours. A new set of dice shall be used when a Three Dice Football table is reopened for

gaming, if a die goes off the table during play and is lost or if the dice show signs of tampering or alteration or are otherwise marked, chipped, scratched or no longer suitable for play.

§ 661a.5. Throw of the dice; invalid roll of the dice.

(a) After selecting the Offensive and Defensive Dice, the Quarterback shall throw the three selected dice so that they leave the Quarterback's hand simultaneously and in a manner which causes the dice to strike the end of the table farthest from the Quarterback.

(b) A roll of the dice shall be invalid if any of the dice go off the table or if one die comes to rest on top of the other.

(c) The stickperson shall have the authority to invalidate a roll of the dice by calling “no roll” for any of the following reasons:

(1) The dice do not leave the Quarterback's hand simultaneously.

(2) Any of the dice fail to strike the end of the table farthest from the Quarterback.

(3) Any of the dice come to rest on the chips constituting the bank of chips located in front of the stickperson.

(4) Any of the dice come to rest in the dice cup in front of the stickperson or on one of the rails surrounding the table.

(5) The use of a cheating, crooked or fixed device or technique in the roll of the dice.

(6) The stickperson considers the throw to be improper.

(d) A throw of the dice which results in the dice coming into contact with any chips or plaques on the table, other than the bank of chips located in front of the stickperson, is not a cause for a call of “no roll.”

(e) When the dice come to rest from a valid throw, the stickperson shall at once call out the numbers on the uppermost or skyward sides of the three dice. Only one face on each die shall be considered uppermost or skyward.

(f) In the event any of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost or skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be rethrown.

(g) In the event of a dispute as to which face is uppermost, the stickperson has discretion to determine which face is uppermost or to order the throw be void and the dice be rethrown.

(h) After calling the throw, the stickperson shall collect the dice and bring them to the center of the table. All wagers decided by that throw shall then be settled. The stickperson shall then pass the dice to the Quarterback for the next throw. When collecting the dice and passing them to the Quarterback, the stickperson shall use a stick designed for that purpose.

§ 661a.6. Rules of the game; settlement of wagers.

(a) Immediately prior to the commencement of each round of play, the dealer shall place the Down Puck on the area of the table layout designated for the 1st Down. The Yard Marker shall be placed on the football field in the 20 yard line circle. The Game Length Puck shall be placed on the area of the table layout designated for Play 1.

(b) Prior to the first throw of the dice, each player shall place a wager authorized under § 661a.3(b) or (d) (relating to wagers). Prior to each subsequent roll of the dice, a player may place any single play wager authorized under § 661a.3(d).

(c) Each roll of the dice shall determine the result of each down as follows:

(1) If the total of the Offensive Dice is greater than the value of the Defensive Die, a gain of yards has occurred. The dealer shall subtract the value of the Defensive Die from the total of the Offensive Dice and move the Yard Marker down the field toward the end zone the total number of yards earned during that down. For example, if the total of the Offensive Dice is 10 and the value of the Defensive Die is 2, the dealer shall move the Yard Marker toward the end zone 8 yards from its previous position on the field. The dealer shall then place the Down Puck on the next down and the Game Length Puck to the next play.

(2) If the total of the Offensive Dice is less than the value of the Defensive Die, a penalty has occurred which shall result in the loss of only 1 yard and the loss of the current down. The dealer shall move the Yard Marker back 1 yard from its previous position on the field, place the Down Puck on the next down and the Game Length Puck to the next play.

(3) If the total of the Offensive Dice is equal to the value of the Defensive Die, a gain or penalty has not occurred. The dealer shall place the Down Puck on the next down and the Game Length Puck to the next play.

(4) If the Quarterback rolls a turnover, the dealer shall announce the turnover and end the game.

(5) If the Quarterback rolls a Trips TD, the dealer shall move the Yard Marker to the end zone and end the game.

(d) After each down, the dealer shall settle all single play wagers placed in accordance with § 661a.3(d). The value of the dice determines the outcome of single play wagers, not the actual yards moved on the field. The dealer shall then announce the number of downs and the distance to the end zone.

(e) The Quarterback shall have three downs to either score a touchdown, Trips TD or earn a 1st & Goal. A 1st & Goal is earned by reaching the 10 yard line. If after three downs:

(1) The Quarterback has not scored a touchdown, Trips TD or earned a 1st & Goal, the game ends.

(2) The Quarterback has earned a 1st & Goal, the Quarterback has three more downs to score a touchdown or a Trips TD.

(f) If the Quarterback:

(1) Scores a touchdown or a Trips TD, the dealer shall first collect all Defense Wagers then settle all single play wagers, placed in accordance with § 661a.3(d), and all full game wagers, placed in accordance with § 661a.3(b), with the exception of the Touchdown and Extra Point Wagers. If any player at the table has placed an Extra Point Wager, the Quarterback shall then throw an extra point roll. The dealer shall then pay out winning Touchdown Wagers and settle the Extra Point Wagers.

(2) Does not score a touchdown or a Trips TD, the dealer shall first collect all Touchdown and Extra Point Wagers and pay out winning Defense Wagers. The dealer shall then settle all single play wagers, placed in accordance with § 661a.3(d), and the remaining full game wagers placed in accordance with § 661a.3(b).

(g) All winning wagers shall be paid in accordance with § 661a.8 (relating to payout odds).

§ 661a.7. Continuation of Quarterback; selection of new Quarterback.

(a) If a game ends in a touchdown or Trips TD, the Quarterback shall retain the dice. If the game ends with defense winning, the stickperson shall offer the dice to the player to the immediate left of the previous Quarterback. If the player does not accept the dice, the stickperson shall offer the dice to each of the other players in turn clockwise around the table.

(b) The first player to accept the dice when offered shall become the new Quarterback who shall select and retain two of the green dice and one of the red die offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the stickperson.

§ 661a.8. Payout odds.

(a) The certificate holder shall pay out winning full game wagers in accordance with the following odds:

Wager	**Payout**
Touchdown Wager	1 to 1

Defense Wager	4 to 5
Extra Point Wager with:	
A 1 appearing on one of the dice	1 to 1
A 1 appearing on two of the dice	10 to 1
A triple of 1s	50 to 1
Any triple other than 1s	10 to 1
Quick Strike TD Wager on:	
Play One	8 to 1
Play Two	5 to 1
Play Three	3 to 1
Play Four	1 to 1
Game Change Wager	5 to 1
Game Length Wager lasting:	
One play	22 to 1
Two plays	22 to 1
Three plays	6 to 5
Four plays	5 to 1
Five plays	3 to 1
Six plays	6 to 1

(b) The certificate holder shall pay out winning single play wagers in accordance with the following odds:

Wager	**Paytable**
Trips TD Wager	30 to 1
Penalty Wager	9 to 1
Turnover Wager	60 to 1
Cover Three Wager	7 to 1
No Gain Wager	5 to 1
Big Play Wager	4 to 1
Over 4 Yards Wager	1 to 1
Over 4 Yards Wager with Trips TD	7 to 1
Under 4 Yards Wager	1 to 1

CHAPTER 663a. FIVE CARD HI-LO

Sec.

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§ 663a.1. Definitions.

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

High hand—The three-card hand that is formed from the five cards dealt so as to have a point value higher than the two-card low hand.

Low hand—The two-card hand that is formed from the five cards dealt so as to have a point value lower than the three-card high hand.

Setting the hands—The process of forming a high hand and low hand from the five cards dealt.

§ 663a.2. Five Card Hi-Lo table; physical characteristics.

(a) Five Card Hi-Lo 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 Five Card Hi-Lo table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Ante Wager for each player.

(3) A separate betting area designated for the placement of the Play Wager for each player.

(4) Two separate areas designated for the placement of the high and low hands of each player.

(5) If the certificate holder offers the optional Tie Wager authorized under § 663a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Tie Wager for each player.

(6) If the certificate holder offers the optional Poker Bonus Wager authorized under § 663a.7(e)(2), a separate area designated for the placement of the Poker Bonus Wager for each player.

(7) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Five Card Hi-Lo table.

(c) Each Five Card Hi-Lo table must have a drop box and a tip box attached on the same side of the gaming 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 Five Card Hi-Lo table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 663a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Five Card Hi-Lo 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, Five Card Hi-Lo 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 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Five Card Hi-Lo 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.

§ 663a.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 is 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 § 663a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 663a.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 the 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 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 § 663a.8, § 663a.9 or § 663a.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, cut the cards in accordance with the procedures in 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 the 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 Five Card Hi-Lo 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 § 663a.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 (b)—(f) do not apply.

§ 663a.6. Five Card Hi-Lo rankings.

(a) Each card dealt must have a point value. The point value of all nonface cards is their denomination. Jacks, queens and kings have a point value of 10. Aces have a point value of 11 if played in the high hand and a point value of 1 if played in the low hand.

(b) If the certificate holder offers the Poker Bonus Wager, authorized under § 663a.7(e) (relating to wagers), the winning five-card Poker hands must be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking. An ace may be used to complete a straight flush formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3).

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit. An ace may be used to complete a straight formed with a king, queen, jack and 10 or a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3).

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

(8) Two pairs, which is a hand consisting of two pairs.

(9) One pair of 6s, 7s or better, depending on the paytable selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions), which is a hand consisting of two cards of the same rank.

§ 663a.7. Wagers.

(a) Wagers at Five Card Hi-Lo shall be made by placing value chips, plaques or other Board-approved wagering instruments, as defined in § 603a.10 (relating to permissible wagering; exchange and redemption of gaming chips and plaques), on the appropriate areas of the Five Card Hi-Lo layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Five Card Hi-Lo 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 at Five Card Hi-Lo shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 663a.8, § 663a.9 or § 663a.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). A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high and low hands, a player shall place an Ante Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed an Ante Wager, in accordance with subsection (d), the option of placing the following additional wagers:

(1) A Tie Wager that the total point value of either the high hand or the low hand of the player, or both, will tie the high or low hand of the dealer.

(2) A Poker Bonus Wager that the five cards dealt to the player will form a five-card Poker hand with a rank of a pair of 6s or better or a pair of 7s or better, as described in § 663a.6(b) (relating to Five Card Hi-Lo rankings), depending on the pay table selected by the certificate holder.

(f) A certificate holder may, if specified in its Rules Submission under § 601a.2, permit a player to wager on two adjacent betting areas at a Five Card Hi-Lo table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 663a.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 § 663a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

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

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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 placed an Ante Wager in accordance with § 663a.7(d) (relating to wagers) and to the dealer until each player and the dealer have five cards.

(e) After five 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 (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player or the dealer has more or less than 5 cards) 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.

§ 663a.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 § 663a.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) The dealer shall deal each card by holding 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 placed an Ante Wager in accordance with § 663a.7(d) (relating to wagers) and to the dealer until each player and the dealer have five cards.

(c) After five 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 (d), place the stub 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 (a player or the dealer has more or less than 5 cards), 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.

§ 663a.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 § 663a.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 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 § 663a.7(d) (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 five cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of five 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.

(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 is 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 (a player or the dealer has more or less than 5 cards), 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.

§ 663a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 663a.8, § 663a.9 or § 663a.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 a Five Card Hi-Lo table shall be responsible for setting his own hands and a person other than the dealer and the player to whom the cards were dealt may not touch the cards of that player.

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

(3) Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(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 forfeit the Ante Wager and end his participation in the round of play or make a Play Wager in an amount equal to the player's Ante Wager. If a player:

(1) Has placed an Ante Wager and a Tie Wager but does not make a Play Wager, the player shall forfeit both wagers.

(2) Has placed an Ante Wager and a Poker Bonus Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but does not forfeit the Poker Bonus Wager.

(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 wagers and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. If a player has placed a Poker Bonus Wager but did not place a Play Wager, the dealer shall leave the player's cards and the Poker Bonus Wager on the table until the wager is resolved in accordance with subsection (j).

(d) Each player who placed a Play Wager shall then set his hands by arranging the cards into a high hand and a low hand. When setting the two hands, the player shall add the point value of the cards placing the three higher value cards in the high hand and the two lower value cards in the low hand, provided that a player may place up to one ace in his low hand. For example, if a player is dealt an ace, jack, 10, 9 and 2, the high hand may contain the jack, 10 and 9 for a total point value of 29 and the two-card low hand would contain the ace and 2 for a total point value of 3.

(e) After all players have set their hands and placed the cards on the table, the five cards of the dealer shall be turned over and the dealer shall set his hands by arranging the cards into a high and low hand, provided that aces shall be placed in the dealer's high hand unless the dealer was dealt four aces. The dealer shall then place the two hands face up on the appropriate area of the layout.

(f) After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the total point value of the high and low hand of each player to the high and low hand of the dealer and shall announce if the Ante and Play Wagers of that player win, lose or are a tie.

(g) Ante and Play Wagers must:

(1) Win if the high hand of the player is higher in point value than the high hand of the dealer and the low hand of the player is lower in point value than the low hand of the dealer. The dealer shall pay the winning Ante and Play Wagers in accordance with the payout odds in § 663a.12(a) (relating to payout odds).

(2) Lose and will immediately be collected if the high hand of the player ties or is lower in point value than the high hand of the dealer and the low hand of the player ties or is higher in point value than the low hand of the dealer.

(3) Tie and will be returned to the player if:

(i) The high hand of the player is higher in point value than the high hand of the dealer, but the low hand of the player is identical in point value or higher in point value than the low hand of the dealer.

(ii) The high hand of the player is identical in total point value to the high hand of the dealer or lower in total point value than the high hand of the dealer, but the low hand of the player is lower in total point value than the low hand of the dealer.

(h) A player may also qualify for an additional Ante Bonus Payout, regardless of the outcome of the player's Ante and Play Wagers in subsection (g), if a player has three or more aces in the player's hand. Ante Bonus Payouts shall be paid in accordance with § 663a.12(b).

(i) Except as provided in subsection (j), after settling the player's Ante and Play Wagers, the dealer shall place the cards of the player in the discard rack.

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

(1) If a player placed a Tie Wager in accordance with § 663a.7(e)(1) (relating to wagers), the dealer shall:

(i) Pay winning Tie Wagers in accordance with § 663a.12(c) if the high hand or low hand, or both, of the player is identical in point value with the high hand, low hand, or both, of the dealer.

(ii) Collect all losing Tie Wagers if neither the high hand nor the low hand of the player is identical in point value with the high hand or low hand of the dealer.

(2) If a player placed a Poker Bonus Wager in accordance with § 663a.7(e)(2), the dealer shall rearrange the five cards of the player to form the highest ranking Poker hand in accordance with § 663a.6(b) (relating to Five Card Hi-Lo rankings). After rearranging the player's five cards, the dealer shall settle the player's Poker Bonus Wager as follows:

(i) If a player has a pair of 6s or better or a pair of 7s or better, depending on the paytable selected by the certificate holder, the dealer shall pay the winning Poker Bonus Wager in accordance with § 663a.12(d).

(ii) If a player does not have a pair of 6s or better or a pair of 7s or better, depending on the paytable selected by the certificate holder, the dealer shall collect the Poker Bonus Wager.

(k) If a player has placed more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(l) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 663a.12. Payout odds.

(a) A certificate holder shall pay each winning Ante and Play Wager at odds of 1 to 1.

(b) The certificate holder shall pay an Ante B onus Payout based on the amount of the player's Ante Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	*Paytable A*	*Paytable B*
Four aces and one 2	1,000 for 1	500 for 1
Four aces	100 for 1	50 for 1
Three aces	10 for 1	5 for 1

Hand	*Paytable C*	*Paytable D*
Four aces and one 2	200 for 1	100 for 1
Four aces	50 for 1	50 for 1
Three aces	5 for 1	5 for 1

(c) The certificate holder shall pay out winning Tie Wagers at the odds in the following paytable:

Hand	*Payout*
Low hands tie	4 to 1
High hands tie	4 to 1
Both high and low hands tie	20 to 1

(d) The certificate holder shall pay out winning Poker Bonus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	*Paytable A*	*Paytable B*
Royal flush	250 to 1	500 to 1
Straight flush	50 to 1	100 to 1
Four-of-a-kind	25 to 1	40 to 1
Full house	15 to 1	15 to 1
Flush	10 to 1	8 to 1
Straight	8 to 1	6 to 1
Three-of-a-kind	5 to 1	4 to 1
Two pair	3 to 1	3 to 1
Pair of 7s or better	1 to 1	
Pair of 6s or better		1 to 1

§ 663a.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 any 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 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.

(e) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal 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.

(f) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe shall 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.

CHAPTER 665a. DOUBLE ATTACK BLACKJACK

Sec.

665a.1. Definitions.
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§ 665a.1. Definitions.

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

Blackjack—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Hard total—The total point count of a hand which does not contain aces or which contains aces that are each counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 665a.2. Double Attack Blackjack table; card reader device; physical characteristics; inspections.

(a) Double Attack Blackjack 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 Double Attack Blackjack table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Bet Wager and the Double Attack Wager for each player.

(3) The following inscriptions:

(i) Blackjack pays even money.

(ii) Insurance pays 5 to 2.

(iii) Dealer shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(4) If the certificate holder offers the optional Bust It Wager authorized under § 665a.6(e) (relating to wagers), a separate area designated for the placement of the Bust It Wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Blackjack table.

(c) Each Double Attack Blackjack 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 Double Attack Blackjack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Double Attack Blackjack table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Double Attack Blackjack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 665a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsection (b), Double Attack Blackjack shall be played with an eight-deck batch of cards that are identical in appearance and at least one cover card. The decks shall consist of 48 cards, with the 10 of each suit removed from each deck during the inspection required under § 665a.4 (relating to opening of the table for gaming) or as provided in § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use).

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Double Attack Blackjack shall be played with two batches of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with eight decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a Double Attack Blackjack table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

§ 665a.4. Opening of the table for gaming.

(a) After receiving the 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) If the decks contain the 10 of any suit, the dealer and a floorperson shall ensure that these cards are removed from the decks, torn in half and placed in the box, envelope or container that the decks came from.

(c) 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.

(d) 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 § 665a.5 (relating to shuffle and cut of the cards).

(e) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(f) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a) and (c)—(e) do not apply.

§ 665a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, 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. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 665a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Double Attack Blackjack table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 § 665a.4(d) (relating to opening of the table for gaming) and this section shall be completed.

(h) 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 (b)—(g) do not apply.

§ 665a.6. Wagers.

(a) Wagers at Double Attack Blackjack shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the Double Attack Blackjack layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(b) After the cards have been shuffled as required under § 665a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) To participate in a round of play, a player shall place a Bet Wager.

(e) A player who has placed a Bet Wager may then place a Double Attack Wager as provided in § 665a.7(e) (relating to procedure for dealing the cards; completion of each round of play), in an amount equal to or less than the player's Bet Wager.

(f) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Bet Wager in accordance with subsection (d) the option of placing an additional Bust It Wager, in an amount equal to or less than the player's Bet Wager.

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

§ 665a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards shall be dealt from a dealing shoe which 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 under § 665a.5 (relating to shuffle and cut of the cards) have been completed, the dealer or automated card shuffling device shall place the stacked cards in the dealing shoe.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then collect and reshuffle the cards in accordance with § 665a.5.

(e) At the commencement of each round of play and after all players have been afforded the opportunity to make a Bet and Bust It Wager, one card shall be dealt face up to the dealer. After examining the dealer's up card, a player who placed a Bet Wager may place an optional Double Attack Wager in accordance with § 665a.6(e) (relating to wagers).

(f) After all players have been afforded an opportunity to place a Double Attack Wager, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal the cards as follows:

(1) One card face up to each box on the layout in which a Bet Wager is contained.

(2) A second card face up to each box on the layout in which a Bet Wager is contained.

(3) A second card face down to the dealer.

(g) Immediately after the second card is dealt to each player and the dealer, if the dealer's first card is an ace, the dealer shall offer the Insurance Wager in accordance with § 665a.8 (relating to Insurance Wager). If the dealer's first card is an ace, king, queen or jack, the dealer shall then determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and each player's Bet, Double Attack, Bust It and Insurance Wagers, if applicable, shall be settled in accordance with this section and § 665a.8.

(h) After the procedures in subsection (g) have been completed, if necessary, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and if the player:

(1) Has Blackjack, the dealer shall announce and pay the Bet and Double Attack Wagers in accordance with subsection (o) and remove the player's cards. If a player also placed a Bust It Wager, the wager shall remain on the layout until subsection (m) is completed.

(2) Does not have Blackjack, the player shall indicate whether he wishes to surrender, as permitted under § 665a.9 (relating to surrender), double down as permitted under §

665a.10 (relating to Double Down Wager), split pairs as permitted under § 665a.11 (relating to splitting pairs), stand or draw additional cards.

(i) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(j) A player may elect to draw additional cards whenever his point count total is less than 21, except that:

(1) A player having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) A player electing to make a Double Down Wager may draw only one additional card.

(k) Prior to the dealer exposing his hole card, if player has less than 21 after drawing additional cards, the player may surrender in accordance with § 665a.9.

(l) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hole card face up.

(m) If the first two cards of the dealer's hand:

(1) Equal a total point count of 17 or higher, the dealer shall collect all losing Bust It Wagers before settling the player's Bet or Double Attack Wagers in accordance with subsection (o).

(2) Equal a total point count of less than 17, the dealer shall draw an additional card. If the dealer's three card hand has a total point count:

(i) In excess of 21, the dealer shall pay the winning Bust It Wager in accordance with § 665a.12(c) (relating to payout odds). The payout shall be based on the value of the third card drawn, except that if all three of the dealer's cards are an 8 of the same color or suit, a player shall receive an increased payout based on the three 8s instead of the payout based on the value of the third card drawn.

(ii) Of 21 or less, the dealer shall collect all losing Bust It Wagers.

(n) After settling the player's Bust It Wager, if applicable, if the dealer's first three cards equal a total point count of less than 17, the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(o) After all additional cards have been dealt to the players and the dealer, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the remaining wagers by collecting all losing wagers and paying all winning wagers as follows:

(1) A Bet Wager shall:

(i) Win and be paid in accordance with § 665a.12(a) if:

(A) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(B) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(C) The player has a Blackjack and the dealer's hand has a total point count of 21 in more than two cards.

(ii) Lose and be collected if:

(A) The dealer has a Blackjack and the player does not have a Blackjack.

(B) The total point count of the dealer's hand is 21 or less and the total point count of the player's hand is in excess of 21.

(C) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(iii) Tie and be returned to the player if the total point count of the player's hand is the same as the dealer's or if both the player and dealer have Blackjack.

(2) A Double Attack Wager shall win, lose or tie in accordance with subsection (o)(1) except that the Double Attack Wager shall be returned to the player if the dealer has a Blackjack and the player does not have a Blackjack.

(p) The dealer shall pay all winning wagers and collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any winning wagers by using value chips collected from a losing wager.

(q) After all wagers have been settled, the dealer shall remove all 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.

(r) Players and spectators may not handle, remove or alter any cards used to play Double Attack Blackjack.

§ 665a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen or jack.

(b) An Insurance Wager may be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 of the player's Bet Wager. A player may wager an amount in excess of 1/2 of the initial Bet Wager to the next unit that can be wagered in chips, when, because of the limitation of the value of chip denominations, half the initial wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 665a.12(b) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

§ 665a.9. Surrender.

(a) After the first two cards are dealt to the player, the player may elect to discontinue play on his hand for that round by surrendering. A player may also elect to surrender after additional cards are dealt to the player, after a hand is split as permitted under § 665a.11 (relating to splitting pairs) and after doubling down as permitted under § 665a.10 (relating to Double Down Wager). A player may not elect to surrender after deciding to stand.

(b) If the player elects to surrender and the first card dealt to the dealer:

(1) Is not an ace, king, queen or jack, the dealer shall immediately collect the cards of the player and 1/2 of the Bet Wager and Double Attack Wager, if applicable, and return the other 1/2 to the player.

(2) Is an ace, king, queen or jack, the dealer shall determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device in accordance with § 665a.7(g) (relating to procedure for dealing the cards; completion of each round of play). If the dealer:

(i) Has a Blackjack, the dealer shall collect the entire Bet Wager and the Bust It Wager, if applicable, and return the Double Attack Wager, if applicable, to the player.

(ii) Does not have a Blackjack, the dealer shall immediately collect the cards of the player and 1/2 of the Bet Wager and Double Attack Wager, if applicable, and return the other 1/2 to the player.

(c) If the player has made a Bust It Wager and then elects to surrender, the Bust It Wager must remain on the layout until settled in accordance with § 665a.7(m).

(d) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (b) and § 665a.8 (relating to Insurance Wager).

§ 665a.10. Double Down Wager.

(a) Except when a player has a Blackjack, a player may elect to make a Double Down Wager, which may not exceed the amount of his original Bet and Double Attack Wagers, on two or more cards dealt to that player, including any hands resulting from a split pair, provided that only one additional card shall be dealt to the hand on which the player has elected to double down.

(b) If a dealer obtains Blackjack after a player makes a Double Down Wager, the dealer shall collect only the amount of the original Bet Wager of the player and shall return the Double Down and Double Attack Wagers.

(c) Upon a player's election to make a Double Down Wager, the dealer shall deal the one additional card face up and place it sideways on the layout.

§ 665a.11. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he makes a wager on the second hand formed in an amount equal to his original Bet and Double Attack Wagers. For example, if a player has two 7s or a king and a queen, the player may elect to split the hand.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to each split pair hand, the player shall indicate his decision to stand, draw or double down with respect that hand. A player may split pairs again if the second card dealt to an incomplete hand is identical in value to the split pair. A player may split pairs a maximum of three times for a total of four hands.

(d) If the dealer obtains Blackjack after a player splits pairs, the dealer shall collect only the amount of the original Bet Wager of the player and return the Double Attack Wager and the additional amount wagered in splitting pairs.

(e) If a player elects to split a pair of aces, each ace shall receive only one card. Aces may not be split more than once and may not be resplit.

§ 665a.12. Payout odds.

(a) The certificate holder shall pay out each winning Bet and Double Attack Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Insurance Wagers at odds of 5 to 2.

(c) The certificate holder shall pay out winning Bust It Wagers at the odds in the following paytable:

Hand	*Payout*
8, 8, 8 of the same suit	200 to 1
8, 8, 8 of the same color	50 to 1
Third card drawn:	
Is a 6	15 to 1
Is a 7	10 to 1
Is an 8	8 to 1
Is a 9	6 to 1
Is a king, queen or jack	3 to 1

§ 665a.13. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack.

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

(c) After the initial two cards have been dealt to each player and the dealer and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(d) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(e) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in § 665a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(f) If no cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(g) If after receiving the first two cards, the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer

revealing his hole card or call the player's hand dead and return the player's Bet and Double Attack Blackjack Wagers.

(h) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen or jack, the dealer, after notification to a floorperson or above, shall:

(1) If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager.

(2) If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(i) If a card reader device malfunctions, the dealer may not continue dealing the game of Double Attack Blackjack at that table until the card reader device is repaired or replaced.

(j) 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.

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

CHAPTER 668a. PROPS & HOPS

Sec.

668a.1. Props & Hops table; physical characteristics.
668a.2. Wagers.
668a.3. Dice; shaker; procedure for completion of each round of play.
668a.4. Payout odds.

§ 668a.1. Props & Hops table; physical characteristics.

(a) Props & Hops shall be played at a table having betting positions for 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 Props & Hops table shall be submitted to the Bureau of Gaming Operations and approved 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) Areas that depict all wagers authorized under § 668a.2 (relating to wagers).

(3) A separate circle located to the right of the dealer for the placement of the shaker.

(4) A player position diagram demonstrating the proper placement of each player's wagers.

(5) If offering the Six Eight Shake Wager, the requirements to win and the provision that player's may take down the wager at any time prior to a 7 being rolled.

(6) The payout odds, in accordance with § 668a.4 (relating to payout odds), for all permissible wagers offered by the certificate holder. If the payout odds are not on the layout, a sign identifying the payout odds shall be posted at each Props & Hops table.

(c) Each Props & Hops table must have a drop box with a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 668a.2. Wagers.

(a) Wagers shall be made before the dice are shaken.

(b) Wagers shall be made by placing value chips or plaques on the appropriate areas of the layout. Verbal wagers accompanied by cash may not be accepted.

(c) Only players who are seated at a Props & Hops table may place a wager at the game. Once a player has placed a wager, that player shall remain seated until the completion of the round of play.

(d) The following Double Wagers are authorized in the game of Props & Hops:

(1) A Two the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 1. A Two the Hardway Bet shall win if a total of 2 is thrown on the next roll and shall lose if any other combination is thrown.

(2) A Four the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 2. A Four the Hardway Bet shall win if a total of 4 is thrown on the next roll with a 2 appearing on each die and shall lose if any other combination is thrown.

(3) A Six the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 3. A Six the Hardway Bet shall win if a total of 6 is thrown on the next roll with a 3 appearing on each die and shall lose if any other combination is thrown.

(4) An Eight the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 4. An Eight the Hardway Bet shall win if a total of 8 is thrown on the next roll with a 4 appearing on each die and shall lose if any other combination is thrown.

(5) A Ten the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 5. A Ten the Hardway Bet shall win if a total of 10 is thrown on the next roll with a 5 appearing on each die and shall lose if any other combination is thrown.

(6) A Twelve the Hardway Bet placed in a box which depicts two dice, each of which displays a value of 6. A Twelve the Hardway Bet shall win if a total of 12 is thrown on the next roll and shall lose if any other combination is thrown.

(e) The following Any Number Wagers are authorized in the game of Props & Hops:

(1) A One-Two Bet placed in a box which depicts two dice, one of which displays a value of 1 and the other displays a value of 2. A One-Two Bet shall win if a total of 3 is thrown on the next roll and shall lose if any other combination is thrown.

(2) A One-Three Bet placed in a box which depicts two dice, one of which displays a value of 1 and the other displays a value of 3. A One-Three Bet shall win if on the next roll a total of 4 is thrown with a 1 appearing on one die and a 3 appearing on the other die and shall lose if any other combination is thrown.

(3) A One-Four Bet placed in a box which depicts two dice, one of which displays a value of 1 and the other displays a value of 4. A One-Four Bet shall win if on the next

roll a total of 5 is thrown with a 1 appearing on one die and a 4 appearing on the other die and shall lose if any other combination is thrown.

(4) A One-Five Bet placed in a box which depicts two dice, one of which displays a value of 1 and the other displays a value of 5. A One-Five Bet shall win if on the next roll a total of 6 is thrown with a 1 appearing on one die and a 5 appearing on the other die and shall lose if any other combination is thrown.

(5) A One-Six Bet placed in a box which depicts two dice, one of which displays a value of 1 and the other displays a value of 6. A One-Six Bet shall win if on the next roll a total of 7 is thrown with a 1 appearing on one die and a 6 appearing on the other die and shall lose if any other combination is thrown.

(6) A Two-Three Bet placed in a box which depicts two dice, one of which displays a value of 2 and the other displays a value of 3. A Two-Three Bet shall win if on the next roll a total of 5 is thrown with a 2 appearing on one die and a 3 appearing on the other die and shall lose if any other combination is thrown.

(7) A Two-Four Bet placed in a box which depicts two dice, one of which displays a value of 2 and the other displays a value of 4. A Two-Four Bet shall win if on the next roll a total of 6 is thrown with a 2 appearing on one die and a 4 appearing on the other die and shall lose if any other combination is thrown.

(8) A Two-Five Bet placed in a box which depicts two dice, one of which displays a value of 2 and the other displays a value of 5. A Two-Five Bet shall win if on the next roll a total of 7 is thrown with a 2 appearing on one die and a 5 appearing on the other die and shall lose if any other combination is thrown.

(9) A Two-Six Bet placed in a box which depicts two dice, one of which displays a value of 2 and the other displays a value of 6. A Two-Six Bet shall win if on the next roll a total of 8 is thrown with a 2 appearing on one die and a 6 appearing on the other die and shall lose if any other combination is thrown.

(10) A Three-Four Bet placed in a box which depicts two dice, one of which displays a value of 3 and the other displays a value of 4. A Three-Four Bet shall win if on the next roll a total of 7 is thrown with a 3 appearing on one die and a 4 appearing on the other die and shall lose if any other combination is thrown.

(11) A Three-Five Bet placed in a box which depicts two dice, one of which displays a value of 3 and the other displays a value of 5. A Three-Five Bet shall win if on the next roll a total of 8 is thrown with a 3 appearing on one die and a 5 appearing on the other die and shall lose if any other combination is thrown.

(12) A Three-Six Bet placed in a box which depicts two dice, one of which displays a value of 3 and the other displays a value of 6. A Three-Six Bet shall win if on the next

roll a total of 9 is thrown with a 3 appearing on one die and a 6 appearing on the other die and shall lose if any other combination is thrown.

(13) A Four-Five Bet placed in a box which depicts two dice, one of which displays a value of 4 and the other displays a value of 5. A Four-Five Bet shall win if on the next roll a total of 9 is thrown with a 4 appearing on one die and a 5 appearing on the other die and shall lose if any other combination is thrown.

(14) A Four-Six Bet placed in a box which depicts two dice, one of which displays a value of 4 and the other displays a value of 6. A Four-Six Bet shall win if on the next roll a total of 10 is thrown with a 4 appearing on one die and a 6 appearing on the other die and shall lose if any other combination is thrown.

(15) A Five-Six Bet placed in a box which depicts two dice, one of which displays a value of 5 and the other displays a value of 6. A Five-Six Bet shall win if on the next roll a total of 11 is thrown with a 5 appearing on one die and a 6 appearing on the other die and shall lose if any other combination is thrown.

(f) The following additional wagers are authorized in the game of Props & Hops:

(1) A Field Wager placed in a Field box which depicts the numbers 2, 3, 4, 9, 10, 11 and 12 with the 2 and the 12 circled. A Field Bet shall win if on the next roll the combined total of the dice equals a 2, 3, 4, 9, 10, 11 or 12 and lose if any other combination is thrown.

(2) A Hop the Top Wager in the Hop the Top box which shall win if any of the combinations of dice in the top row of the layout are rolled.

(3) A Hop the Left Wager in the Hop the Left box which shall win if any combinations of dice on the left side of the layout are rolled.

(4) A Hop the Right Wager in the Hop the Right box which shall win if any combinations of dice on the right side of the layout are rolled.

(5) A Hop the Center Wager in the Hop the Center box which shall win if any combinations of dice on the center of the layout are rolled.

(6) A 1-6 and Under Wager in the box which depicts two dice, one of which displays a value of 1 and the other displays a value of 6, and Under. This wager shall win if the 1-6 is rolled or any other combination of the two dice whose total is under 7.

(7) A 3-4 and Over Wager in the box which depicts two dice, one of which displays a value of 3 and the other displays a value of 4, and Over. This wager shall win if the 3-4 is rolled or any other combination of the two dice whose total is greater than 7.

(8) A Six Eight Shake Wager in the circles at the top of the table layout. This wager shall win if each combination of 6 (a 1-5, 2-4 and 3-3) and each combination of 8 (2-6, 3-

5 and 4-4) is thrown before a 7. A player may remove this wager at any time prior to a 7 being rolled.

§ 668a.3. Dice; shaker; procedure for completion of each round of play.

(a) Props & Hops shall be played with two dice that comply with § 603a.12(b) (relating to dice; physical characteristics) and the receipt and inspection requirements in § 603a.13 (relating to dice; receipt, storage, inspection and removal from use).

(b) Props & Hops shall be played with a dice shaker, approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), which shall be used to shake the two dice to arrive at the winning combinations. The dice shaker shall be designed and constructed to maintain the integrity of the game and must:

(1) Be capable of housing two dice that when not being shaken must be maintained in the shaker. Dice that have been placed in a dice shaker for use in gaming may not remain on a table for more than 24 hours.

(2) Be designed to prevent the dice from being seen while being shaken.

(3) Have the name or logo of the certificate holder imprinted or impressed thereon.

(c) The dice shaker shall be the responsibility of the dealer and may not be left unattended while at the table.

(d) A shaker and two dice shall be presented at the Props & Hops table for gaming. The floorperson, in the presence of the dealer, shall place the dice in the shaker. Prior to the commencement of play at the table and after each round of play, the dealer shall shake the covered shaker.

(e) After all players have placed their wagers, the dealer shall announce “no more bets.” If any players placed a Six Eight Shake Wager, beginning with the player to the dealer's right, and continuing counterclockwise around the table, the dealer shall place the player's wager in the first designated Six Eight Shake circle on the dealer's right located at the top of the table layout. After all Six Eight Shake Wagers have been placed in the designated circles, the dealer shall then place a red lammer button on each two-dice combination of 6 and 8 (1-5, 2-4, 3-3, 2-6, 3-5 and 4-4).

(f) The dealer shall then offer the covered dice shaker to the player farthest to the dealer's left. The player shall shake the covered shaker at least three times to cause a random mixture of the dice. Once the player has shaken the dice, the player shall return the covered shaker to the layout. If the player shaking the dice removes the lid, the shaker shall be recovered and shaken again.

(g) The dealer shall then remove the lid and place the uncovered shaker in the designated circle on the table layout. The shaker shall remain uncovered in the designated area until all wagers have been settled. If the dealer uncovers the shaker and a die falls out of the shaker, the dealer shall call a “no roll.” The dice shall then be shaken again in accordance with subsection (f).

(h) The dealer shall then announce the numbers on the uppermost or skyward sides of the two dice and place a pointer marker on the corresponding area of the layout. If one die comes to rest on top of the other or if the dice do not land flat on the bottom of the shaker after being tossed, the dealer shall call a “no roll.” The dice shall be shaken again in accordance with subsection (f).

(i) After a valid roll, the dealer shall then collect all losing wagers before paying out winning wagers in accordance with § 668a.4 (relating to payout odds) provided that if any player placed a Six Eight Shake Wager and if the number rolled corresponds to one of the boxes on the table layout that contains a lammer button, the dealer shall remove the lammer button and place it in the Six Eight Shake circle on the table layout furthest to the dealer's right. Each time one of the preselected numbers containing a lammer is rolled, the lammer will be collected and placed on the Six Eight Shake circle next to the previous lammer. If there is a wager in the Six Eight Shake circle, the lammer shall be placed on top of the wager. If all six combinations of dice are thrown and all six lammer buttons are placed on the designated Six Eight Shake circles before a 7 is thrown, the dealer shall pay each winning Six Eight Shake Wager in accordance with § 668a.4.

(j) After all losing wagers have been collected and all winning wagers have been paid, the dealer shall cover and shake the shaker.

(k) The same player who shook the dice shall continue to shake the dice during each subsequent round of play until the player shakes a 7. Once the total of the dice is a 7, the dice shaker will be passed to the next player to the left at the next round of play.

§ 668a.4. Payout odds.

The certificate holder shall pay out winning Props & Hops wagers as follows:

Wager	Payout Odds
Double Wager	30 to 1
Any Number Wager	15 to 1
Field Wager:	
2 or 12 is rolled	2 to 1
3, 4, 9, 10 or 11 is rolled	1 to 1
Hop the Top	3 to 2
Hop the Left	2 to 1
Hop the Right	2 to 1

Hop the Center	3 to 2
1-6 and Under	1 to 1
3-4 and Over	1 to 1
Six Eight Shake	150 to 1

CHAPTER 669a. RAISE IT UP STUD POKER

Sec.

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§ 669a.1. Definitions.

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

Community card—A card which is used by all players to form the best possible five-card Poker hand.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Raise It Up Stud Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A hand with a rank of an ace, king, queen straight flush as defined in § 669a.6(c) (relating to Raise It Up Stud Poker hand rankings).

Fold—The withdrawal of a player from a round of play by not making a Play Wager.

Push—A player's hand that results in neither payment on nor collection of the player's wagers.

§ 669a.2. Raise It Up Stud Poker table physical characteristics.

(a) Raise It Up Stud Poker shall be played on 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 Raise It Up Stud Poker table shall be submitted to the Bureau of Gaming Operations and approved 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 separate betting areas designated for the placement of the Ante, Blind and Play Wagers for each player.

(3) Separate areas designated for the placement of the three community cards located directly in front of the table inventory container. One area must be inscribed 4th Street, a second area inscribed 5th Street and a third area inscribed 6th Street.

(4) If the certificate holder offers the optional Progressive Payout Wager authorized under § 669a.7(d)(4) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(5) If the certificate holder offers the optional Six Card Bonus Wager authorized under §669a.7(d)(5), a separate area designated for the placement of the Six Card Bonus Wager for each player.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers and the rules governing the required amount of the Play Wager as a multiple of the player's Ante Wager. If the information is not inscribed on the layout, a sign that sets forth the required information must be posted at each Raise It Up Stud Poker table.

(c) If a certificate holder offers the Progressive Payout Wager, in accordance with § 669a.7(d)(4), the Raise It Up Stud Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table including a mechanism, such as a lock-out button, that prevents the recognition of a Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) Each Raise It Up Stud Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

(e) Each Raise It Up Stud Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 669a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Raise It Up Stud Poker shall be played with one deck of cards and one cover card.

(b) If an automated card shuffling device is utilized, Raise It Up Stud Poker 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 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 continually alternated in and out of play, with each deck being used for every other round of play.

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

(c) The decks of cards used in Raise It Up Stud Poker 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.

§ 669a.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 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 out 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 § 669a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 669a.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 card 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 § 669a.8, § 669a.9 or § 669a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 pre-shuffled, 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 the 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 Raise It Up Stud Poker table that is open for gaming, the cards shall be removed from the dealing shoe and the 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 is afforded an opportunity to visually inspect the cards, the procedures in § 669a.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 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.

§ 669a.6. Raise It Up Stud Poker hand rankings.

(a) The rank of the cards used in Raise It Up Stud Poker, 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: king, queen, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands in the game of Raise It Up Stud Poker, in order of highest to lowest rank, shall be:

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

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

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

(8) Two pairs, which is a hand consisting of two pairs.

(9) One pair, which is a hand consisting of two cards of the same rank.

(c) For purposes of the Pair Plus Wager authorized under § 669a.7(d)(3) (relating to wagers) and the Progressive Payout Wager authorized under § 669a.7(d)(4), the permissible three-card Poker hands shall be:

(1) A straight flush, which is three cards of the same suit in consecutive rank.

(2) A three-of-a-kind, which is three cards of the same rank.

(3) A straight, which is three cards of consecutive rank.

(4) A flush, which is three cards of the same suit.

(5) A pair, which is two cards of the same rank.

§ 669a.7. Wagers.

(a) Wagers at Raise It Up Stud Poker shall be made by placing value chips, plaques or other Board-approved wagering instruments on the appropriate betting areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at the Raise It Up Stud Poker table may place a 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 Ante, Blind, Pair Plus, Progressive Payout and Six Card Bonus Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 669a.8, § 669a.9 or § 669a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 669a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer announces “no more bets” and begins dealing the cards.

(d) The following wagers may be placed in the game of Raise It Up Stud Poker:

(1) To participate in a round of play, a player shall place an Ante Wager and a Blind Wager, equal to the player's Ante Wager, that the three cards dealt to the player and the three community cards will form a pair of 10s or better as described in § 669a.6(b) (relating to Raise It Up Stud Poker hand rankings).

(2) In accordance with § 669a.11(b), (d) and (f), a Play Wager that the three cards dealt to the player and the three community cards will form a pair of 10s or better as described in § 669a.6(b).

(3) A Pair Plus Wager that the three cards dealt to the player will form a pair or better as described in § 669a.6(c).

(4) 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 Raise It Up Stud Poker table the option to make an additional Progressive Payout Wager that the three cards dealt to the player will form a pair or better as described in § 669a.6(c). After placing Ante and Blind Wagers, a player may make an additional Progressive Payout Wager by placing a value chip into

the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Raise It Up Stud Poker table the option to make an additional Six Card Bonus Wager that the three cards dealt to the player and the three community cards will form a three-of-a-kind or better as described in § 669a.6(b).

(e) A player may not wager on more than one player position at a Raise It Up Stud Poker table.

§ 669a.8. Procedure 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 § 669a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce “no more bets” and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards, face down, as follows:

(1) Deal one card at a time to each player who placed Ante and Blind Wagers in accordance with § 669a.7(d)(1) (relating to wagers) until each player who placed a wager has three cards.

(2) Three cards to the area designated for the placement of the community cards.

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

(f) 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.

(g) 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.

(h) 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 (a player has more or less than 3 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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.

§ 669a.9. Procedure 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 § 669a.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 he will 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 the cards, the dealer shall announce “no more bets” and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall then collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards, face down, as follows:

(1) Deal one card at a time to each player who placed Ante and Blind Wagers in accordance with § 669a.7(d)(1) (relating to wagers) until each player who placed a wager has three cards.

(2) Three cards to the area designated for the placement of the community cards.

(c) After three cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, 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, 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 (a player has more or less than 3 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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.

§ 669a.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 § 669a.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 dealing shoe dispensing any stacks, the dealer shall announce “no more bets” and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(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 Ante and Blind Wagers in accordance with § 669a.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 Ante and Blind Wagers. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the three community 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 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 that 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 (a player has more or less than 3 cards or the area designated for the placement of the community cards has more or less than 3 cards) 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.

§ 669a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 669a.8, § 669a.9 or § 669a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 Raise It Up Stud Poker 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 cards in full view of the dealer at all times.

(3) A player may not exchange or communicate information regarding his hand prior to the dealer revealing all of the community cards. A violation shall result in a forfeiture of all wagers on that round by that person.

(b) After each player has examined his cards and replaced them face down on the layout, 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 check or place a Play Wager in an amount equal to one, two or three times the amount of the player's Ante Wager.

(c) Once all players have either checked or placed a Play Wager, the dealer shall turn over and reveal the first community card and place it in the 4th Street box on the layout.

(d) Each player shall then either check or place a Play Wager in an amount equal to one or two times the amount of the player's Ante Wager.

(e) Once all remaining players have either checked or placed a Play Wager, the dealer shall turn over and reveal the second community card and place it in the 5th Street box on the layout.

(f) Each player shall then either place a Play Wager in an amount equal to the amount of the player's Ante Wager or fold. If a player folds, the Ante and Blind Wagers shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout or Six Card Bonus Wager in which case the cards shall be left on the table until the Six Card Bonus Wager and any Envy Bonus is settled in accordance with subsection (i).

(g) If a player has placed a Progressive Payout or Six Card Bonus Wager but does not make a Play Wager, the player shall forfeit the right to receive a Progressive Payout but does not forfeit the eligibility to receive an Envy Bonus under § 669a.12(e)(5) (relating to payout odds; Envy Bonus; rate of progression) or a Six Card Bonus payout under § 669a.12(f).

(h) Once all remaining players have either placed a Play Wager or folded, the dealer shall turn over and reveal the third community card and place it in the 6th Street box on the layout.

(i) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's three cards and complete the following applicable procedures in succession for each player:

(1) If a player placed a Pair Plus Wager, the dealer shall form the highest possible ranking three-card hand. If the player's three cards form a pair or better, as described in § 669a.6(c) (relating to Raise It Up Stud Poker hand rankings), the dealer shall pay each winning Pairs Plus Wager in accordance with the payout odds in § 669a.12(a).

(2) The dealer shall form the highest possible ranking five-card hand from the player's three cards and the three community cards. If a player's highest ranking five-card hand:

(i) Does not contain a pair of 10s or better, as described in § 669a.6(b), the dealer shall collect the player's Ante, Blind and Play Wagers.

(ii) Contains a pair of 10s or better, as described in § 669a.6(b), the dealer shall pay each player's winning Ante, Play and Blind Wagers in accordance with § 669a.12(b)—(d).

(3) After settling the player's Pair Plus, Ante, Play and Blind Wagers, the dealer shall settle the Progressive Payout or Six Card Bonus Wager, if offered by the certificate holder, as follows:

(i) If a player placed a Progressive Payout Wager and the player's three cards contain a straight or better, the dealer shall:

(A) Verify that the hand is a winning hand.

(B) Verify that the appropriate light on the progressive table game system has been illuminated.

(C) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(D) Pay the winning Progressive Payout Wager in accordance with § 669a.12(e)(1). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(E) Pay any Envy Bonus won in accordance with § 669a.12(e)(5). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Raise It Up Stud Poker table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand.

(ii) If a player has placed a Six Card Bonus Wager and the player's three cards and the three community cards form a three-of-a-kind or better, the dealer shall pay the winning Six Card Bonus Wager in accordance with § 669a.12(f).

(j) After all wagers have been settled, the dealer shall remove all 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.

§ 669a.12. Payout odds; Envy Bonus; rate of progression.

(a) A player placing a Pair Plus Wager shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	**Paytable A**	**Paytable B**
Straight flush	40 to 1	40 to 1
Three-of-a-kind	30 to 1	25 to 1
Straight	6 to 1	6 to 1
Flush	4 to 1	4 to 1
Pair	1 to 1	1 to 1

(b) A certificate holder shall pay each winning Ante Wager at odds of 1 to 1.

(c) A certificate holder shall pay each winning Play Wager in accordance with the following odds:

Hand	**Payout**
Royal flush	100 to 1
Straight flush	20 to 1
Four-of-a-kind	10 to 1
Full house	6 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pair	3 to 2
Pair of 10s or better	1 to 1

(d) A certificate holder shall pay each winning Blind Wager in accordance with the following odds:

Hand	**Payout**
Royal flush	1,000 to 1
Straight flush	200 to 1
Four-of-a-kind	30 to 1
Full house	4 to 1
Flush	3 to 1
Straight	2 to 1
Three-of-a-kind	1 to 1
Two pair	Push
Pair of 10s or better	Push

(e) If a certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay each winning Progressive Payout Wager in accordance with the following odds:

Hand	**Payout**
Ace, king and queen of spades	100% of meter
Ace, king and queen of hearts, diamonds or clubs	500 for 1
Straight flush	70 for 1
Three-of-a-kind	60 for 1

Straight	6 for 1
Seed amount	1,000 for 1
Increment rate	14%

(2) A player shall receive the payout for only the highest ranking hand formed from the player's three cards and the three community cards.

(3) The rate of progression for the meter used for the progressive payouts in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least 14%. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least $1,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 669a.11(i)(3)(i) (relating to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payout schedules for every Envy Bonus Qualifying Hand based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	**Envy Bonus**
Ace, king and queen of spades	$100
Ace, king and queen of hearts, diamonds or clubs	$25

$5 Progressive Payout Wager

Hand	**Envy Bonus**
Ace, king and queen of spades	$500
Ace, king and queen of hearts, diamonds or clubs	$125

(f) A certificate holder shall pay each winning Six Card Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	**Paytable A**	**Paytable B**	**Paytable C**	**Paytable D**
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1	100 to 1

Full house	25 to 1	25 to 1	20 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1	10 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1	7 to 1

§ 669a.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 any player or the area designated for the placement of the community cards 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 any of the community cards are exposed prior to the dealer revealing the community cards in accordance with § 669a.11(c), (e) and (h) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 670a. SIX-CARD FORTUNE PAI GOW POKER

Sec.

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§ 670a.1. Definitions.

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

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager or a Qualifying Fortune Bonus Wager when another player at the Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—

(i) For purposes of the Fortune Bonus Wager, a player's hand with a rank of a full house or better formed from the six cards dealt to a player.

(ii) For purposes of the Progressive Payout Wager, a player's hand with a rank of a four-of-a-kind or better formed from the six cards dealt to a player.

High hand—The five-card hand that is formed from the six cards dealt so as to rank equal to or higher than the low hand.

Low hand—The one-card hand that is formed from the six cards dealt so as to rank equal to or lower than the high hand.

Qualifying Fortune Bonus Wager—A Fortune Bonus Wager of at least $5 which may entitle a player to an Envy Bonus.

Setting the hands—The process of forming a high hand and low hand from the six cards dealt.

§ 670a.2. Six-Card Fortune Pai Gow Poker table; physical characteristics; shaker.

(a) Six-Card Fortune Pai Gow Poker 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 Six-Card Fortune Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Six-Card Fortune Pai Gow Poker Wager for each player.

(3) Two separate areas designated for the placement of the high and low hands of each player.

(4) Two separate areas designated for the placement of the high and low hands of the dealer.

(5) If the certificate holder offers the Double Down Wager authorized under § 670a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Double Down Wager for each player.

(6) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 670a.7(e)(2), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(7) If the certificate holder offers the optional Insurance Wager authorized under § 670a.7(e)(3), a separate area designated for the placement of the Insurance Wager for each player.

(8) If the certificate holder offers the optional Progressive Payout Wager authorized under § 670a.7(e)(4), a separate area designated for the placement of the Progressive Payout Wager for each player.

(9) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not

inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Six-Card Fortune Pai Gow Poker table.

(c) If the certificate holder offers the optional Progressive Payout Wager in accordance with § 670a.7(e)(4), the Six-Card Fortune Pai Gow Poker table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(d) To determine the starting position for the dealing or delivery of the cards, Six-Card Fortune Pai Gow Poker may be played with:

(1) A Pai Gow Poker shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The Pai Gow Poker shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow Poker shaker. Dice that have been placed in a Pai Gow Poker shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which shall be 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.

(e) Each Six-Card Fortune Pai Gow Poker table must have a drop box and a tip box attached on the same side of the gaming 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.

(f) Each Six-Card Fortune Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 670a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Six-Card Fortune Pai Gow Poker shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play Six-Card Fortune Pai Gow Poker must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

(b) If an automated card shuffling device is utilized, Six-Card Fortune Pai Gow Poker 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 but the backs of the cards in one deck must be of a different color than the cards 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Six-Card Fortune Pai Gow Poker 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.

§ 670a.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) If the deck of cards used by the certificate holder contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container that the deck came from. 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 and include the one joker.

(c) After the first player is 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 § 670a.5

(relating to shuffle and cut of the cards; procedures for determining the starting position for dealing 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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 670a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing 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 the 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 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) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with subsection (i), then deal the cards in accordance with § 670a.8, § 670a.9 or § 670a.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, cut the cards in accordance with the procedures in subsections (c)—(e).

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of one of the cover cards. The dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (d). If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(e) The player or dealer making the cut shall place the second cover card in the stack at least ten cards from the top or the bottom of the deck. Once the second cover card has been inserted, the dealer shall take the second cover card and all the cards on top of the second cover card and place them on the bottom of the stack. The dealer shall then remove the first cover card and place it on the bottom of the stack. The dealer shall remove one of the cover cards and either place it in the discard rack or use it as an additional cover card to be inserted four cards from the bottom of the deck. The dealer shall then determine the starting position in accordance with subsection (i) and deal the cards in accordance with § 670a.8, § 670a.9 or § 670a.10.

(f) After the cards have been cut and before the 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. If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next person entitled to cut the cards, as determined under subsection (d).

(g) If there is no gaming activity at a Six-Card Fortune Pai Gow Poker 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:

(1) If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The deck of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the deck of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

(i) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) A Pai Gow Poker shaker in accordance with the following procedures:

(i) The dealer shall shake the Pai Gow Poker shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the Pai Gow Poker shaker and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(iv) After the dealing procedures required under § 670a.8, § 670a.9 or § 670a.10 have been completed, the dealer shall place the cover on the Pai Gow Poker shaker and shake the shaker once. The Pai Gow Poker shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner until the count matches the number displayed by the random number generator.

(j) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card, flat button or similar object.

§ 670a.6. Six-Card Fortune Pai Gow Poker rankings.

(a) The rank of the cards used in Six-Card Fortune Pai Gow Poker, in order of highest to lowest, 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3). The joker shall be used and ranked as an ace or may be used as any card to complete a straight or a flush.

(b) The permissible five-card high hands at the game of Six-Card Fortune Pai Gow Poker, in order of highest to lowest rank, shall be:

(1) Five aces consisting of four aces and a joker.

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

(3) A straight flush consisting of five cards of the same suit in consecutive ranking, with ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush.

(4) A four-of-a-kind consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

(5) A full house consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(6) A flush consisting of five cards of the same suit. When comparing two flushes, the hand which contains the highest ranking card, as provided in subsection (a), which is not in the other hand, shall be considered the higher ranking hand.

(7) A straight consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight; an ace, 2, 3, 4 and 5 being the second highest ranking straight; and a 2, 3, 4, 5 and 6 being the lowest ranking straight.

(8) A three-of-a-kind containing 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.

(9) Two pair containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two pair hand.

(10) A pair 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 high hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not in the other hand, shall be considered the higher ranking hand. If a player uses a joker as the low hand, the player's hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the dealer's hand shall be considered the higher ranking hand.

§ 670a.7. Wagers.

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

(b) Only players who are seated at a Six-Card Fortune Pai Gow Poker 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) Except the Double Down Wager, all wagers at Six-Card Fortune Pai Gow Poker shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 670a.8, § 670a.9 or § 670a.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 the Double Down Wager, a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Six-Card Fortune Pai Gow Poker Wager.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Six-Card Fortune Pai Gow Poker Wager, in accordance with subsection (d), the option of placing the following additional wagers:

(1) A Double Down Wager equal to the Six-Card Fortune Pai Gow Poker Wager that both the player's high and low hands will beat the dealer's high and low hands.

(2) A Fortune Bonus Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of a three-of-a-kind or better as described in § 670a.6(b) (relating to Six-Card Fortune Pai Gow Poker rankings).

(3) An Insurance Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of a king-high or less.

(4) A Progressive Payout Wager that the six cards dealt to the player will form a five-card Poker hand with a rank of a straight or better as described in § 670a.6(b).

(f) If specified in its Rules Submission under § 601a.2, a certificate holder may permit a player to wager on two adjacent betting areas at a Six-Card Fortune Pai Gow Poker table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 670a.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 § 670a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and:

(1) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Fortune Bonus Wager, the dealer shall place an Envy lammer next to that player's wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout

Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 670a.5(i).

(d) The dealer shall then deal the first card to the starting position as determined in subsection (c) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has six cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down on the appropriate area of the layout with the opposite hand.

(e) After 6 cards have been dealt to each position and the dealer, the dealer shall remove the stub from the manual dealing shoe and determine whether 11 cards are left by spreading them face down on the layout. The cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(f) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), 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) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 670a.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 § 670a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the 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 when 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” and:

(i) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Fortune Bonus Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding 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 then determine the starting position for dealing the cards using one of the procedures authorized under § 670a.5(i).

(c) The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has six cards.

(d) After 6 cards have been dealt to each position and the dealer, the dealer shall determine whether 11 cards are left by spreading them face down on the layout. The 11 cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), 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.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 670a.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 under § 670a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing 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” and:

(i) If the Fortune Bonus Wager is being offered and a player makes a Qualifying Fortune Bonus Wager, the dealer shall place an Envy lammer next to that player's wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures authorized under § 670a.5(i).

(c) After the starting position for delivering the cards has been determined, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. 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 positions, regardless of whether there is a wager at the position, and the dealer.

(d) After 6 cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether 11 cards are left by spreading them face down on the layout. The 11 cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than 11 cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than six cards), 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.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 670a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 670a.8, § 670a.9 or § 670a.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 a Six-Card Fortune Pai Gow Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the

setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands to be set.

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

(3) Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(b) Each player shall set his hands by arranging the cards into a high hand and a low hand. When setting the two hands, the five-card high hand must be equal to or higher in rank than the one-card low hand.

(c) After all players have examined their cards, the dealer shall offer each player the option to place an additional Double Down Wager equal to the player's Six-Card Fortune Pai Gow Poker Wager.

(d) After all players have set their hands and placed the cards on the table, the six cards of the dealer shall be turned over and the dealer shall arrange his cards into a high and low hand in accordance with the following requirements:

(1) The dealer may not break any sets as described in § 670a.6(b) (relating to Six-Card Fortune Pai Gow Poker rankings) to play a higher card in the dealer's low hand. Once the dealer has played the set, the dealer shall use the highest-ranking card in his low hand. Notwithstanding the following requirements:

(i) If the dealer has two three-of-a-kinds in his hand, the dealer shall play the lower ranking set as the three-of-a-kind and the higher one as a pair to play the higher card in the low hand.

(ii) If the dealer has three pairs, the dealer shall play the two lower ranking pairs as the high hand and the highest ranking card of the third pair as the low hand.

(2) If the dealer has a Six-Card Fortune straight, Six-Card Fortune flush or a Six-Card Fortune straight flush, the dealer shall play the lowest possible straight, flush or straight flush and place the highest ranking card in the low hand.

(3) If the dealer has both a straight and a flush, the dealer shall set the flush as the dealer's high hand.

(4) If the dealer has both a straight and a straight flush, the dealer shall set the straight flush as the dealer's high hand.

(5) If the dealer has both a Six-Card Fortune flush and a straight flush, the dealer shall play the straight flush as the high hand and the remaining card as the dealer's low hand.

(6) If the dealer does not have pairs, straights or flushes, the dealer shall play the highest ranking card, in accordance with § 670a.6(a), in the dealer's high hand, the second highest ranking card as the dealer's low hand and the remaining four cards in the dealer's high hand.

(e) After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the Six-Card Fortune Pai Gow Poker Wager of that player wins, loses or is a tie.

(f) A Six-Card Fortune Pai Gow Poker Wager shall:

(1) Lose and will immediately be collected if:

(i) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is identical in rank to the low hand of the dealer.

(iii) The high hand of the player is identical in rank to the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(iv) The high and low hands of the player are identical in rank to the high and low hands of the dealer.

(v) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player.

(2) Tie and will be returned to the player if:

(i) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is lower in rank than the high hand of the dealer, but the low hand of the player is a joker or is higher in rank than the low hand of the dealer.

(3) Win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is a joker or is higher in rank than the low hand of the dealer. The dealer shall pay the winning Six-Card Fortune Pai Gow Poker Wager in accordance with the payout odds in § 670a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(g) After settling the player's Six-Card Fortune Pai Gow Poker Wager, the dealer shall settle the player's optional Double Down Wager as follows:

(1) If the dealer's hand contains a pair of eights or better, as described in § 670a.6(b), the Double Down Wager shall win, lose or tie in accordance with subsection (f).

(2) If the dealer's hand does not contain a pair of eights or better, the Double Down Wager shall be returned to the player.

(h) If a player has placed a Fortune Bonus, Insurance or Progressive Payout Wager, the dealer shall rearrange the six cards of any player who placed an optional wager to form the highest ranking hand. If any player at the table has placed a Fortune Bonus or Progressive Payout Wager, the dealer shall rearrange the cards of all players regardless of whether the player placed a Fortune Bonus or Progressive Payout Wager. After rearranging the player's six cards, the dealer shall:

(1) Settle the player's Fortune Bonus Wager as follows:

(i) If a player:

(A) Placed a Six-Card Fortune Pai Gow Poker Wager but does not have a three-of-a-kind or higher, as described in § 670a.6(b), the dealer shall collect the Fortune Bonus Wager.

(B) Placed a Six-Card Fortune Pai Gow Poker Wager and has a three-of-a-kind or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 670a.12(b). If the player has an Envy Bonus Qualifying Hand, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 670a.12(b) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(2) Settle the player's Insurance Wager. If a player has a hand ranked:

(i) Better than a king-high, the dealer shall collect the Insurance Wager.

(ii) A king-high or less, the dealer shall pay the winning Insurance Wager in accordance with § 670a.12(c).

(3) Settle the player's Progressive Payout Wager as follows:

(i) If a player:

(A) Placed a Progressive Payout Wager but does not have a straight or better, as described in § 670a.6(b), the dealer shall collect the cards of the player and place them in the discard rack.

(B) Placed a Progressive Payout Wager and has a straight or better, the dealer shall:

(I) Verify that the hand is a winning hand.

(II) Verify that the appropriate light on the progressive table game system has been illuminated.

(III) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(IV) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 670a.12(d)(1). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.

(C) Has an Envy Bonus Qualifying Hand and any player at the table placed a Progressive Payout Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Progressive Payout Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 670a.12(d)(4) to each player who placed a progressive payout wager. Players are entitled to multiple Envy Bonuses when another player at the same Six-Card Fortune Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(i) The dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(j) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 670a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Six-Card Fortune Pai Gow Poker and Double Down Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in the following paytables:

(1) *Fortune Bonus Payout.*

Hand	**Payout**
Five aces	1,000 to 1
Royal flush	250 to 1
Straight flush	100 to 1
Four-of-a-kind	50 to 1
Full house	15 to 1
Flush	10 to 1
Straight	8 to 1
Three-of-a-kind	5 to 1

(2) *Envy Bonus Payouts.* Envy Bonus Payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Fortune Bonus Wager placed by the player receiving the Envy Bonus:

$1 Fortune Bonus Wager

Hand	**Envy Bonus**
Five aces	$1,000
Royal flush	$200
Straight flush	$50
Four-of-a-kind	$15
Full house	$5

$5 Fortune Bonus Wager

Hand	**Envy Bonus**
Five aces	$5,000
Royal flush	$1,000
Straight flush	$250
Four-of-a-kind	$75
Full house	$25

(c) The certificate holder shall pay out winning Insurance Wagers at the odds and amounts in the following paytable:

Hand	Payout
Eight-high	100 to 1
Nine-high	30 to 1
Ten-high	10 to 1
Jack-high	7 to 1
Queen-high	4 to 1
King-high	3 to 1

(d) The certificate holder shall pay out winning Progressive Payout Wagers and Envy Bonus Payouts in accordance with the following:

(1) The certificate holder shall pay out winning Progressive Payout Wagers at the odds in the following paytable:

Hand	Payout
Five aces	100% of meter
Royal flush	10% of meter
Straight flush	300 for 1
Four-of-a-kind	150 for 1
Full house	15 for 1
Flush	6 for 1
Straight	3 for 1
Seed amount	5,000 for 1
Increment rate	21%

(2) The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions) and be at least $5,000.

(3) Winning Progressive Payout Wagers shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 670a.11(h)(3) (relating to procedures for completion of each round of play) irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

(4) Envy Bonus Payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

$1 Progressive Payout Wager

Hand	Envy Bonus
Five aces	$100

Royal flush	$50
Straight flush	$10
Four-of-a-kind	$5

$5 Progressive Payout Wager

Hand	**Envy Bonus**
Five aces	$500
Royal flush	$250
Straight flush	$50
Four-of-a-kind	$25

§ 670a.13. Irregularities; invalid roll of dice.

(a) If the dealer uncovers the Pai Gow Poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a “no roll” and reshake the dice.

(b) If the dealer uncovers the Pai Gow Poker shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card to the wrong position, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If the dealer exposes any of the cards dealt to a player, the player may void the hand. The player shall make the decision to either play out the hand or to void the hand without looking at the unexposed cards.

(e) If a card or cards in the dealer's hand are exposed, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(f) 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.

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

(h) If any 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.

(i) If the dealer does not set his hands in accordance with § 670a.11(d) (relating to procedures for completion of each round of play), the hands shall be reset in accordance with § 670a.11(d) and the round of play shall be completed.

(j) If a card is exposed while the dealer is dealing the seven stacks in accordance with § 670a.10 (relating to procedures for dealing the cards from an automated dealing shoe), all wagers shall be returned to the players and the cards shall be reshuffled.

(k) If any player position or the dealer is dealt an incorrect number of cards, all hand shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(l) 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.

(m) 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.

(n) If an automated 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 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.

CHAPTER 671a. LUNAR POKER

Sec.

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§ 671a.1. Definitions.

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

Bet 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.

Draw—When a player exchanges between two and five of the cards held in his hand for an equal number of new cards from the deck or buys a sixth card.

Fold—The withdraw of a player from a round of play by refusing to make a Bet Wager.

Options fee—An additional payment made by a player to draw an additional card or cards.

Super Wager—An additional wager that a player shall make to play against a posted paytable.

§ 671a.2. Lunar Poker table physical characteristics.

(a) Lunar Poker shall be played at a table having betting positions for no more than five 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 Lunar Poker table shall be submitted to the Bureau of Gaming Operations and approved 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) Separate betting areas designated for the placement of the Ante and Bet Wagers for each player.

(3) A separate betting area designated for the placement of the Super Wager for each player and betting areas for the placement of the Super Wager on the dealer's hand and on any other player's hand for each player.

(4) A separate area designated for the placement of the player's Options fees for each player. The Options area must be inscribed with the following:

(i) Exchange 2-5 cards.

(ii) Buy a 6th Card.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Lunar Poker table.

(6) Inscriptions that advise patrons of the following:

(i) Dealer plays with an ace-king or higher.

(ii) Instant payout for a royal flush or straight flush on the first five cards dealt to the player.

(7) If the information in paragraph (6) is not on the layout, a sign which sets forth the required information shall be posted at each Lunar Poker table.

(c) Each Lunar Poker table must have a drop box and a tip box attached on the same side of the gaming 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 Lunar Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 671a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Lunar Poker 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, Lunar Poker 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 Lunar Poker 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.

§ 671a.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 § 671a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 671a.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 § 671a.8, § 671a.9 or § 671a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 the procedures in 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 Lunar Poker 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 § 671a.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 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.

§ 671a.6. Lunar Poker rankings.

(a) The rank of the cards used in Lunar Poker, 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, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3). All suits shall be equal in rank.

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

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest ranking straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) 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.

(8) Two pairs, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(9) 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.

(10) An ace-king, which is a hand consisting of an ace and a king.

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not 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) For the Super Wager, the five-card Poker hands eligible for a payout are:

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

(2) A five picture cards, which is a hand consisting of five cards of any combination of only kings, queens or jacks.

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

(4) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(5) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(6) 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.

(7) An ace-king-queen, which is a hand consisting of an ace, king and queen in any suit.

(8) Same colored five, which is a hand consisting of five cards of the same color.

§ 671a.7. Wagers.

(a) Wagers at Lunar Poker shall be made by placing value chips, plaques or other Board-approved 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 Lunar Poker 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) The following wagers may be placed in the game of Lunar Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing both an Ante Wager, then a Bet Wager in accordance with § 671a.11(b) or (d) (relating to procedures for completion of each round of play).

(2) In addition to the Ante and Bet Wagers, a player shall place a Super Wager on the player's hand equal to or greater than the player's Ante Wager to compete against a posted paytable.

(3) 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 Lunar Poker table the option to make an additional Super Wager on the dealer's hand and any other player's hand. After placing an Ante Wager, a player may make the additional Super Wager by placing a value chip on the designated betting area prior to the dealer announcing "no more bets." The additional Super Wager on the dealer or other player's hand may be made in any amount equal to or greater than the table minimum and is not required to be equal to or greater than the player's Ante Wager.

(d) The Ante and Super Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 671a.8, § 671a.9 or § 671a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 671a.11(b) and (d), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(e) A player may not wager on more than one player position at a Lunar Poker table.

§ 671a.8. Procedure 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 § 671a.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 the automated card shuffling device.

(b) The dealer shall announce "no more bets" and begin dealing the cards. Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed face down 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 face down to each player who placed an Ante Wager and to the dealer until each player and the dealer have five cards. The last card of the dealer shall be turned face up on the layout.

§ 671a.9. Procedure 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 § 671a.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) The dealer shall deal each card by holding 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 placed and Ante Wager and to the dealer until each player and the dealer have five cards. The last card of the dealer shall be turned face up on the layout.

§ 671a.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 § 671a.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 cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager. 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 five cards face down to the dealer. The last card of the dealer shall be turned face up on the layout.

§ 671a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 671a.8, § 671a.9 or § 671a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 Lunar Poker 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 five cards in full view of the dealer at all times.

(3) After the dealer announces “all decisions are locked in” a player may not amend his decision to fold or increase, decrease or place any Bet Wager or Options fee except as provided in subsection (d).

(b) After five cards have been dealt to each player, the player shall examine his cards. If any player's hand is eligible for a Super Wager or an instant payout, the player shall declare the winning hand and place his cards face down in the player's betting area on the layout. Each player shall then elect to:

(1) Fold.

(2) Place a Bet Wager equal to twice the amount of the player's Ante Wager provided that if any player's hand contains a royal flush or a straight flush and is eligible for the instant payout, the player shall not place a Bet Wager.

(3) Place an Options fee, equal to the player's Ante Wager, to buy a sixth card or draw and exchange between two and five of the player's cards.

(c) After all players have made a decision to either fold or place a Bet Wager or Options fee, the dealer shall announce “all decisions are locked in.” Once the dealer has announced “all decisions are locked in” a player may not change his decision. Prior to any additional cards being dealt, the dealer shall, beginning with the player to the dealer's left and continuing clockwise around the table:

(1) If the player did not declare a winning Super Wager, collect the player's losing Super Wager. If any other player placed a Super Wager on that player's hand, the dealer shall collect the player's losing Super Wager first then collect any other player's Super Wager who placed a Super Wager on that player's hand.

(2) If the player declared a winning Super Wager, the dealer shall verify the winning hand and pay the player's winning Super Wager in accordance with § 671a.12(b) (relating to payout odds). If any other player placed a Super Wager on that player's hand, the dealer shall pay out the winning player's hand first then any other player who also placed a Super Wager on that player's hand in accordance with § 671a.12(b).

(3) If any player is eligible for an instant payout, after verifying the player's hand, the dealer shall pay the player's winning Ante Wager in accordance with § 671a.12(a) and place the player's cards in the discard rack.

(4) For any player who did not make a Bet Wager or Options fee and folded, the dealer shall collect the player's Ante Wager and place the player's cards in the discard rack.

(d) Once all player Super Wagers and instant payouts have been settled and any player's cards who folded have been collected, beginning with the player to the dealer's left and moving clockwise around the table, for any player who placed an Options fee equal to the player's Ante Wager:

(1) The dealer shall collect the Options fee and:

(i) If the player elects to buy the sixth card, the dealer shall deal one additional card.

(ii) If the player elects to exchange cards, the player shall discard between two and five cards, which will thereafter be replaced by the dealer with the same number of cards from the deck.

(2) After dealing the additional cards, the player shall create the best possible five-card Poker hand.

(3) The dealer shall then ask the player if the player would like to fold and forfeit the player's Ante Wager or place a Bet Wager equal to twice the amount of the player's Ante Wager.

(4) If the player does not make a Bet Wager and forfeits his Ante Wager, the dealer shall collect the Ante Wager and place the player's cards in the discard rack.

(e) After all players have either folded or placed a Bet Wager, the dealer shall reveal the dealer's cards and form the highest ranking five-card Poker hand. The dealer shall then settle any Super Wagers placed on the dealer's hand. Beginning with the first player to the dealer's left who placed a Super Wager on the dealer's hand and continuing clockwise around the table, if the dealer's hand:

(1) Is not eligible for a Super Wager payout, the dealer shall collect each player's losing Super Wager placed on the dealer's hand.

(2) Is eligible for a Super Wager payout, the dealer shall pay the player's winning Super Wager in accordance with § 671a.12(b).

(f) After settling the Super Wager placed on the dealer's hand, if the dealer's hand:

(1) Does not qualify with an ace-king or better, as provided in § 671a.6(b) (relating to Lunar Poker rankings), the dealer shall return the player's Bet Wager, pay the player's Ante Wager in accordance with § 671a.12(c) and place the player's cards in the discard rack.

(2) Qualifies with an ace-king or better, as provided in § 671a.6(b), starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn the cards of each player who placed a Bet Wager face up on the layout and form the highest ranking five-card Poker hand. If the dealer's highest ranking five-card Poker hand is:

(i) Higher in rank than the player's five-card Poker hand, as provided in § 671a.6(b), the dealer shall collect the player's Ante and Bet Wagers and place the player's cards in the discard rack.

(ii) Lower in rank than the player's five-card Poker hand, as provided in § 671a.6(b), the dealer shall return the player's Ante Wager and pay the winning Bet Wager in accordance with § 671a.12(d). If a player's winning hand also contains a second Poker combination, where at least one card in the second combination was not included in the winning combination, the dealer shall pay a second winning Bet Wager in accordance with § 671a.12(d) for the second Poker combination even if the second combination does not beat the dealer's hand. For example, if a player's winning hand contained two aces, a king, 8 and 9, the player would be paid out for the pair of aces that beat the dealer's hand but would also be paid out for the ace-king. If a player purchased a sixth card, all six cards may be considered for purposes of the second payout.

(iii) Equal in rank with the player's hand, as provided in § 671a.6(b), the dealer shall return the player's Ante and Bet Wagers.

(g) After all wagers 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.

(h) 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 cards at least once after every 5 rounds of play to determine if the correct number of cards is still present in the deck. The dealer shall determine the number of cards by counting the cards face down on the layout. If the count indicates:

(1) That 52 cards are in the deck, the dealer shall place the cards in the discard rack.

(2) That 52 cards are not in the deck, the entire deck of cards shall be removed from the table.

§ 671a.12. Payout odds.

(a) The certificate holder shall pay an instant payout on a player's Ante Wager in accordance with one of the following paytables, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	Paytable A	Paytable B	Paytable C
Royal flush	1,500 to 1	1,000 to 1	1,000 to 1
Straight flush	250 to 1	300 to 1	250 to 1

(b) A certificate holder shall pay the player's winning Super Wager at the following odds:

Hand	Payout
Four-of-a-kind	200 to 1

Five picture cards	150 to 1
Full house	100 to 1
Flush	60 to 1
Straight	30 to 1
Three-of-a-kind	8 to 1
Ace-king-queen	5 to 1
Same colored five	2 to 1

(c) When a dealer does not qualify with an ace and king or higher, a player's Ante Wager shall be paid at odds of 1 to 1 provided that if the player's hand is a straight or higher, the player's Ante Wager shall be paid at odds of 4 to 1.

(d) A winning Bet Wager shall be paid at the following odds:

Hand	**Payout**
Royal flush	100 to 1
Straight flush	50 to 1
Four-of-a-kind	20 to 1
Full house	7 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pair	2 to 1
One pair	1 to 1
Ace-king	1 to 1

§ 671a.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 any 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 any of the dealer's cards that are dealt face down on the layout are inadvertently exposed prior to each player having either folded or placed a Bet Wager as provided under §

671a.11 (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 672a. FREE BET BLACKJACK

Sec.

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§ 672a.1. Definitions.

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

Blackjack—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Hard total—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 672a.2. Free Bet Blackjack table; card reader device; physical characteristics; inspections.

(a) Free Bet Blackjack 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 Free Bet Blackjack table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Blackjack Wager for each player.

(3) The following inscriptions:

(i) Blackjack pays 3 to 2.

(ii) Insurance pays 2 to 1.

(iii) Dealer shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(iv) Blackjack Wagers will push if the dealer's hand has a total point count of 22 or other similar language.

(v) Surrender is not available on a Free Bet Blackjack table or other similar language. If the language is not inscribed on the layout, a sign specifying that surrender is not available shall be posted at each Free Bet Blackjack table.

(4) If the certificate holder offers the Push 22 Wager, a separate area designated for the placement of the wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Free Bet Blackjack table.

(c) Each Free Bet Blackjack 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 Free Bet Blackjack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Free Bet Blackjack table shall

inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Free Bet Blackjack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 672a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsection (b), Free Bet Blackjack shall be played with six or eight deck shoes of cards that are identical in appearance and at least one cover card.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Free Bet Blackjack shall be played with at least two shoes of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a Free Bet Blackjack table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

§ 672a.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 § 672a.5 (relating to shuffle and cut of the cards).

(d) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 672a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, 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. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 672a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Free Bet Blackjack table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 cards shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section if there is no automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt provided that the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

§ 672a.6. Wagers.

(a) Wagers at Free Bet Blackjack shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the Free Bet Blackjack layout.

(b) After the cards have been shuffled as required under § 672a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except an Insurance Wager under § 672a.8 (relating to Insurance Wager), a wager to double down under § 672a.9 (relating to double down) or a wager on split pairs under § 672a.10 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) A player shall place a Blackjack Wager to participate in a round of play and compete against the dealer's hand.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack Wager in accordance with subsection (d), the option of placing a Push 22 Wager which shall win if the dealer's hand has a total point count of 22.

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

§ 672a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards shall be dealt from a dealing shoe which 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 under § 672a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite

hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then:

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Blackjack and optional Push 22 Wagers have been placed, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each box on the layout in which a Blackjack Wager is contained.

(2) One card face up to the dealer.

(3) A second card face up to each box in which a wager is contained.

(4) A second card face down to the dealer.

(f) Immediately after the second card is dealt to each player and the dealer, if the dealer's first card is an ace, the dealer shall offer the Insurance Wager or even money in accordance with § 672a.8 (relating to Insurance Wager).

(g) If the dealer's first card is an ace or a 10 value card, after the procedures in subsection (f) have been completed, if applicable, the dealer shall determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and if a player:

(1) Has a Blackjack, the dealer shall return the player's Blackjack Wager, collect the player's Push 22 Wager and pay out any Insurance Wager, if applicable.

(2) Does not have a Blackjack, the dealer shall collect the player's Blackjack and Push 22 Wagers and pay out any Insurance Wager, if applicable.

(h) If the dealer's up card was not an ace or 10 value card or if the dealer's hole card did not give the dealer Blackjack, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and if the player:

(1) Has Blackjack, the dealer shall announce and pay the Blackjack in accordance with § 672a.11(a) (relating to payout odds) and remove the player's cards. If a player also placed a Push 22 Wager, the dealer shall tuck the player's cards under the player's Push 22 Wager until it is resolved in accordance with subsection (n).

(2) Does not have Blackjack, the player shall indicate whether he wishes to double down as permitted under § 672a.9 (relating to double down), split pairs as permitted under § 672a.10 (relating to splitting pairs), stand or draw additional cards. Players may not surrender in Free Bet Blackjack.

(i) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(j) A player may elect to draw additional cards whenever his point count total is less than 21, except that:

(1) A player having a hard or soft total of 21 may not draw additional cards.

(2) A player electing to double down in accordance with § 672a.9 may draw only one additional card.

(k) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hole card face up.

(l) Except as provided in subsection (m), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21. Any additional cards required to be dealt to the hand of the dealer shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(m) If there are no Push 22 Wagers on the table, a dealer may not draw additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play. If there are Push 22 Wagers still on the table and all player's hands are in excess of 21 or have Blackjack, the dealer shall draw additional cards to settle the Push 22 Wagers.

(n) After all additional cards have been drawn, if the total point count of the dealer's hand:

(1) Is a 22, the dealer shall return all remaining player's Blackjack Wagers, collect any Free Bet lammers, as provided in § 672a.9 and § 672a.10, and pay out any Push 22 Wagers in accordance with § 672a.11(c).

(2) Is not a 22, the dealer shall collect any Push 22 Wagers and settle the player's Blackjack Wagers and Free Bet lammers in accordance with subsections (o)—(q).

(o) A player shall win and be paid in accordance with § 672a.11(a) for the Blackjack Wager and an equivalent amount for each Free Bet lammer, if applicable, if:

(1) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21 provided that if the total point count of the dealer's hand is 22, the Blackjack Wager shall be returned to the player and any Free Bet lammers shall be collected.

(2) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(p) A Blackjack Wager shall tie and be returned to the player and any Free Bet lammers collected if the total point count of the player's hand is the same as the total point count of the dealer's hand.

(q) A player's Blackjack Wager shall lose and any Free Bet lammers shall be collected if:

(1) The total point count of the dealer's hand is 21 or less and the total point count of the player's hand is in excess of 21.

(2) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(r) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction and then pay off all winning wagers.

(2) Collect each player's losing wagers and pay off each player's winning wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any player's winning wagers by using value chips collected from a losing wager.

(s) After all wagers 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.

(t) Players and spectators may not handle, remove or alter any cards used to play Free Bet Blackjack.

§ 672a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen, jack or 10.

(b) An Insurance Wager may be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 of the player's initial Blackjack Wager. A player may wager an amount in excess of 1/2 of the initial Blackjack Wager to the next unit that can be wagered in chips when, because of the limitation of the value of chip denominations, 1/2 the initial Blackjack Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 672a.11(b) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

(e) Notwithstanding the requirements of subsections (a)—(d), if selected in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer a player who has Blackjack the option to be paid even money on the Blackjack Wager instead of making an Insurance Wager. If the player elects to be paid even money, the dealer shall pay out the Blackjack Wager at odds of 1 to 1 and remove the player's cards provided that if the player also placed a Push 22 Wager, the dealer shall tuck the player's cards under the player's Push 22 Wager until it is resolved in accordance with § 672a.7(n) (relating to procedure for dealing the cards; completion of each round of play).

§ 672a.9. Double down.

(a) Except when a player has a Blackjack, a player may elect to double down on the first two cards dealt to him or on the first two cards of any split pair. If the total point count of the player's two cards:

(1) Is a hard 9, 10 or 11, the player may double down without placing an additional wager. If a player is doubling down without placing an additional wager, the dealer shall place a Free Bet lammer next to the player's original Blackjack Wager.

(2) Is not a hard 9, 10 or 11, the player may place an additional wager next to the player's original Blackjack Wager which may not exceed the amount of the player's original Blackjack Wager.

(b) If a player elects to double down after splitting pairs, as provided in § 672a.10 (relating to splitting pairs), the player may double down on split pairs as provided in subsection (a).

(c) Upon a player's election to double down, the dealer shall deal one additional card face up and place it sideways on the layout.

(d) The dealer shall then complete the procedure in § 672a.7(i)—(s) (relating to procedure for dealing the cards; completion of each round of play).

§ 672a.10. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands. For example, if a player has two 7s or a king and a 10, the player may elect to split the hand.

(b) If a player elects to split pairs and the player has:

(1) A pair of 10 value cards (10, jack, queen or king), the player shall place an amount equal to the original Blackjack Wager for the split pair.

(2) Any pair other than 10 value cards, the player may split pairs without placing an additional wager. If a player is splitting pairs without placing an additional wager:

(i) The dealer shall place a Free Bet lammer next to the player's original Blackjack Wager.

(ii) The original Blackjack Wager shall move with the first split hand and the Free Bet lammer shall be the wager for the second split hand.

(c) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand. If the first split hand busts and if the player's hand:

(1) Does not contain any Free Bet lammers, the dealer shall collect the losing Blackjack Wager and place the player's cards in the discard rack.

(2) Contains a Free Bet lammer, the player's cards shall be tucked under the original Blackjack Wager until the hand is settled or until the split hand or hands bust as well.

(d) After a second card is dealt to each split pair, the player shall indicate his decision to stand, draw, double down or resplit with respect that hand. A player may resplit any additional pairs, in accordance with subsection (b), for a total of up to four hands.

§ 672a.11. Payout odds.

(a) The certificate holder shall pay each winning Blackjack Wager and any Free Bet lammers at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(b) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

(c) The certificate holder shall pay out winning Push 22 Wagers based on the dealer's hand at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	**Paytable A**	**Paytable B**
Same suit 22	50 to 1	50 to 1
Same color 22	20 to 1	20 to 1
Other 22	8 to 1	7 to 1

§ 672a.12. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack or in a segregated area of the double shoe.

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

(c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(d) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(e) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in § 672a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(g) If no cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) If after receiving the first two cards the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer

revealing his hole card or call the player's hand dead and return the player's original Blackjack Wager.

(i) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen, jack or 10, the dealer, after notification to a floorperson or above, shall continue play.

(j) If a card reader device malfunctions, the dealer may not continue dealing the game of Blackjack at that table until the card reader device is repaired or replaced.

(k) 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.

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

CHAPTER 673a. DOUBLE BACK JACK

Sec.

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§ 673a.1. Definitions.

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

Blackjack—An ace and any card having a value of 10 dealt as the initial two cards to a player or the dealer.

Bust—The total point count of a hand that is greater than 21.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Hard total—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 673a.2. Double Back Jack table; card reader device; physical characteristics; inspections.

(a) Double Back Jack 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 Double Back Jack table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area designated for the placement of the Blackjack Wager for each player.

(3) A separate betting area designated for the placement of the Second Chance Wager for each player.

(4) The following inscriptions or other similar language approved by the Executive Director in accordance with § 601a.10(a):

(i) Blackjack and Insurance pays 2 to 1.

(ii) Dealer shall draw to 16 and stand on all 17s.

(iii) Blackjack Wagers will push if the dealer's hand has a total point count of 22, player 21 pays right away, Second Chance pays even money.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Double Back Jack table.

(c) Each Double Back Jack 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 Double Back Jack table must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the Double Back Jack table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Double Back Jack table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 673a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsections (b) and (c), Double Back Jack shall be played with at least one deck of cards that are identical in appearance and at least one cover card.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Double Back Jack shall be played with at least two decks of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a Double Back Jack table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

§ 673a.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 § 673a.5 (relating to shuffle and cut of the cards).

(d) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 673a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from 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 the cards have been placed in the dealing shoe, 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. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 673a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Double Back Jack table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 cards shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section, if there is no automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled, if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt if the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

§ 673a.6. Wagers.

(a) Wagers at Double Back Jack shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the Double Back Jack layout.

(b) After the cards have been shuffled as required under § 673a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except a Second Chance Wager under § 673a.7(l) (relating to procedure for dealing the cards; completion of each round of play), an Insurance Wager under § 673a.8 (relating to Insurance Wager), a wager to double down under § 673a.10 (relating to double down) or a wager on split pairs under § 673a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) To participate in a round of play and compete against the dealer's hand, a player shall place a Blackjack Wager.

(e) The certificate holder shall specify in its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the number of adjacent boxes on which a player may place a Blackjack Wager in one round of play.

§ 673a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards shall be dealt from a dealing shoe which 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 under § 673a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then:

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Blackjack Wagers have been placed, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each box on the layout in which a Blackjack Wager is contained.

(2) One card face up to the dealer.

(3) A second card face up to each box in which a wager is contained.

(4) A second card face down to the dealer.

(f) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, if any player has a Blackjack, the dealer shall settle the player's Blackjack Wager. Starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall pay the winning Blackjack Wager in accordance with § 673a.12(a) (relating to payout odds) and place the player's cards in the discard rack.

(g) After paying out any winning Blackjack Wagers in accordance with subsection (f), if the dealer's first card is an ace, the dealer shall offer the Insurance Wager in accordance with § 673a.8 (relating to Insurance Wager).

(h) If the dealer's first card is an ace, king, queen, jack or 10, after all Insurance Wagers have been placed, if applicable, the dealer shall determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and each player's Blackjack Wager will be collected.

(i) If the dealer's up card was not an ace or 10 value card or if the dealer's hole card did not give the dealer Blackjack, the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and each player shall indicate whether he wishes to surrender, as permitted under § 673a.9 (relating to surrender), double down as permitted under § 673a.10 (relating to double down), split pairs as permitted under § 673a.11 (relating to splitting pairs), stand or draw additional cards.

(j) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision.

(k) A player may elect to draw additional cards whenever his point count total is less than 21, except that:

(1) A player having a hard or soft total of 21 may not draw additional cards.

(2) A player electing to double down may draw only one additional card.

(l) After drawing additional cards in accordance with subsection (k), if the player's hand is greater than 21, the dealer shall ask if the player would like to place a Second Chance Wager to draw one additional card, the value of which will be subtracted from the player's hand. To draw an additional card, the player shall place a Second Chance Wager equal to the amount of the player's current Blackjack Wager. The dealer shall deal one additional card face up and place it sideways on the layout. The value of the second chance card shall be subtracted from the total value of the player's hand. For example, if a player elects to place a Second Chance Wager when the player's hand has a total value of 25 after all additional cards are dealt in accordance with subsection (k), and the player receives a second chance card with a value of 5, the 5 shall be subtracted from the player's hand making the total value of the player's hand a 20. For purposes of the Second Chance Wager, an additional ace drawn is counted as a 1. After drawing the additional second chance card, if the player's hand has a total value:

(1) Greater than 21, the dealer shall collect the player's Blackjack and Second Chance Wagers and place the player's cards in the discard rack.

(2) Of 21, the dealer shall pay the player's winning Second Chance Wager in accordance with § 673a.12(b), return the player's Blackjack Wager and place the player's cards in the discard rack.

(3) Less than 21, the round of play shall continue in accordance with subsection (n).

(m) If a player did not place a Second Chance Wager, after all additional cards have been dealt, if any player's hand has a total value of 21, the dealer shall pay the player's winning Blackjack Wager in accordance with § 673a.12(a) and place the player's cards in the discard rack.

(n) After settling any player's hand who had a total value of 21, the dealer shall turn the dealer's hole card face up.

(o) Except as provided in subsection (p), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21. Any additional cards required to be dealt to the hand of the dealer shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(p) A dealer shall draw no additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play.

(q) After all additional cards have been dealt to the dealer, if the total point count of the dealer's hand:

(1) Is 22, the dealer shall return all remaining player's Blackjack Wagers and Second Chance Wagers, if applicable.

(2) Is 21 or less, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the remaining player's hands in accordance with subsections (r) and (s).

(r) In comparing the total point count of the dealer's hand versus the total point count of the player's hand, a player's hand shall:

(1) Win if:

(i) The total point count of the player's hand is less than 21 and the total point count of the dealer's hand is in excess of 21.

(ii) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(2) Tie if the total point count of the player's hand is the same as the total point count of the dealer's hand.

(3) Lose if:

(i) The total point count of the dealer's hand is 21 or less and the total point count of the player's hand is in excess of 21.

(ii) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(s) If a player's hand:

(1) Is a winning hand, in accordance with subsection (r), and the player:

(i) Placed a Second Chance Wager, the dealer shall return the player's Blackjack Wager and pay out the winning Second Chance Wager in accordance with § 673a.12(b).

(ii) Did not place a Second Chance Wager, the dealer shall pay out the winning Blackjack Wager in accordance with § 673a.12(a).

(2) Ties with the dealer's hand, the dealer shall return the player's Blackjack Wager and Second Chance Wager, if applicable.

(3) Loses against the dealer's hand, the dealer shall collect the player's Blackjack Wager and Second Chance Wager, if applicable.

(t) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction and then pay off all winning wagers.

(2) Collect each player's losing wagers and pay off each player's winning wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any player's winning wagers by using value chips collected from a losing wager.

(u) After all wagers 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.

(v) Players and spectators may not handle, remove or alter any cards used to play Double Back Jack.

§ 673a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player may make an Insurance Wager which shall win if the dealer's hole card is a king, queen, jack or 10.

(b) An Insurance Wager may be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 of the player's initial Blackjack Wager. A player may wager an amount in excess of 1/2 of the initial Blackjack Wager to the next unit that can be wagered in chips, when, because of the limitation of the value of chip denominations, half the initial Blackjack Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 673a.12(c) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

§ 673a.9. Surrender.

(a) After the first two cards are dealt to the player, the player may elect to discontinue play on his hand for that round by surrendering 1/2 of his wager. All decisions to surrender shall be made prior to the player indicating whether he wishes to double down as permitted under § 673a.10 (relating to double down), split pairs as permitted under § 673a.11 (relating to splitting pairs), stand or draw. If the first card dealt to the dealer:

(1) Is not an ace or 10 value card, the dealer shall immediately collect 1/2 of the wager and return 1/2 to the player.

(2) Is an ace or 10 value card, the dealer will place the player's wager on top of the player's cards. After the Insurance Wager is offered and the card reader device is utilized, the hand will be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player if the dealer does not have Blackjack.

(b) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (a) and § 673a.8 (relating to Insurance Wager).

§ 673a.10. Double down.

(a) Except when a player has a Blackjack, a player may elect to double down on the first two cards dealt to him or the first two cards of any split pair. To double down, the player shall place an additional wager next to the player's original Blackjack Wager which may not exceed the amount of the player's original Blackjack Wager. Only one additional card shall be dealt to the hand on which the player has elected to double down.

(b) Upon a player's election to double down, the dealer shall deal the one additional card face up and place it sideways on the layout.

(c) A player may double down after splitting pairs as provided in § 673a.11 (relating to splitting pairs).

§ 673a.11. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into a maximum of two separate hands provided that he makes a wager on the second hand formed in an amount equal to his original Blackjack Wager. For example, if a player has two 7s or a king and a 10, the player may elect to split the hand.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand. If a player's hand contains an ace and a 10 value card after the

player's hand is split and an additional card is dealt, the player shall be paid out for a 21 not a Blackjack.

(c) After a second card is dealt to each split pair hand, the player shall indicate his decision to stand, draw or double down with respect that hand.

§ 673a.12. Payout odds.

(a) The certificate holder shall pay each winning Blackjack Wager at odds of 1 to 1 with the exception of a player Blackjack which shall be paid at odds of 2 to 1.

(b) The certificate holder shall pay out winning Second Chance Wagers at odds of 1 to 1.

(c) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

§ 673a.13. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack or in a segregated area of the double shoe.

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

(c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(d) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(e) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in § 673a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(g) If no cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) If after receiving the first two cards, the dealer fails to deal an additional card to a player who has requested a card, then, at the player's option, the dealer shall either deal the additional card after all other players have received their additional cards but prior to the dealer revealing his hole card or call the player's hand dead and return the player's original Blackjack Wager.

(i) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen, jack or 10, the dealer, after notification to a floorperson or above, shall continue play.

(j) If a card reader device malfunctions, the dealer may not continue dealing the game of Blackjack at that table until the card reader device is repaired or replaced.

(k) 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.

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

CHAPTER 674a. CRISS-CROSS POKER

Sec.

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§ 674a.1. Definitions.

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

Across Hand—A five-card Poker hand formed for each player by combining the two cards dealt to the player and the three community cards on the horizontal line of the cross.

Community cards—Cards which are used by all players to form a five-card Poker hand.

Down Hand—A five-card Poker hand formed for each player by combining the two cards dealt to the player and the three community cards on the vertical line of the cross.

§ 674a.2. Criss-Cross Poker table physical characteristics.

(a) Criss-Cross Poker 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 Criss-Cross Poker 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:

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

(2) Five separate betting areas for each player designated for the placement of the Ante Across and Ante Down Wagers required under § 674a.7(d) (relating to wagers) and the Across, Down and Middle Bets as provided in § 674a.11(b), (d) and (f) (relating to procedures for completion of each round of play).

(3) Five separate areas designated for the placement of the five community cards. The area for the community cards must form a cross with one box furthest from the table inventory container, three boxes in the center row and one box directly in front of the table inventory container.

(4) If the certificate holder offers the optional Five Card Bonus Wager authorized under § 674a.7(e), a separate area designated for the placement of the Five Card Bonus Wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Criss-Cross Poker table.

(6) If the certificate holder establishes a payout limit per player per round of play as authorized under § 674a.12(d) (relating to payout odds), inscriptions that advise patrons of the payout limit. If the limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Criss-Cross Poker table.

(c) Each Criss-Cross Poker 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 Criss-Cross Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 674a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Criss-Cross Poker 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, Criss-Cross Poker 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Criss-Cross Poker 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.

§ 674a.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 § 674a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 674a.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 § 674a.8, § 674a.9 or § 674a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 the procedures in 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 the 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 Criss-Cross Poker 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 § 674a.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.

§ 674a.6. Criss-Cross Poker rankings.

(a) The rank of the cards used in Criss-Cross Poker 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 formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Criss-Cross Poker, in order of highest to lowest rank, shall be:

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

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

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

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

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of consecutive rank of different suits.

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

(8) Two pairs, which is a hand consisting of two pairs.

(9) A pair, which is a hand consisting of two cards of the same rank.

§ 674a.7. Wagers.

(a) Wagers at Criss-Cross Poker 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 Criss-Cross Poker 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 Ante Across and Ante Down Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 674a.8, § 674a.9 or § 674a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 674a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made after the dealer has announced “no more bets.”

(d) To participate in a round of play, a player shall place two equal but separate Ante Wagers designated as Ante Across and Ante Down.

(e) 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 Criss-Cross Poker table the option to make an additional Five Card Bonus Wager that the five community cards will form a hand with a rank of a pair of 6s or better. After placing the Ante Wagers required under subsection (d), a player may make an additional Five Card Bonus Wager by placing a value chip onto the designated betting area for that player. A Five Card Bonus Wager will not have a bearing on any other wagers made by the player.

(f) Across, Down and Middle Bets shall be made in accordance with § 674a.11(b), (d) and (f).

(g) A player may not wager on more than one player position at a Criss-Cross Poker table.

§ 674a.8. Procedure 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 § 674a.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.”

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall deal five community cards face down to form a cross with one card in the box furthest from the dealer, three cards in the second row and one card in the box closest to the dealer. After dealing the five community cards, 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, face down to each player who has placed the two required Ante Wagers in accordance with § 674a.7(d) (relating to wagers) until each player has two cards.

(e) After five cards have been dealt to the area designated for the placement of the community cards and two cards have been dealt to each player, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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 (a player has more or less than 2 cards or the area designed for the placement of the community cards has more or less than 5 cards) 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.

§ 674a.9. Procedure 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 § 674a.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 he will 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) The dealer shall deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck. The dealer shall deal five community cards face down to form a cross with one card in the box furthest from the dealer, three cards in the second row and one card in the box closest to the dealer. After dealing the five community cards, 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, face down to each player who has placed the two required Ante Wagers in accordance with § 674a.7(d) (relating to wagers) until each player has two cards.

(c) After five cards have been dealt to the area designated for the placement of the community cards and two cards have been dealt to each player, 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, 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 (a player has more or less than 2 cards or the area designed for the placement of the community cards has more or less than 5 cards) 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.

§ 674a.10. Procedure 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 § 674a.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 five cards dispensed by the automated dealing shoe face down to the area designated for the placement of the community cards. The dealer shall spread the stack within the designated area to form a cross with one card placed in the box furthest from the dealer, three cards in the second row and one card in the box closest to the dealer. After dealing the five community cards, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deliver a stack of two cards face down to each of the players who has placed the two required Ante Wagers in accordance with § 674a.7(d) (relating to wagers).

(c) After each stack of 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.

(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 (a player has more or less than 2 cards or the area designed for the placement of the community cards has more or less than 5 cards) 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.

§ 674a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 674a.8, § 674a.9 or § 674a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 Criss-Cross Poker 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 two 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 if he wishes to place an Across Bet in an amount equal to one to three times the total amount of the player's Ante Across Wager. If a player does not place an Across Bet, the player's Ante Across and Ante Down Wagers shall be collected and the player's cards placed in the discard rack provided that if a player also placed a Five Card Bonus Wager, the player's Five Card Bonus Wager shall remain on the table until resolved in accordance with subsection (h)(5).

(c) After each player has made a decision regarding the Across Bet and any forfeited hands have been collected, the dealer shall then turn the two outside community cards in the horizontal row face up on the layout.

(d) After the first two community cards are exposed, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Down Bet in an amount equal to one to three times the total amount of the player's Ante Down Wager. If a player does not place a Down Bet, the player's Ante Across Wager, Ante Down Wager and Across Bet shall be collected and the player's cards placed in the discard rack provided that if a player also placed a Five Card Bonus Wager, the player's Five Card Bonus Wager shall remain on the table until resolved in accordance with subsection (h)(5).

(e) The dealer shall then turn the two outside community cards in the vertical row face up leaving only the middle community card face down on the layout.

(f) After the third and fourth community cards are exposed, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Middle Bet in an amount equal to one to three times the amount of the player's Ante Across or Ante Down Wager. If a player does not place a Middle Bet, the player's Ante Across Wager, Ante Down Wager, Across Bet and Down Bet shall be collected and the player's cards placed in the discard rack provided that if a player also placed a Five Card Bonus Wager, the player's Five Card Bonus Wager shall remain on the table until resolved in accordance with subsection (h)(5). After all remaining players have placed a Middle Bet, each player shall place his cards face down on the appropriate area of the layout.

(g) The dealer shall then turn the middle community card face up on the layout. After all five community 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, turn the two cards of the player face up on the layout. The player's two cards and the three community cards in the horizontal line shall form the player's five-card Across Hand while the player's two cards and the three community cards in the vertical line shall form the player's five-card Down Hand.

(h) The dealer shall settle all wagers of that player by collecting losing wagers and paying winning wagers as follows:

(1) If a player's Across Hand:

(i) Is less than a pair of 6s, the dealer shall collect the losing Ante Across and Across Bet Wagers.

(ii) Is a pair of 6s or better, as described in § 674a.6(b) (relating to Criss-Cross Poker rankings), the dealer shall return or pay out the winning Ante Across wager in accordance with § 674a.12(a) (relating to payout odds) and the Across Bet in accordance with § 674a.12(b).

(2) If a player's Down Hand:

(i) Is less than a pair of 6s, the dealer shall collect the losing Ante Down and Down Bet wagers.

(ii) Is a pair of 6s or better, as described in § 674a.6(b), the dealer shall return or pay out the winning Ante Down Wager in accordance with § 674a.12(a) and the Down Bet in accordance with § 674a.12(b).

(3) If neither of a player's Down or Across Hands contains a pair of 6s or better, the dealer shall collect the losing Middle Bet Wager.

(4) If either of a player's Down or Across Hands contains a pair of 6s or better, as described in § 674a.6(b), the dealer shall pay out the Middle Bet Wager in accordance with § 674a.12(b). The payout shall be based on the higher ranking Across Hand or Down Hand.

(5) After settling the player's other wagers, the dealer shall settle the player's Five Card Bonus Wager, if applicable. If the five community cards form a five-card Poker hand of a pair of 6s or better, as described in § 674a.6(b), the dealer shall pay the winning Five Card Bonus Wager in accordance with § 674a.12(c).

(i) After all wagers of the player have been settled, the dealer shall remove the player's 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.

§ 674a.12. Payout odds.

(a) Winning Ante Across and Ante Down Wagers shall be paid at the following odds:

Hand	Payout
Pair of jacks or better	1 to 1
Pair of 6s through 10s	Push

(b) Winning Across, Down and Middle Bet Wagers shall be paid at the following odds:

Hand	Payout
Royal flush	500 to 1
Straight flush	100 to 1
Four-of-a-kind	40 to 1
Full house	12 to 1
Flush	8 to 1
Straight	5 to 1
Three-of-a-kind	3 to 1
Two pair	2 to 1
Pair of jacks, queens, kings or aces	1 to 1
Pair of 6s through 10s	Push

(c) If a certificate holder offers the Five Card Bonus Wager, winning Five Card Bonus Wagers shall be paid out at the following odds:

Hand	Payout
Royal flush	250 to 1
Straight flush	100 to 1
Four-of-a-kind	40 to 1
Full house	15 to 1
Flush	10 to 1
Straight	6 to 1
Three-of-a-kind	4 to 1
Two pair	3 to 1
Pair of 6s or better	1 to 1

(d) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table game Rules Submissions), 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.

§ 674a.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 any player or the area designated for the placement of the community cards 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 any of the community cards are inadvertently exposed prior to the dealer revealing the community cards in accordance with § 674a.11(c), (e) and (g) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 shall 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.

CHAPTER 675a. HIGH ROLL DICE

Sec.

675a.1. High Roll Dice table; physical characteristics.
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§ 675a.1. High Roll Dice table; physical characteristics.

(a) High Roll Dice shall be played at a table having betting positions for up to 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 High Roll Dice table shall be submitted to the Bureau of Gaming Operations and approved 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) At each betting position:

(i) For the Like Kind Boulevard Wagers, seven circles containing the numbers two of a kind through eight of a kind.

(ii) For the Millionaire Row Wagers, two circles containing the numbers nine of a kind and ten of a kind and the inscription “First Roll Side Bet.”

(iii) For the Pip Street Wagers, a depiction of six dice displaying a value of one through six with the two-spot die farthest to the player's left and the one-spot die farthest to the player's right.

(iv) An inscription advising players that all Pip Street and Like Kind Boulevard Wagers and the purchase of an Extra Roll must be of equal value.

(v) An extra-roll sensor for the placement of an Extra Roll purchased by the player.

(3) The payout odds, in accordance with § 675a.5 (relating to payout odds), for all permissible wagers offered by the certificate holder. If the payout odds are not on the layout, a sign identifying the payout odds shall be posted at each High Roll Dice table.

(4) If the certificate holder establishes a payout limit per player per round of play, as authorized under § 675a.5(l) (relating to payout odds), inscriptions that advise patrons of the payout limit. If the limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each high roll dice table.

(5) A throw box set into the surface of the High Roll Dice table. The throw box layout must contain an area for the placement of dice labeled “Ace” through “Six” with the “Ace” box farthest to the left of the dealer and the “Two” box farthest to the right of the dealer.

(c) The High Roll Dice table must have an electronic system for the placement of an Extra Roll purchased by the player. The electronic system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Extra Roll purchased by the player.

(2) A device that controls or monitors the placement of an Extra Roll purchased at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of an Extra Roll that a player attempts to purchase after the dealer has announced “no more bets.”

(d) Each High Roll Dice table must have a drop box with a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 675a.2. Wagers; die ranking.

(a) All wagers and the purchase of an extra roll shall be made before the dice are shaken by the dealer.

(b) Wagers and the purchase of an extra roll shall be made by placing value chips or plaques on the appropriate areas of the layout. Verbal wagers and the purchase of an extra roll accompanied by cash may not be accepted.

(c) Only players who are seated at a High Roll Dice table may place a wager at the game. Once a player has placed a wager, that player shall remain seated until the completion of the round of play.

(d) For High Roll Dice, a die with a value of 1, or ace, is the highest in rank followed by a 6, 5, 4 and 3, with a 2 being the lowest value die.

(e) The following wagers are authorized in High Roll Dice:

(1) To participate in a round of play, each player shall place a Pip Street Wager on any or all of the depictions of six dice contained at the top of the player's wagering area. For purposes of the Pip Street Wager, the player is wagering on which die face will occur the greatest number of times in the first roll. For example, if a dealer throws:

(i) Three 6s and four 4s, the 4s occurred the most during the first roll.

(ii) Three 6s and three 1s, the 1s occurred the most as an ace has a higher value than a 6 for purposes of High Roll Dice.

(2) After placing a Pip Street Wager, a player may place a Like Kind Boulevard Wager equal to the player's Pip Street Wager on any or all of the numbered circles two through eight. For purposes of the Like Kind Wager, the player is wagering on how many of the most matching dice will be rolled on the first roll. For example, if a dealer throws:

(i) Three 6s and four 1s, the result would be four matching dice, or a four-of-a-kind.

(ii) Five 2s and three 1s, the result would be five matching dice, or a five-of-a-kind.

(3) If a player placed a Like Kind Boulevard Wager, the player may also purchase an extra roll by placing an amount equal to the player's Like Kind Boulevard Wager on the extra-roll sensor. The purchase of an Extra Roll will entitle the player to an additional throw of nonmatching dice. For example, if a dealer threw two 6s and four 1s on the first throw and two additional 1s on the second roll, there would be a total of six matching dice, or a six-of-a-kind.

(4) A player may place a Millionaire Row Wager on either or both of the numbered nine or ten circles. For purposes of the Millionaire Row Wager, the player is wagering that all nine or ten dice will match on the first roll. The Millionaire Row Wager may not be more than $1.

§ 675a.3. Dice; shaker.

(a) High Roll Dice shall be played with ten 19 mm dice. Dice used in the play of the game shall comply with § 603a.12(a)(2)—(10) and (d) (relating to dice; physical characteristics) and the receipt and inspection requirements in § 603a.13 (relating to dice; receipt, storage, inspection and removal from use).

(b) High Roll Dice shall be played with a dice shaker, approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), which shall be used to shake the ten dice to arrive at the winning combinations. The dice shaker shall be designed and constructed to maintain the integrity of the game and must:

(1) Be capable of effectively shaking ten dice. Dice that have been placed in a dice shaker for use in gaming may not remain on a table for more than 24 hours.

(2) Have the name or logo of the certificate holder imprinted or impressed thereon.

(c) The dice shaker is the responsibility of the dealer and may not be left unattended while at the table.

(d) A shaker and ten dice shall be present at the High Roll Dice table for gaming.

§ 675a.4. Procedure for completion of each round of play.

(a) After all players have placed their wagers, the dealer shall announce “no more bets” and if any player placed an Extra Roll Wager use the electronic device to prevent the placement of additional Extra Roll Wagers. If any Extra Roll Wagers have been made, the dealer shall collect the wagers and place them in the table inventory container.

(b) The dealer shall cover and shake the shaker containing the dice at least three times to cause a random mixture of the dice. The dealer shall then simultaneously throw the dice into the throw box. A roll of the dice shall be invalid if any of the dice go off the table or if one die comes to rest on top of the other.

(c) In the event any of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost or skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be placed back in the throw cup, shaken and rethrown.

(d) When the dice come to rest from a valid throw, the dealer shall call out which die of the highest value occurs the most.

(e) After the first roll, the dealer shall announce to the players the matching dice of the highest value. After announcing the winning combination, the dealer shall move all matching dice of the highest value into the corresponding box on the throw box layout. For example, if there were four 5s, three 6s and two 1s and one 4, the dealer shall move the four 5s into the box on the throw layout labeled “Five.” To move the dice to the designated area on the throw box layout, the dealer shall leave the dice exposed and may not cover the dice or impede surveillance's ability to view the dice at any time the dice are on the throw box layout.

(f) The dealer shall then settle each player's first roll wagers as follows:

(1) The dealer shall collect the player's losing Pip Street Wagers and pay out all winning Pip Street Wagers in accordance with § 675a.5(a) (relating to payout odds). For example, if a player placed a Pip Street Wager on the 5 die and the 2 die and the dealer threw four 5s, three 6s and two 1s and one 4, the dealer shall collect the losing Pip Street Wager placed on the 2 die and pay out the winning Pip Street Wager placed on the 5 die.

(2) For the Like Kind Wager, if a player:

(i) Did not purchase an Extra Roll, the dealer shall collect the player's losing Like Kind Boulevard Wagers and pay out any Like Kind Boulevard Wagers in accordance

with § 675a.5(b). For example, if the dealer threw four 5s, three 6s and two 1s and one 4, the dealer shall collect all Like Kind Wagers that were not placed on the four-of-a-kind circle and pay out any winning wagers that were placed on the four-of-a-kind circle.

(ii) Also purchased an Extra Roll, the dealer shall pay out any winning Like Kind Boulevard Wagers in accordance with § 675a.5(b) and collect a player's losing Like Kind Boulevard Wagers that have no possibility of winning with an extra roll. For example, if a player wagered on the three-of-a-kind, a four-of-a-kind and a five-of-a-kind and a four-of-a-kind was thrown on the first throw, the dealer shall pay the winning four-of-a-kind, collect the Like Kind Wager placed on the three-of-a-kind and leave the player's wager on the five-of-a-kind on the table layout until it is resolved in accordance with subsection (g).

(3) The dealer shall then settle the player's Millionaire Row Wagers by collecting any losing wagers and paying out any winning wagers in accordance with § 675a.5(c). For example, if nine matching dice were thrown on the first throw, the dealer shall collect all Millionaire Row Wagers that were not placed on the nine-of-a-kind and pay out any winning Millionaire Row Wagers that were placed on the nine-of-a-kind circle.

(g) If any player purchased an Extra Roll, the dealer shall then collect all dice except those of the highest value that were placed on a designated number on the throw box layout and place them in the shaker. For example, if the dealer threw three 6s, three 4s, two 2s and two 1s in the first throw, the three 6s would be placed on the “Six” in the throw box layout. The dealer would collect the three 4s, two 2s and the two 1s, place them in the shaker, shake and throw the remaining dice in accordance with subsections (b) and (c).

(h) When the dice come to rest from a valid throw, the dealer shall call out the number of additional dice that match the highest number of matched dice thrown in the first throw. For example, if after the first throw three 6s were placed on the “Six” in the throw box layout and on the second throw an additional two 6s were thrown, the extra roll would result in a total of a five-of-a-kind. The dealer shall collect any losing Like Kind Boulevard Wager and pay out any winning Like Kind Boulevard Wagers on the Extra Roll in accordance with § 675a.5(d), provided that if a player was paid out on a winning Like Kind Wager after the first roll, the player may not be paid out on the second roll for the same number. For example, if a player placed a winning Like Kind Wager on the four-of-a-kind and if no additional matching dice were thrown on the second roll, the player may not be paid out for the four-of-a-kind for the Extra Roll.

§ 675a.5. Payout odds.

(a) The certificate holder shall pay out winning Pip Street Wagers at the following odds:

Die Value with Most Matches	Payout Odds
Two	6 to 1
Three	6 to 1
Four	5 to 1

Five	4 to 1
Six	4 to 1
One/ace	3 to 1

(b) The certificate holder shall pay out winning Like Kind Wager at the following odds:

	Payout Odds
Eight-of-a-kind	5,000 to 1
Seven-of-a-kind	400 to 1
Six-of-a-kind	30 to 1
Five-of-a-kind	4 to 1
Four-of-a-kind	1 to 1
Three-of-a-kind	3 to 5
Two-of-a-kind	12 to 1

(c) The certificate holder shall pay out winning Millionaire Row Wagers at the following odds:

	Payout
Ten-of-a-kind	$1,000,000
Nine-of-a-kind	$50,000

(d) The certificate holder shall pay out winning Like Kind Boulevard Wagers on the Extra Roll at the following odds:

	Payout Odds
Eight-of-a-kind	50 to 1
Seven-of-a-kind	10 to 1
Six-of-a-kind	4 to 1
Five-of-a-kind	2 to 1
Four-of-a-kind	1 to 1
Three-of-a-kind	6 to 1

(e) Notwithstanding the payout odds in subsections (a), (b) and (d), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table game Rules Submissions), 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. The aggregate payout limit established may not include winning Millionaire Row Wagers as provided in subsection (c).

§ 675a.6. High Roll Dice variation.

(a) If selected in its Rules Submission, a certificate holder may offer a variation of High Roll Dice in which only six dice instead of ten dice are used in the play of the game.

(b) The High Roll Dice table must comply with the requirements in § 675a.1(a), (b) and (d) (relating to High Roll Dice table; physical characteristics) provided that each betting position on the layout contains:

(1) For Like Kind Boulevard Wagers, five circles with the numbers two of a kind through six of a kind and one circle for no matches.

(2) For Pip Street Wagers, a depiction of six dice displaying a value of one through six with the two-spot die farthest to the player's left and the one-spot die farthest to the player's right.

(3) An inscription advising players that all wagers must be of equal value.

(c) The dice used in the play of the game must be ranked as provided in § 675a.2(d) (relating to wagers; die ranking).

(d) Wagers shall be made in accordance with § 675a.2(a)—(c) and (e)(1). Instead of the optional wagers in § 675a.2(e)(2)—(4), after placing a Pip Street Wager, a player may place a Like Kind Boulevard Wager equal to the player's Pip Street Wager on any or all of the numbered circles two through six or the circle marked no match. For purposes of the Like Kind Wager, the player is wagering on how many of the most matching dice will be rolled on the first roll. For example, if a dealer throws:

(1) Two 6s and four 1s, the result would be four matching dice, or a four-of-a-kind.

(2) All numbers 1—6, the result would be a no match.

(e) High Roll Dice shall be played with six 19 mm dice. Dice used in the play of the game shall comply with § 603a.12(a)(2)—(10) and (d) (relating to dice; physical characteristics) and the receipt and inspection requirements in § 603a.13 (relating to dice; receipt, storage, inspection and removal from use).

(f) High Roll Dice shall be played with a dice shaker that complies with the requirements in § 675a.3(c) and (d) (relating to dice; shaker).

(g) After all players have placed their wagers, the dealer shall announce “no more bets” and complete the dealing procedures in § 675a.4(b) and (c) (relating to procedure for completion of each round of play).

(h) After the roll, the dealer shall call out which die of the highest value occurs the most then the matching dice of the highest value. After announcing the winning combination, the dealer shall move all matching dice of the highest value into the corresponding box on the throw

box layout. For example, if there were three 5s, two 6s and one 4, the dealer shall move the three 5s into the box on the throw layout labeled “five.” To move the dice to the designated area on the throw box layout, the dealer shall leave the dice exposed and may not cover the dice or impede surveillance's ability to view the dice at any time the dice are on the throw box layout.

(i) The dealer shall collect any losing Pip Street and Like Kind Boulevard Wagers and pay out any winning wagers in accordance with subsections (j) and (k).

(j) The certificate holder shall pay out winning Pip Street Wagers at the following odds:

Die Value with Most Matches	**Payout Odds**
Two	8 to 1
Three	6 to 1
Four	5 to 1
Five	4 to 1
Six	3 to 1
One/ace	2 to 1

(k) The certificate holder shall pay out winning Like Kind Wagers at the following odds:

	Payout Odds
Six-of-a-kind	6,000 to 1
Five-of-a-kind	200 to 1
Four-of-a-kind	15 to 1
Three-of-a-kind	2 to 1
Two-of-a-kind	1 to 2
No matches	60 to 1

(l) Notwithstanding the payout odds in subsections (j) and (k), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), 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.

CHAPTER 676a. GO FORE IT

Sec.

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676a.10. Procedures for dealing the cards from an automated dealing shoe.
676a.11. Procedures for completion of each round of play.
676a.12. Payout odds.
676a.13. Irregularities.

§ 676a.1. Definitions.

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

Albatross—All four of the player's cards with a total point value of 8 or less.

Back 9 Wager—An additional wager that a player shall make to remain in play after the player reviews the first two cards of his hand.

Birdie—All four of the player's cards with a total point value of between 14 and 18.

Eagle—All four of the player's cards with a total point value of between 9 and 13.

Fold—The withdrawal of a player from a round of play by not making a Back 9 Wager.

Front 9 Wager—A wager that a player shall make to participate in a round of play.

Gopher Wager—An optional wager that at least one of the player's four cards will contain an ace.

Hand—The four-card hand that is held by each player and the dealer after the cards are dealt.

Hole cards—Two of the player's four cards dealt face down that are not viewed until after the dealer exposes his hand.

Par—All four of the player's cards with a total point value of between 19 and 24.

Skins Wager—An optional wager a player may make to compete against the dealer's four cards.

§ 676a.2. Go Fore It table physical characteristics.

(a) Go Fore It 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 Go Fore It shall be submitted to the Bureau of Gaming Operations and approved 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) Separate betting areas designated for the placement of the Skins, Gopher, Front 9 and Back 9 Wagers for each player.

(3) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Go Fore It table.

(4) An inscription indicating that the Skins Wager will be lost if the dealer's hand and the player's hand ties. If the information is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Go Fore It table.

(c) Each Go Fore It 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 Go Fore It table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 676a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Go Fore It 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, Go Fore It 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in Go Fore It 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.

§ 676a.4. Opening of the table for gaming.

(a) After receiving one deck or two decks of cards at the table, the dealer shall inspect the cards for 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 § 676a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 676a.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 or deliver the cards in accordance with § 676a.8, § 676a.9 or § 676a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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, 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 Go Fore It table which is open for gaming, the cards shall be 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 § 676a.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.

§ 676a.6. Go Fore It rankings.

The point value assigned to the cards used in Go Fore It shall be:

Card	Point Value
Ace	1
Jack, queen, king	10
2 through 10	Face value

§ 676a.7. Wagers.

(a) Wagers at Go Fore It shall be made by placing value chips or plaques 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 Go Fore It 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 Back 9 Wager, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 676a.8, § 676a.9 or § 676a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 676a.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 Go Fore It:

(1) A Front 9 Wager, which is required to participate in a round of play.

(2) A Back 9 Wager equal to the player's Front 9 Wager which is required to continue in the round of play after the player views his first to cards.

(3) An optional Skins Wager to compete against the total point count of the dealer's hand.

(4) A Gopher Wager that at least one of the player's four cards will contain an ace.

(e) A player may not wager on more than one player position at a Go Fore It table.

§ 676a.8. Procedure 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 § 676a.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 the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce “no more bets” and 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 placed the required Front 9 Wager in accordance with § 676a.7(d)(1) (relating to wagers) until each player who placed the required Front 9 Wager and the dealer has four cards. The first two cards dealt to the player shall be placed in front of the player. The second two cards dealt to the player shall be dealt behind the front two cards and shall be the player's hole cards. Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(c) After two stacks of two cards have been dealt to each player and four cards to the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (d), place the stub 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.

§ 676a.9. Procedure 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 § 676a.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 he will 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.

(b) Prior to dealing the cards, the dealer shall announce “no more bets” and 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 placed the required Front 9 Wager in accordance with § 676a.7(d)(1) (relating to wagers) until each player who placed the required Front 9 Wager and the dealer has four cards. The first two cards dealt to the player shall be placed in front of the player. The second two cards dealt to the player shall be dealt behind the front two cards and shall be the player's hole cards.

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

(d) If the automated card shuffling device does not count the number of cards in the deck after the completion of each shuffle and indicate whether 52 cards are present, 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.

§ 676a.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 § 676a.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 dealer delivering any stacks of cards dispensed by the automated dealing shoe, the dealer shall announce “no more bets.”

(b) The dealer shall deliver the first stack of four cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed the required Front 9 Wager in accordance with § 676a.7(d)(1) (relating to wagers). The dealer shall then move the top two cards and place them face down behind the player's front two cards. The top two cards shall be the player's hole cards. Moving clockwise around the table, as the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall repeat the dealing procedure outlined above to each of the other players who has placed a Front 9 Wager in

accordance with § 676a.7(d)(1). The dealer shall then deliver a stack of four cards face down as the dealer's hand.

(c) After each stack of four cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If the automated card shuffling device does not count the number of cards in the deck after the completion of each shuffle and indicate whether 52 cards are present, 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.

§ 676a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 676a.8, § 676a.9 or § 676a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure 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 the player's closest two cards subject to the following limitations:

(1) Each player who wagers at a Go Fore It table 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 cards in full view of the dealer at all times.

(b) After each player has examined his first two cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table ask each player if he wishes to make a Back 9 Wager in an amount equal to the player's Front 9 Wager or fold and forfeit the player's Front 9 Wager.

(c) After each player who placed a Front 9 Wager has either placed a Back 9 Wager on the designated area of the layout or forfeited his Front 9 Wager, the dealer shall collect all forfeited Front 9 Wagers and if the player:

(1) Did not place a Skins or Gopher Wager, collect the player's cards and place them face down in the discard rack.

(2) Placed a Gopher or Skins Wager, the dealer shall collect the player's four cards and place them face down under the player's Skins or Gopher Wagers are until settled in accordance with subsection (d).

(d) The dealer shall then reveal the dealer's four cards and place them face up on the layout. 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 four cards of each player who placed a Back 9, Skins or Gopher Wager face up on the layout.

(2) The dealer shall add together the point value of all four of the player's cards.

(3) For all players who placed Front 9 and Back 9 Wagers, if the total point value of all four cards:

(i) Is equal to or less than par, the player shall be paid out on a winning Front 9 Wager in accordance with § 676a.12(a) (relating to payout odds) and a winning Back 9 Wager in accordance with § 676a.12(b).

(ii) Is greater than par, the dealer shall collect the player's losing Front 9 and Back 9 Wagers.

(4) For all players who placed a Skins Wager, if the total point value of the player's hand:

(i) Is equal to or greater than the total point value of the dealer's hand, the dealer shall collect the player's losing Skins Wager.

(ii) Is less than the total point value of the dealer's hand, the dealer shall pay the winning Skins Wager in accordance with § 676a.12(c).

(5) For all players who placed a Gopher wager, if the player's four cards:

(i) Does not contain at least one ace, the dealer shall collect the player's losing Gopher Wager.

(ii) Contains at least one ace, the dealer shall pay the player's winning Gopher Wager in accordance with § 676a.12(d).

(e) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 676a.12. Payout odds.

(a) A certificate holder shall pay winning Front 9 Wagers at odds of 1 to 1.

(b) A certificate holder shall pay winning Back 9 Wagers in accordance with the following odds:

Hand-Total Point Value	Payout
Albatross (8 or less)	25 to 1
Eagle (9—13)	5 to 1
Birdie (14—18)	2 to 1
Par (19—24)	1 to 1

(c) A certificate holder shall pay winning Skins Wagers at odds of 1 to 1.

(d) A certificate holder shall pay winning Gopher Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Number of Aces	Paytable A	Paytable B
4	1,000 to 1	1,000 to 1
3	50 to 1	50 to 1
2	5 to 1	6 to 1
1	2 to 1	2 to 1

§ 676a.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 any 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 any of the dealer's cards or the player's hole cards are inadvertently exposed prior to each player having either folded or placed a Back 9 Wager as provided under § 676a.11

(relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(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 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 shall 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.

CHAPTER 677a. WORLD POKER TOUR HEADS-UP HOLD 'EM

Sec.

677a.1. Definitions.
677a.2. World Poker Tour Heads-Up Hold 'Em table physical characteristics.
677a.3. Cards; number of decks.
677a.4. Opening of the table for gaming.
677a.5. Shuffle and cut of the cards.
677a.6. World Poker Tour Heads-Up Hold 'Em rankings.
677a.7. Wagers.
677a.8. Procedure for dealing the cards from a manual dealing shoe.
677a.9. Procedure for dealing the cards from the hand.
677a.10. Procedure for dealing the cards from an automated dealing shoe.
677a.11. Procedure for completion of each round of play.
677a.12. Payout odds; payout limitation.
677a.13. Irregularities.

§ 677a.1. Definitions.

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

Bad Beat Bonus—A bonus payout awarded to any player who holds a straight or higher and loses to the dealer's hand.

Check—Waiving the right to place a Raise Wager but remaining in the round of play.

Community card—A card which may be used by each player and the dealer to form the best possible five-card Poker hand.

Flop—The first three community cards dealt during a round of play.

Fold—The withdrawal of a player from a round of play by not making a Raise Wager after the Turn and River cards are exposed.

Hand—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

River card—The fifth community card revealed during a round of play.

Turn card—The fourth community card revealed during a round of play.

§ 677a.2. World Poker Tour Heads-Up Hold 'Em table physical characteristics.

(a) World Poker Tour Heads-Up Hold 'Em 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 World Poker Tour Heads-Up Hold 'Em table shall be submitted to the Bureau of Gaming Operations and approved 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 separate betting areas designated for the placement of Ante, Odds and Raise Wagers for each player.

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container.

(4) A separate area designated for the placement of the dealer's two cards.

(5) If the certificate holder offers the optional Pocket Bonus Wager authorized under § 677a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Pocket Bonus Wager for each player.

(6) If the certificate holder offers the optional Trips Plus Wager authorized under § 677a.7(d)(3), a separate area designated for the placement of the Trips Plus Wager for each player.

(7) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each World Poker Tour Heads-Up Hold 'Em table.

(8) Inscriptions indicating the following:

(i) The Ante Wager will be returned if the dealer does not have a pair or better.

(ii) If established by the certificate holder, the payout limit per player per round of play, as authorized under § 677a.12(f) (relating to payout odds; payout limitation).

(9) If the information required under paragraph (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each World Poker Tour Heads-Up Hold 'Em table.

(c) Each World Poker Tour Heads-Up Hold 'Em 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 World Poker Tour Heads-Up Hold 'Em table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 677a.3. Cards; number of decks.

(a) Except as provided in subsection (b), World Poker Tour Heads-Up Hold 'Em shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, World Poker Tour Heads-Up Hold 'Em 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in World Poker Tour Heads-Up Hold 'Em 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.

§ 677a.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 out 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 § 677a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 677a.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 § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 World Poker Tour Heads-Up Hold 'Em table which is open for gaming, the cards shall be 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 § 677a.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.

§ 677a.6. World Poker Tour Heads-Up Hold 'Em rankings.

(a) The rank of the cards used in World Poker Tour Heads-Up Hold 'Em, 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 straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example queen, king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card Poker hands at the game of World Poker Tour Heads-Up Hold 'Em, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) 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.

(8) Two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

(9) 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 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 identical rank after the application of this subsection, the hands shall be considered a tie.

§ 677a.7. Wagers.

(a) Wagers at World Poker Tour Heads-Up Hold 'Em 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 the World Poker Tour Heads-Up Hold 'Em table may place a 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 Ante, Odds, Trips Plus and Pocket Bonus Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 677a.11(b), (d) and (f) (relating to procedure 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 World Poker Tour Heads-Up Hold 'Em:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager and an Odds Wager equal to the player's Ante Wager then a Raise Wager in accordance with § 677a.11(b), (d) or (f).

(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 World Poker Tour Heads-Up Hold 'Em table the option to make an additional Pocket Bonus Wager that the player's first two cards will contain a pair or an ace and a king, queen or jack. A Pocket Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a World Poker Tour Heads-Up Hold 'Em table the option to make an additional Trips Plus Wager that the player's five-card Poker hand formed from any of the player's two cards and the five community cards will contain a three-of-a-kind or better as defined in § 677a.6(b) (relating to World Poker Tour Heads-Up Hold 'Em rankings). A Trips Plus Wager does not have a bearing on any other wager made by the player.

(e) A player may not wager on more than one player position at a World Poker Tour Heads-Up Hold 'Em table.

§ 677a.8. Procedure 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 as 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 § 677a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce “no more bets.”

(c) The dealer shall then deal the cards by removing each card from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. 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, face down, to each player who placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(d) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards In accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all community cards have been dealt, 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.

§ 677a.9. Procedure 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 § 677a.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 he will 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.

(b) Prior to dealing any cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce “no more bets.” The dealer shall then deal each card by holding 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 placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(c) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards in accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all community cards have been dealt, 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.

§ 677a.10. Procedure 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 § 677a.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 dealer delivering any stacks of cards dispensed from the automated dealing shoe, the dealer shall announce “no more bets.”

(b) The dealer shall then deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed Ante and Odds Wagers in accordance with § 677a.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 of two cards face down to each of the other players who has placed Ante and Odds Wagers. The dealer shall then deliver a stack of two cards face down to the area designated for the dealer's cards.

(c) After each stack of two cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 677a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards in accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all five community cards have been dealt, 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, 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 which automatically reshuffles the cards, the five community cards may be dispensed before the two cards are dispensed to each player and to the dealer. The community cards shall then be revealed in accordance with § 677a.11(c), (e) and (f).

§ 677a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 World Poker Tour Heads-Up Hold 'Em 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 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 if he wishes to place a Raise Wager prior to the dealing of the Flop. The player may either check and remain in the game or place a Raise Wager up to three times the amount of the player's Ante Wager.

(c) After each player has either placed a Raise Wager or checked, the dealer shall burn the next card. The dealer shall then deal the three-card Flop face up on the layout in the designated area for the community cards.

(d) After the Flop has been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player who has not placed a Raise Wager if he wishes to place a Raise Wager prior to the dealing of the Turn and River cards. The player may either check and remain in the game or place a Raise Wager in an amount up to two times the player's Ante Wager.

(e) Once all remaining players have either placed a Raise Wager or checked, the dealer shall burn the next card. The dealer shall then deal the Turn and River cards face up on the layout in the designated area for the community cards.

(f) After the Turn and River cards have been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player if he wishes to place a Raise Wager in an amount equal to the player's Ante Wager or fold. If a player folds, the dealer shall collect the player's Ante and Odds Wagers and place the player's cards in the discard rack, provided that if any player placed a Trips Plus or Pocket Bonus Wager, the dealer shall tuck the player's cards under the player's Trips Plus or Pocket Bonus Wager until the optional wagers are settled in accordance with subsection (i).

(g) Once all remaining players have either placed a Raise Wager or folded, the dealer shall turn his two cards face up on the layout. The dealer shall then select five cards using the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right who has placed a Raise Wager 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 two cards of each player who has placed a Raise Wager face up on the layout.

(2) The dealer shall examine the cards of the player and select the five cards using the player's two cards and the five community cards to form the highest ranking five-card Poker hand. The wagers of each player shall be resolved one player at a time regardless of outcome.

(h) If the dealer's hand:

(1) Does not contain a pair or better, as defined in § 677a.6 (relating to World Poker Tour Heads-Up Hold 'Em rankings), each player's Ante Wager shall push and be returned to the player. If the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Raise Wager shall be paid out at the odds in § 677a.12(a) (relating to payout odds; payout limitation) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the player's Raise and Odds Wagers shall lose and be collected.

(2) Contains a pair or better, as defined in § 677a.6, and if the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 677a.12(a) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Ante, Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the Ante Wager shall lose and be collected and if the player's hand:

(A) Was not a straight or higher, the player's Raise and Odds Wagers shall lose and be collected.

(B) Was a straight or higher, the player's Raise Wager shall lose and be collected and the player's Odds Wager shall be eligible for a Bad Beat payout as provided in § 677a.12(c).

(i) After settling the player's Ante, Raise and Odds Wagers, the dealer shall settle the player's optional Pocket Bonus and Trips Plus Wagers, if applicable, as follows:

(1) If a player placed a Pocket Bonus Wager and the player's two cards:

(i) Contain a pair or an ace and a king, queen or jack, the winning hand shall be paid out as provided in § 677a.12(d).

(ii) Do not contain a pair or an ace and a king, queen or jack, the dealer shall collect the player's losing Pocket Bonus Wager.

(2) If a player placed a Trips Plus Wager and the player's two cards and the five community cards:

(i) Contain a three-of-a-kind or better, the winning hand shall be paid out as provided in § 677a.12(e).

(ii) Does not contain a three-of-a-kind or better, the dealer shall collect the losing Trips Plus Wager.

(j) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 677a.12. Payout odds; payout limitation.

(a) A certificate holder shall pay each winning Ante Wager and Raise Wager at odds of 1 to 1.

(b) A certificate holder shall pay each winning Odds Wager at the odds in the following payout table:

Hand	Payout
Royal flush	500 to 1
Straight flush	50 to 1
Four-of-a-kind	10 to 1
Full house	3 to 1
Flush	3 to 2
Straight	1 to 1
Three-of-a-kind	Push
Two pair	Push
Pair	Push
High card	Push

(c) A certificate holder shall pay a Bad Beat Bonus at the odds in the following payout table:

Hand	Payout
Royal flush	N/A
Straight flush	500 to 1
Four-of-a-kind	25 to 1
Full house	6 to 1
Flush	5 to 1
Straight	4 to 1

(d) A certificate holder shall pay each winning Pocket Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	Paytable A	Paytable B	Paytable C
Pair of aces	30 to 1	25 to 1	30 to 1
Ace and a king, queen or jack of the same suit	20 to 1	20 to 1	20 to 1
Ace and a king, queen or jack of different suits	10 to 1	10 to 1	10 to 1
Pair of 2s—kings	5 to 1	5 to 1	4 to 1

(e) A certificate holder shall pay each winning Trips Plus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Royal flush	100 to 1	100 to 1	100 to 1	100 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	30 to 1	30 to 1
Full house	9 to 1	8 to 1	7 to 1	8 to 1
Flush	7 to 1	6 to 1	6 to 1	7 to 1
Straight	4 to 1	5 to 1	5 to 1	4 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1	3 to 1

(f) Notwithstanding the payout odds in subsections (a)—(e), 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.

§ 677a.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. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer have received their initial two cards, any Pocket Bonus Wagers shall be settled in accordance with the payout odds in § 677a.12(d) (relating to payout odds; payout limitation).

(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 any player, the dealer or the area designated for the placement of the community cards 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 either of the cards dealt to the dealer in World Poker Tour Heads-Up Hold 'Em is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided for under § 677a.11 (relating to procedure for completion of each round of play), all hands shall be void and all Ante, Odds and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, if a player has placed a Pocket Bonus or Trips Plus Wager, the wager shall be settled in accordance with the payout odds in § 677a.12(d) and (e).

(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 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.

CHAPTER 678a. HIGH CARD FLUSH

Sec.

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§ 678a.1. Definitions.

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

Fold—The withdrawal of a player from a round of play by not making a Raise Wager.

Raise Wager—The wager a player places after examining the player's seven cards.

§ 678a.2. High Card Flush table physical characteristics.

(a) High Card Flush 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 High Card Flush table shall be submitted to the Bureau of Gaming Operations and approved 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) Two separate betting areas designated for the placement of the Ante and Raise Wagers for each player.

(3) A separate area designated for the placement of the dealer's seven cards.

(4) If the certificate holder offers the optional Flush Bonus Wager authorized under § 678a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Flush Bonus Wager for each player.

(5) If the certificate holder offers the optional Straight Flush Bonus Wager authorized under § 678a.7(d)(3), a separate area designated for the placement of the Straight Flush Bonus Wager for each player.

(6) If a certificate holder offers the optional Progressive Jackpot Wager authorized under § 678a.7(d)(4), a separate area designated for the placement of the Progressive Jackpot Wager for each player.

(7) Inscriptions that advise patrons of the following:

(i) The payout odds for all permissible wagers offered by the certificate holder.

(ii) The dealer qualifies with a three-card flush, nine high or pays the Ante Wager and pushes the Raise Wager.

(iii) For Raise Wagers, if a player has:

(A) A two-card, three-card or four-card flush, a player may place a Raise Wager equal to the player's Ante Wager.

(B) A five-card flush, a player may place a Raise Wager up to two times the amount of the player's Ante Wager.

(C) A six-card or seven-card flush, a player may place a Raise Wager up to three times the amount of the player's Ante Wager.

(iv) If established by the certificate holder, the payout limit per player per round of play, as authorized under § 678a.12(e) (relating to payout odds; payout limitation).

(8) If the information under paragraph (7) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each High Card Flush table.

(c) If a certificate holder offers the Progressive Jackpot Wager in accordance with § 678a.7(d)(4), the High Card Flush table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Progressive Jackpot Wagers. If the certificate holder is offering the Progressive Jackpot Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Jackpot Wager.

(2) A device that controls or monitors the placement of Progressive Jackpot Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Jackpot Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) Each High Card Flush 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.

(e) Each High Card Flush table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 678a.3. Cards; number of decks.

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

(b) If an automated card shuffling device is utilized, High Card Flush 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 of cards shall be 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 shall be placed in the discard rack at any given time.

(c) The decks of cards used in High Card Flush 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.

§ 678a.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 out 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 § 678a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 678a.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 that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used, 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 § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 High Card Flush table which is open for gaming, the cards shall be 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 § 678a.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.

§ 678a.6. High Card Flush rankings.

(a) The rank of the cards used in High Card Flush, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. All suits shall be equal in rank.

(b) For purposes of the Ante, Raise and Flush Bonus Wagers, the permissible hands at the game of High Card Flush, in order of highest to lowest rank, shall be:

(1) A seven-card flush, which is a hand consisting of seven cards of the same suit in any order.

(2) A six-card flush, which is a hand consisting of six cards of the same suit in any order.

(3) A five-card flush, which is a hand consisting of five cards of the same suit in any order.

(4) A four-card flush, which is a hand consisting of four cards of the same suit in any order.

(5) A three-card flush, which is a hand consisting of three cards of the same suit in any order.

(6) A two-card flush, which is a hand consisting of two cards of the same suit in any order.

(c) When comparing two 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 identical rank after the application of this subsection, the hands shall be considered a tie.

(d) For purposes of the optional Straight Flush Bonus and the Progressive Jackpot Wagers, the permissible hands shall be:

(1) A seven-card straight flush, which is a hand consisting of seven cards of the same suit in consecutive rank.

(2) A six-card straight flush, which is a hand consisting of six cards of the same suit in consecutive rank.

(3) A five-card straight flush, which is a hand consisting of five cards of the same suit in consecutive rank.

(4) A four-card straight flush, which is a hand consisting of four cards of the same suit in consecutive rank.

(5) A three-card straight flush, if included in the payout table selected by the certificate holder, which is a hand consisting of three cards of the same suit in consecutive rank.

§ 678a.7. Wagers.

(a) Wagers at High Card Flush 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 the High Card Flush table may place a 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 Ante, Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 678a.11(b) (relating to procedure 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 High Card Flush:

(1) A player shall compete against the dealer's seven-card hand by placing an Ante Wager then a Raise Wager in accordance with § 678a.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 High Card Flush table the option to make an additional Flush Bonus Wager that the player's seven cards will form a four-card flush or higher as described in § 678a.6(b) (relating to High Card Flush rankings). A Flush Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a High Card Flush table the option to make an additional Straight Flush Bonus Wager that the player's seven cards will form a three-card straight flush or higher as described in § 678a.6(d). A Straight Flush Bonus Wager does not have a bearing on any other wager made by the player.

(4) If specified in its Rules Submission under § 601a.2, certificate holder may offer to each player at a High Card Flush table the option to make an additional Progressive Jackpot Wager that the player's seven cards will form a three-card straight flush or a four-card straight flush or higher, depending on the payout table selected by the certificate holder. After placing the Ante Wager, a player may make the additional Progressive Jackpot Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a High Card Flush table.

§ 678a.8. Procedure 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 as 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 § 678a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante Wagers and optional wagers have been placed, the dealer shall announce “no more bets” and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) 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, face down, to each player who placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(e) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) 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.

(g) 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.

(h) 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.

§ 678a.9. Procedure 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 § 678a.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 he will 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.

(b) The dealer shall announce “no more bets” and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Jackpot Wagers. If any Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the

number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container. The dealer shall then deal each card by holding 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 placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(c) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, 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, 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.

§ 678a.10. Procedure 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 § 678a.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” and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of seven 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 § 678a.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 of seven cards face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of seven cards face down under a cover card to the area designated for the dealer's cards.

(c) After each stack of seven cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, except as provided in subsection (d), place the stub 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.

§ 678a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure 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 High Card Flush 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 cards in full view of the dealer at all times.

(b) After each player has examined his cards, beginning with the player farthest to the dealer's left and moving clockwise around the table, the dealer shall ask each player if he wishes to fold or place a Raise Wager. If a player has:

(1) A two-card, three-card or four-card flush, the player may place a Raise Wager equal to the player's Ante Wager.

(2) A five-card flush, a player may place a Raise Wager up to two times the amount of the player's Ante Wager.

(3) A six-card or seven-card flush, a player may place a Raise Wager up to three times the amount of the player's Ante Wager.

(c) If a player:

(1) Places a Raise Wager, the wager shall be placed in the area designated for the Raise Wager.

(2) Folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall place the cards of the player face down underneath the optional wagers pending their resolution at the conclusion of the round of play.

(ii) Has not placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall immediately collect the player's cards and place them in the discard rack.

(d) After each player has either placed a Raise Wager or folded, the dealer shall turn his seven cards face up on the layout. The dealer shall then form the highest ranking flush. If the dealer's hand:

(1) Does not contain at least a three-card flush, nine high, beginning with the player farthest to the dealer's right who has placed a Raise Wager and continuing around the table in a counterclockwise direction, the dealer shall pay each player's winning Ante Wager in accordance with § 678a.12(a) (relating to payout odds; payout limitation) and return the player's Raise Wager. If a player:

(i) Also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn the cards of each player face up on the layout and form the highest ranking flush. The dealer shall then settle the player's Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager in accordance with subsection (e).

(ii) Did not place a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall collect the player's cards and place them in the discard rack.

(2) Contains at least a three-card flush, nine high, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall then complete the following applicable procedures in succession for each player:

(i) The dealer shall turn the cards of each player face up on the layout and form the highest ranking flush.

(ii) The dealer shall then compare the rank of the dealer's hand to the rank of the player's hand. If the player's hand:

(A) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 678a.12(a).

(B) Is equal in rank to the dealer's hand, the player's Ante and Raise Wagers shall push and be returned to the player.

(C) Is lower in rank to the dealer's hand, the player's Ante and Raise Wagers shall lose and be collected.

(e) After settling the player's Ante and Raise Wagers, the dealer shall settle the player's Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers as follows:

(1) For the Flush Bonus Wager, if a player's hand:

(i) Contains a three-card flush or less, the dealer shall collect the player's losing Flush Bonus Wager.

(ii) Contains a four-card flush or better as provided in § 678a.6(b) (relating to High Card Flush rankings), the dealer shall pay the winning Flush Bonus Wager in accordance with § 678a.12(b).

(2) For the Straight Flush Bonus Wager, after settling the player's Ante, Raise and Flush Bonus Wagers, if applicable, the dealer shall configure the player's cards so as to form the highest ranking straight flush as provided in § 678a.6(d). If a player's hand:

(i) Contains a two-card straight flush or less, the dealer shall collect the player's losing Straight Flush Bonus Wager.

(ii) Contains a three-card straight flush or higher, as provided in § 678a.6(d), the dealer shall pay the winning Straight Flush Bonus Wager in accordance with § 678a.12(c).

(3) For the Progressive Jackpot Wager, after configuring the player's cards so as to form the highest ranking straight flush, if the player has a three-card straight flush or a four-card straight flush, depending on the paytable selected by the certificate holder, or higher and has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Progressive Jackpot Wager in accordance with the payout odds in § 678a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(f) After all wagers of the player have been settled, the dealer shall remove all 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.

§ 678a.12. Payout odds; payout limitation.

(a) A certificate holder shall pay each winning Ante Wager and Raise Wager at odds of 1 to 1.

(b) A certificate holder shall pay each winning Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

Hand	**Paytable A**	**Paytable B**	**Paytable C**	**Paytable D**
Seven-card flush	300 to 1	100 to 1	200 to 1	500 to 1
Six-card flush	100 to 1	20 to 1	60 to 1	50 to 1
Five-card flush	10 to 1	10 to 1	12 to 1	12 to 1
Four-card flush	1 to 1	2 to 1	1 to 1	1 to 1
Hand	**Paytable E**	**Paytable F**	**Paytable G**	**Paytable H**
Seven-card flush	400 to 1	400 to 1	500 to 1	250 to 1
Six-card flush	60 to 1	100 to 1	100 to 1	100 to 1
Five-card flush	12 to 1	10 to 1	10 to 1	10 to 1
Four-card flush	1 to 1	1 to 1	1 to 1	1 to 1

(c) A certificate holder shall pay each winning Straight Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Seven-card straight flush	8,000 to 1	1,000 to 1	500 to 1	1,000 to 1
Six-card straight flush	1,000 to 1	500 to 1	200 to 1	500 to 1
Five-card straight flush	100 to 1	100 to 1	100 to 1	100 to 1
Four-card straight flush	60 to 1	75 to 1	60 to 1	60 to 1
Three-card straight flush	7 to 1	7 to 1	8 to 1	8 to 1

(d) If a certificate holder offers the Progressive Jackpot Wager:

(1) A winning Progressive Jackpot Wager shall be paid at the following odds:

Hand	Paytable A	Paytable B
Seven-card straight flush	100% of meter	100% of meter
Six-card straight flush	10% of meter	10% of meter
Five-card straight flush	250 for 1	900 for 1
Four-card straight flush	40 for 1	50 for 1
Three-card straight flush	3 for 1	N/A

(2) A player shall receive the payout for only the highest straight flush hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least $30,000.

(4) Winning Progressive Jackpot Wagers shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 678a.11(e)(3) (relating to procedure for completion of each round of play).

(e) Notwithstanding the payout odds in subsections (a)—(c), 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. The aggregate payout limit established may not include winning progressive jackpot wagers.

§ 678a.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 any 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 any of the cards dealt to the dealer in High Card Flush is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided under § 678a.11(b) (relating to procedure for completion of each round of play), all hands shall be void, all Ante and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, any Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be settled in accordance with § 678a.11(e).

(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 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.

CHAPTER 679a. THREE CARD PRIME

Sec.

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§ 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) 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; Bad Beat Bonus), 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 preshuffled 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 Wager.

(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; Bad Beat Bonus).

(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 better, 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; Bad Beat Bonus.

(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	Paytable B	Paytable C	Paytable D
Straight flush	12 to 1	12 to 1	6 to 1	6 to 1
Three-of-a-kind	10 to 1	10 to 1	5 to 1	5 to 1
Straight	4 to 1	4 to 1	2 to 1	2 to 1
Flush		1 to 1		1 to 1

(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 paytable 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.

CHAPTER 680a. SAIGON 5 CARD

Sec.

680a.1. Definitions.
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680a.11. Procedures for completion of each round of play.
680a.12. Payout odds; Envy Bonus; rate of progression.
680a.13. Irregularities.

§ 680a.1. Definitions.

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

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

Bonus Wager—An optional wager a player may make to compete against a posted payout table.

Qualify or *qualifies*—When the dealer's three-card hand or the player's three-card hand made from the five cards dealt to the dealer and the player has a total value of 10, 20 or 30.

Showdown hand—The two-card hand of the player or the dealer made from the five cards dealt to the player or the dealer.

§ 680a.2. Saigon 5 Card table physical characteristics.

(a) Saigon 5 Card 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 Saigon 5 Card 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) A separate betting area designated for the placement of the Ante Wager for each player.

(3) Two separate areas for each player for the placement of the player's three-card qualifying hand and the player's two-card showdown hand.

(4) If the certificate holder offers the optional Bonus Wager authorized under § 680a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Bonus Wager for each player.

(5) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Saigon 5 Card table.

(6) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 680a.12(d) (relating to payout odds; Envy 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 Saigon 5 Card table.

(c) Each Saigon 5 Card 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 Saigon 5 Card table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 680a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Saigon 5 Card shall be played with one deck of cards that are identical in appearance and one cover card. The deck of cards used to play Saigon 5 Card must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for the play of the game.

(b) If an automated card shuffling device is utilized, Saigon 5 Card 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 Saigon 5 Card 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.

§ 680a.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 § 680a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 680a.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 53 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 § 680a.8, § 680a.9 or § 680a.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 Saigon 5 Card 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 § 680a.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.

§ 680a.6. Saigon 5 Card rankings.

(a) The value of the cards in each deck shall be as follows:

(1) Any card from 2 to 9 shall have its face value.

(2) Any 10, jack, queen or king shall have a value of 10.

(3) Any ace shall have a value of 1.

(4) A joker has a value of 3, 6 or 9.

(b) The Point Count of a showdown hand shall be a number from 1 to 10, with 10 being the highest rank and 1 being the lowest rank, determined by totaling the value of the cards in the hand. If the total value of the cards in a showdown hand is greater than 10, 10 will be subtracted from the number. For example:

(1) A showdown hand composed of an ace and 4 has a Point Count of 5.

(2) A showdown hand composed of a 10 and a jack has a value of 20 but a Point Count of only 10 since 10 is subtracted from 20.

(c) For purposes of the Bonus Wager, a joker may be used as an ace in any hand, other than the royal flush with no joker, or may be used to complete a royal flush with a joker, straight flush, flush or a straight. An ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, a queen, king, ace, 2 and 3). The permissible Poker hands shall be:

(1) Five aces, which is a hand consisting of four aces and a joker.

(2) A royal flush with no joker, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A royal flush with a joker, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit, with a joker used as one of the cards.

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

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

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

(7) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(8) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

(10) Two pair, which is a hand containing two pairs.

§ 680a.7. Wagers.

(a) Wagers at Saigon 5 Card 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 Saigon 5 Card 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 shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 680a.8, § 680a.9 or § 680a.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) and may not be increased or withdrawn after the dealer has announced “no more bets.”

(d) The following wagers may be placed in the game of Saigon 5 Card:

(1) A player may compete solely against the dealer by placing an Ante Wager.

(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 Saigon 5 Card table the option to make an additional Bonus Wager which shall win if the player's five cards contain two pair or better as described in § 680a.6(c) (relating to Saigon 5 Card rankings).

(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.

§ 680a.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 § 680a.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 § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards. All cards shall be dealt face down.

(d) After five 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 53 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 53 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 53 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.

§ 680a.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 § 680a.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 § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards. All cards shall be dealt face down.

(c) After five 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 53 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 53 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 53 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.

§ 680a.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 § 680a.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 five 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 § 680a.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 five cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of five 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.

(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 53 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 53 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 53 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.

§ 680a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 680a.8, § 680a.9 or § 680a.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 Saigon 5 Card 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 five cards in full view of the dealer at all times.

(b) Each player shall examine his cards and shall set them into two hands. If any three of the player's five cards:

(1) Have a combined total value of 10, 20 or 30, the player's hand qualifies and the player shall set those three cards as the player's three-card hand. The remaining two cards shall be set as the player's two-card showdown hand. For example, if a player's hand contains a joker, 8, 6, 5 and 2, the player's three-card hand would contain the joker (used as a 9 value card), the 5 and the 6 for a total value of 20, which would qualify, and the 8 and 2 would compose the player's showdown hand with a Point Count of 10.

(2) Does not have a combined total value of 10, 20 or 30, the player's hand does not qualify and the player may place any three cards as the player's three-card hand and the remaining two cards in the player's two-card showdown hand.

(c) After each player has set his two hands, the dealer shall then reveal and arrange the dealer's cards. If any three of the dealer's five cards:

(1) Have a combined total value of 10, 20 or 30, the dealer's hand qualifies and the dealer shall set those three cards as the three-card hand. The remaining two cards shall be set as the dealer's two-card showdown hand.

(2) Does not have a combined total value of 10, 20 or 30, the dealer's hand does not qualify.

(d) After the dealer's cards are turned face up and set, 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. The dealer

shall turn the player's three-card hand face up on the layout and compare the dealer's three-card hand to the player's three-card hand. If the dealer's three-card hand:

(1) Does not qualify and the player's three-card hand:

(i) Does not qualify, the dealer shall return the player's Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand. If the player's two-card showdown hand:

(A) Has a Point Count of 1—4 or 6—10, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(B) Has a Point Count of 5, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(b).

(2) Qualifies, and the player's three-card hand:

(i) Does not qualify, the dealer shall collect the player's losing Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand and compare it to the dealer's showdown hand. If the dealer's showdown hand:

(A) Is higher in Point Count than the Point Count of the player's showdown hand, the dealer shall collect the player's losing Ante Wager.

(B) Is lower in Point Count than the Point Count of the player's showdown hand, the dealer shall pay the winning Ante Wager in accordance with §c680a.12(a) if the player's showdown hand had a Point Count of 1—4 or 6—10 and in accordance with § 680a.12(b) if the player's showdown hand had a Point Count of 5.

(C) Is equal in Point Count with the Point Count of the player's showdown hand, the dealer shall return the player's Ante Wager.

(e) After settling the player's Ante Wager, the dealer shall settle any optional Bonus Wager by reconfiguring the player's five cards to form the highest ranking Poker hand. If the player's hand:

(1) Does not contain two pair or better, as provided in § 680a.6(c) (relating to Saigon 5 Card rankings), the dealer shall collect the losing Bonus Wager.

(2) Contains two pair or better, the dealer shall pay the winning Bonus Wager in accordance with § 680a.12(c).

(f) 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.

§ 680a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 if the player's showdown hand had a Point Count of 1—4 or 6—10.

(b) A certificate holder shall pay winning Ante Wagers at odds of 1 to 2 if the player's showdown hand had a Point Count of 5.

(c) A certificate holder shall pay out winning Bonus Wagers as provided in the following payout table:

Hand	**Paytable A**
Five aces	5,000 to 1
Royal flush—no joker	1,000 to 1
Royal flush—with a joker	250 to 1
Straight flush	100 to 1
Four-of-a-kind	50 to 1
Full house	20 to 1
Flush	15 to 1
Straight	12 to 1
Three-of-a-kind	10 to 1
Two pair	8 to 1

(d) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), 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.

§ 680a.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 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.

(e) 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.

(f) 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.

CHAPTER 681a. 21 BACCARAT

Sec.

681a.1. Definitions.
681a.2. 21 Baccarat table; physical characteristics.
681a.3. Cards; number of decks; value of cards.
681a.4. Opening of the table for gaming.
681a.5. Shuffle and cut of the cards.
681a.6. Wagers.
681a.7. Procedure for dealing the cards; completion of each round of play.
681a.8. Payout odds.
681a.9. Irregularities.

§ 681a.1. Definitions.

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

Hard total—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

Natural—A two-card hand containing two aces or one ace and one 10 value card.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 681a.2. 21 Baccarat table; physical characteristics.

(a) 21 Baccarat shall be played at a table having betting positions for no more than eight 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 21 Baccarat table shall be submitted to the Bureau of Gaming Operations and approved 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) A separate betting area for each player designated for the placement of a wager on the Player's Hand.

(3) A separate betting area for each player designated for the placement of a wager on the Banker's Hand.

(4) A separate betting area for each player designated for the placement of the Bonus Wager on the Player's Hand.

(5) A separate betting area for each player designated for the placement of the Bonus Wager on the Banker's Hand.

(6) A separate betting area for each player designated for the placement of the Tie Wager.

(7) The following inscriptions:

(i) Hands shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(ii) The payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each 21 Baccarat table.

(c) Each 21 Baccarat 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 21 Baccarat table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 681a.3. Cards; number of decks; value of cards.

(a) 21 Baccarat shall be played with four or eight decks of cards.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, 21 Baccarat shall be played with two batches of four or eight decks of cards in accordance with the following requirements:

(1) An equal number of decks shall be included in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at a 21 Baccarat table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give the Player's Hand or Banker's Hand a score in excess of 21, in which case the ace shall have a value of 1.

(e) For purposes of the Bonus Wager, the hands eligible for a payout shall be:

(1) Three 7s, which is a hand containing three 7s.

(2) A three-of-a-kind, which is a hand containing three cards of the same rank.

(3) A three-card straight, which is a hand with three cards in consecutive rank regardless of suit. For example: a 5, 7 and 6.

(4) A three-card 21, which is a hand containing three cards that total 21. For example: a 6, 6 and 9.

(5) A pair, which is a hand containing two cards of the same rank regardless of suit (such as two 10s or two queens), provided that only the initial two cards dealt to the hand shall be considered for purposes of a payout for a pair. For example, if a player receives a 5 and a 9 in the first two cards, then receives another 5, the player would not be eligible for the payout.

§ 681a.4. Opening of the table for gaming.

(a) After receiving one or more batches 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 § 681a.5 (relating to shuffle and cut of the cards).

(d) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(e) If the batches of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 681a.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 shoe of cards is dealt 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 device shall place the decks 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) After the cards have been shuffled, the dealer shall offer the stack of cards, with the backs facing away from the dealer, to the players to be cut. The dealer shall begin with the player seated in the highest number position at the table and, working clockwise around the table, offer the stack to each player until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

(d) Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in a position at least ten cards above the bottom of the stack.

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

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe and the round of play is completed, as provided in § 681a.7 (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a 21 Baccarat table which is open for gaming, the cards shall be removed from the dealing shoe and the 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 cards shall be:

(1) Mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section if there is no automated shuffling device in use.

(2) Stacked and placed into the automated shuffling device to be shuffled if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt provided that the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

(h) 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 (b)—(g) do not apply.

§ 681a.6. Wagers.

(a) Wagers at 21 Baccarat shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the 21 Baccarat layout.

(b) All wagers shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(c) To participate in a round of play, a player shall place a wager on either the Player's Hand or Banker's Hand. A wager on:

(1) The Player's Hand shall win if the total value of the cards dealt to the Player's Hand:

(i) Is 21 or less and is greater than the total value of the cards dealt to the Banker's Hand.

(ii) Is over 21 but is lower than the total value of the cards dealt to the Banker's Hand.

(2) The Banker's Hand shall win if the total value of the cards dealt to the Banker's Hand:

(i) Is 21 or less and is greater than the total value of the cards dealt to the Player's Hand.

(ii) Is over 21 but is lower than the total value of the cards dealt to the Player's Hand.

(d) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a wager in accordance with subsection (c) the option of placing any of the following optional wagers:

(1) A Tie Wager which shall win if the Banker's Hand and the Player's Hand are equal in value.

(2) A Bonus Wager on the Player's Hand which shall win if the Player's Hand contains a pair or better as described in § 681a.3(e) (relating to cards; number of decks; value of cards).

(3) A Bonus Wager on the Banker's Hand which shall win if the Banker's Hand contains a pair or better as described in § 681a.3(e).

§ 681a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards shall be dealt from a dealing shoe which 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 under § 681a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand shall be completed. The dealer shall then:

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Player and Banker Wagers and optional Tie and Bonus Wagers have been placed, the dealer shall deal the cards as follows:

(1) One card face up to the area in front of the table inventory container designated for the Player's Hand.

(2) One card face up to the area in front of the table inventory container designated for the Banker's Hand.

(3) A second card face up to the area for the Player's Hand.

(4) A second card face up to the area for the Banker's Hand.

(f) If either the Player's Hand or Banker's Hand is a natural and if:

(1) There were no Bonus Wagers placed, no additional cards may be dealt to either hand. All Player and Banker Wagers shall then be settled in accordance with subsections (h)—(j).

(2) Any player placed a Bonus Wager, one additional card shall be drawn face up to the Player's Hand or Banker's Hand if the Player's Hand or Banker's Hand has a total value of less than a soft or hard 17. The additional card shall count only for purposes of the Bonus Wager but may not count for purposes of the player's Player or Banker Wager. The player's Player or Banker Wager shall be settled in accordance with subsections (h)—(j) and the player's Bonus Wager shall be settled in accordance with subsection (k).

(g) If neither the Player's Hand nor Banker's Hand is a natural, the dealer shall draw one additional card face up to the Player's or Banker's Hand if either the Player's Hand or Banker's Hand has a total value of less than a soft or hard 17.

(h) After all cards have been dealt, the dealer shall compare the total value of the Player's Hand to the total value of the Banker's Hand. Starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction the dealer shall then settle all Player and Banker Wagers as provided in subsections (i) and (j).

(i) For players who wagered on the Player's Hand, if the Player's Hand:

(1) Is 21 or less and the total value of the Banker's Hand is over 21, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a) (relating to payout odds).

(2) And the Banker's Hand are 21 or less:

(i) And the Player's Hand is higher in total value than the Banker's Hand, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a).

(ii) And the Player's Hand is lower in total value than the Banker's Hand, the dealer shall collect each player's losing wager on the Player's Hand.

(3) And the Banker's Hand are over 21:

(i) And the Player's Hand is lower in total value than the Banker's Hand, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a).

(ii) And the Player's Hand is higher in total value than the Banker's Hand, the dealer shall collect each player's losing wager on the Player's Hand.

(4) And the Banker's Hand are equal in total value, the dealer shall return the player's Player Wager.

(j) For players who wagered on the Banker's Hand, if the Banker's Hand:

(1) Is 21 or less and the total value of the Player's Hand is over 21, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(2) And the Player's Hand are 21 or less:

(i) And the Banker's Hand is higher in total value than the Player's Hand, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(ii) And the Banker's Hand is lower in total value than the Player's Hand, the dealer shall collect each player's losing wager on the Banker's Hand.

(3) And the Player's Hand are over 21:

(i) And the Banker's Hand is lower in total value than the Player's Hand, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(ii) And the Banker's Hand is higher in total value than the Player's Hand, the dealer shall collect each player's losing wager on the Banker's Hand.

(4) And the Player's Hand are equal in total value, the dealer shall return the player's Banker Wager.

(k) The dealer shall settle Tie and Bonus Wagers as follows:

(1) For the Tie Wager, if the Player's Hand and the Banker's Hand:

(i) Have the same total value, the dealer shall pay the winning Tie Wager in accordance with § 681a.8(b).

(ii) Do not have the same total value, the dealer shall collect the losing Tie Wager.

(2) For the Bonus Wager on the Player's Hand, if the Player's Hand:

(i) Contains a pair or better as described in § 681a.3(e) (relating to cards; number of decks; value of cards), the dealer shall pay the winning Bonus Wager in accordance with § 681a.8(c).

(ii) Does not contain a pair or better as described in § 681a.3(e), the dealer shall collect the losing Bonus Wager.

(3) For the Bonus Wager on the Banker's Hand, if the Banker's Hand:

(i) Contains a pair or better as described in § 681a.3(e), the dealer shall pay the winning Bonus Wager in accordance with § 681a.8(c).

(ii) Does not contain a pair or better as described in § 681a.3(e), the dealer shall collect the losing Bonus Wager.

(l) After all wagers have been settled, the dealer shall remove the 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.

(m) Players may not handle any cards used to play 21 Baccarat.

§ 681a.8. Payout odds.

(a) The certificate holder shall pay each winning wager on the Player's Hand or Banker's Hand at odds of 1 to 1 except when the Player's Hand or Banker's Hand wins with a 17 which shall pay at odds of 1 to 2.

(b) The certificate holder shall pay out winning Tie Wagers at odds of 10 to 1.

(c) The certificate holder shall pay out winning Bonus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

If 21 Baccarat is being played with four decks of cards

Hand	**Paytable A**	**Paytable B**	**Paytable C**
Three 7s	100 to 1	80 to 1	80 to 1

Three-of-a-kind	40 to 1	40 to 1	40 to 1
Three-card straight	11 to 1	12 to 1	10 to 1
Three-card 21	5 to 1	5 to 1	6 to 1
One pair	3 to 1	3 to 1	3 to 1

If 21 Baccarat is being played with eight decks of cards

Hand	**Paytable D**	**Paytable E**	**Paytable F**
Three 7s	100 to 1	80 to 1	80 to 1
Three-of-a-kind	40 to 1	40 to 1	35 to 1
Three-card straight	10 to 1	11 to 1	12 to 1
Three-card 21	5 to 1	5 to 1	5 to 1
One pair	3 to 1	3 to 1	3 to 1

§ 681a.9. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack or in a segregated area of the double shoe.

(b) If the Player's Hand or Banker's Hand has 17 and the dealer accidentally draws an additional card, the card shall be placed in the discard rack.

(c) 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.

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