

**FINAL RULEMAKING  
125-187**

**PENNSYLVANIA GAMING CONTROL BOARD**

**58 PA.CODE CHS. 659a.**

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30)(relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 13A02(1) and (2), proposes to amend chapter 659a to read as set forth in Annex A.

***Purpose of the Rulemaking***

This rulemaking will change the name of Asia Poker to Fortune Asia Poker and will add two additional side wagers to the game, the Insurance and Progressive Payout Wagers.

***Explanation***

Asia Poker was renamed Fortune Asia Poker when a different licensed table game manufacturer acquired the rights to the game. In § 659a.1 (relating to definitions), additional definitions were added reflecting the addition of the two new side wagers to the game. A description of the table requirements, the additional side wagers and the ranking of the hands for the additional side wagers and was added to § 659a.2 (relating to Fortune Asia Poker table; shaker; physical characteristics), § 659a.6 (relating to Fortune Asia Poker rankings) and § 659a.7 (relating to wagers).

The dealing procedures in § 659a.8 - § 659a.11 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; procedures for dealing the cards from an automated dealing shoe; and procedures for completion of each round of play) were updated to reflect the addition of the two new side wagers.

The payout odds for the new Insurance and Progressive Payout wagers were added in § 659a.12 (relating to payout odds; payout limitation).

### ***Comment and Response Summary***

Notice of the proposed rulemaking was published at 45 Pa.B. 1383 (March 21, 2015). The Board did not receive any comments from the regulated community. On May 20, 2015, the Independent Regulatory Review Commission provided the following comments:

IRRC requested that the Board provide the house advantage for the two new side wagers added to the game - the Insurance Wager and the Progressive Payout Wager and explain how the regulation compares with the payout tables/percentage approved in other jurisdictions.

For the optional Insurance Wager, the proprietary owner/manufacture of the table game submitted three payout tables ranging in hold percentage from 3.91% to 8.05%. After reviewing the hold percentage for all three tables, the Board believed all three to be reasonable for an otherwise optional wager and thus all three were included in the rulemaking. For the Progressive Payout Wager, this side wager has a hold percentage of 24.3% (which is a standard hold percentage for most progressive side wagers), is already approved for play in Pai Gow Poker (Chapter 645a) and is the only payout table submitted by the manufacturer.

As all payout tables submitted by the manufacturer were ultimately approved by the Board, the regulation should in no way impede the Pennsylvania facility's ability to compete with other gaming jurisdictions that offer Fortune Asia Poker.

In addition to the questions regarding house advantage/hold percentage, IRRC had a few miscellaneous clarity suggestions in § 659a.6(d)(1) (relating to procedures for completion of each round of play), § 659a.11(h)(1)(i)(B) and in § 659.12(d)(2) (relating to payout odds; payout limitation), all of which were amended in the final-form rulemaking.

Other than the revisions made in accordance with IRRC's comments, the Board made no additional revisions between the proposed and final form regulations.

### ***Affected Parties***

Slot machine licensees that elect to offer Fortune Asia Poker will be impacted by this rulemaking as operators will have a

greater number of side wagers associated with the game to offer at their facilities.

***Fiscal Impact***

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

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

Private Sector. The amendments contained in this rulemaking will provide certificate holders with additional operational options. If a certificate holder decides to offer Fortune Asia Poker with the additional side wagers within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment which will allow for the placement of progressive wagers. Any costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

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

***Paperwork Requirements.***

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

***Effective Date***

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

***Regulatory Review***

Under section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), on March 11, 2015, the Board submitted a copy of the proposed rulemaking, published at 45 Pa.B. 1383 (March 21, 2015) and a copy of the Regulatory Analysis Form to the Independent

Regulatory Review Commission (IRRC) and to the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee (Committees).

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

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

### ***Findings***

The Board finds that:

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

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

### ***Order***

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

(1) The regulations of the Board, 58 Pa.Code Chapter 659a to read as set forth in Annex A.

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

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

David M. Barasch  
Chairman

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 659a. FORTUNE ASIA POKER

§ 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; **[Asia Poker]** 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 **[an] 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)**] **§ 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.**

[(6)] **(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.

[(7) An inscription indicating the payout limit per hand established by the certificate holder under § 659a.12(c)

(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 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) [An Asia Poker] A shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The [Asia 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 shall be maintained within the [Asia Poker] shaker. Dice that have been placed in [an Asia Poker] 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.

[(3) A flat button which shall be approved by the Bureau of Gaming Operations 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.'

[(d)] (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.

[(e)] (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 [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.

**§ 659a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing cards.**

\* \* \* \* \*

(e) If there is no gaming activity at [an] 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) **[An Asia Poker]** A shaker in accordance with the following procedures:

(i) The dealer shall shake the **[Asia Poker]** shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the **[Asia Poker shaker]** 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 **[Asia Poker]** shaker and shake the

shaker once. The **[Asia 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.

**[(3) If an automated card shuffling device and dealing shoe are used under § 659a.10, a flat button to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.]**

(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 high hand consisting of four aces.

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

(3)] (2) A straight flush, which is a [high] hand consisting of four cards of the same suit in consecutive ranking, with ace, [2, 3 and 4] king, queen, jack being the highest ranking straight [flush; king, queen, jack and 10 being the second highest ranking straight flush; and 2, 3, 4 and 5 being the lowest ranking straight flush. The certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), specify that a straight flush formed with an ace, 2, 3 and 4 of the same suit is the lowest ranking straight] flush and an ace, 2, 3, 4 being the second highest ranking straight flush.

[(4)] (3) A four-of-a-kind, which is a [high] 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.

[(5)] (4) A flush, which is a **[high]** hand consisting of four cards of the same suit. When comparing two flushes, the provisions in subsection (c) shall be applied.

[(6)] (5) A straight, which is a **[high]** 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. **[The certificate holder may, if specified in its Rules Submission under § 601a.2, specify that a straight formed with an ace, 2, 3 and 4, regardless of suit, is the lowest ranking straight.]**

[(7)] (6) 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.

[(8)] (7) 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.

[(9)] (8) A pair, which is **[either a high hand or a low] 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) [**, 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 copy.

(d) If the certificate holder offers the optional **Fortune** Bonus Wager under [**§ 659a.7(e)**] **§ 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 three-of-a-kind and four 8s.**] **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.**

[(2)] **(4)** Five aces, which is a hand consisting of four aces and a joker.

[(3)] **(5)** A royal flush, which is a **five-card** hand consisting of an ace, king, queen, jack and 10 of the same suit.

[(4) A natural] **(6) A** straight flush, which is a hand consisting of five cards of the same suit in consecutive rank [with no joker].

[(5) A straight flush with a joker, which is a hand consisting of five cards of the same suit in consecutive rank, one of which is a joker.

[(6)] **(7)** A four-of-a-kind, which is a hand consisting of four cards of the same rank regardless of suit.

[(7) A 9-high, which is a seven-card hand that contains a 9, 8, 7, 6, 4, 3 and 2 or a 9, 8, 7, 5, 4, 3 and 2.]

(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 **[an] 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 **[player] 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 **[an] 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 **[an] a Fortune** Asia

Poker Wager in accordance with subsection (d), the option of placing [a] 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 [9-high] a straight or better as described in § 659a.6(d) (relating to Fortune Asia Poker rankings) or three pair 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 nine-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 [an] 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 **[use one of the procedures authorized under § 659a.5(g) to determine the starting position for dealing the cards.]**

**(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 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. 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 [use one of the procedures authorized under § 659a.5(g) to determine the starting position for dealing the cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and shall use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.]:

(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 subsection (a) 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, 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 **[an] 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 **[Bonus Wager]** 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) **[An] 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[; **payout limitation**]).

(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 [**for purposes of the Bonus Wager. If a player:]. 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 [**9-high or better**] **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.

[(2) Has a 9-high or better] (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 nine-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.

[(i)] (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[; payout limitation].

(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):

<b>[Hand</b>	<b>Paytable A</b>	<b>Paytable B</b>	<b>Paytable C</b>
Three-of-a-kind and four 8s	5,000 to 1	5,000 to 1	5,000 to 1
Five aces	800 to 1	800 to 1	800 to 1
Royal flush	200 to 1	200 to 1	200 to 1
Natural straight flush	80 to 1	50 to 1	50 to 1
Straight flush with a joker	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	25 to 1
9-high	10 to 1	10 to 1	10 to 1
Full house	5 to 1	5 to 1	5 to 1
Flush	4 to 1	4 to 1	4 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1
Straight	2 to 1	2 to 1	2 to 1]

<b><u>Hand</u></b>	<b><u>Paytable A</u></b>	<b><u>Envy Bonus</u></b>
<u>Seven card straight flush</u>	<u>8,000 to 1</u>	<u>\$5,000</u>
<u>Royal flush and Royal Match</u>	<u>2,000 to 1</u>	<u>\$1,000</u>

<u>Seven-card straight flush</u>	<u>1,000 to 1</u>	<u>\$500</u>
<u>with joker</u>		
<u>Five aces</u>	<u>400 to 1</u>	<u>\$250</u>
<u>Royal flush</u>	<u>150 to 1</u>	<u>\$50</u>
<u>Straight flush</u>	<u>50 to 1</u>	<u>\$20</u>
<u>Four-of-a-kind</u>	<u>25 to 1</u>	<u>\$5</u>
<u>Full house</u>	<u>5 to 1</u>	
<u>Flush</u>	<u>4 to 1</u>	
<u>Three-of-a-kind</u>	<u>3 to 1</u>	
<u>Straight</u>	<u>2 to 1</u>	

<u><b>Hand</b></u>	<u><b>Paytable B</b></u>	<u><b>Envy Bonus</b></u>
<u>Seven-card straight flush</u>	<u>5,000 to 1</u>	<u>\$3,000</u>
<u>Royal flush and Royal Match</u>	<u>2,000 to 1</u>	<u>\$1,000</u>
<u>Seven-card straight flush</u>	<u>1,000 to 1</u>	<u>\$500</u>
<u>with joker</u>		
<u>Five aces</u>	<u>400 to 1</u>	<u>\$250</u>
<u>Royal flush</u>	<u>150 to 1</u>	<u>\$50</u>
<u>Straight flush</u>	<u>50 to 1</u>	<u>\$20</u>
<u>Four-of-a-kind</u>	<u>25 to 1</u>	<u>\$5</u>
<u>Full house</u>	<u>5 to 1</u>	
<u>Flush</u>	<u>4 to 1</u>	

Three-of-a-kind 3 to 1

Straight 2 to 1

<u>Hand</u>	<u>Paytable C</u>	<u>Envy Bonus</u>
<u>Seven-card straight flush</u>	<u>5,000 to 1</u>	<u>\$1,000</u>
<u>Royal flush and Royal Match</u>	<u>1,000 to 1</u>	<u>\$250</u>
<u>Seven-card straight flush with joker</u>	<u>750 to 1</u>	<u>\$100</u>
<u>Five aces</u>	<u>250 to 1</u>	<u>\$50</u>
<u>Royal flush</u>	<u>100 to 1</u>	<u>\$25</u>
<u>Straight flush</u>	<u>50 to 1</u>	<u>\$10</u>
<u>Four-of-a-kind</u>	<u>20 to 1</u>	<u>\$5</u>
<u>Full house</u>	<u>5 to 1</u>	
<u>Flush</u>	<u>4 to 1</u>	
<u>Three-of-a-kind</u>	<u>3 to 1</u>	
<u>Straight</u>	<u>2 to 1</u>	
<u>Three pair</u>	<u>Push</u>	

<u>Hand</u>	<u>Paytable D</u>	<u>Envy Bonus</u>
<u>Seven-card straight flush</u>	<u>2,500 to 1</u>	<u>\$1,000</u>
<u>Royal flush and Royal Match</u>	<u>1,000 to 1</u>	<u>\$750</u>
<u>Seven-card straight flush with joker</u>	<u>750 to 1</u>	<u>\$250</u>

<u>Five aces</u>	<u>250 to 1</u>	<u>\$100</u>
<u>Royal flush</u>	<u>125 to 1</u>	<u>\$50</u>
<u>Straight flush</u>	<u>50 to 1</u>	<u>\$20</u>
<u>Four-of-a-kind</u>	<u>25 to 1</u>	<u>\$5</u>
<u>Full house</u>	<u>5 to 1</u>	
<u>Flush</u>	<u>4 to 1</u>	
<u>Three-of-a-kind</u>	<u>3 to 1</u>	
<u>Straight</u>	<u>2 to 1</u>	

(c) [Notwithstanding the payout odds in subsections (a) and (b), 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.] 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:

<u>Hand</u>	<u>Paytable A</u>	<u>Paytable B</u>	<u>Paytable C</u>
<u>Nine-high</u>	<u>100 to 1</u>	<u>100 to 1</u>	<u>100 to 1</u>
<u>Ten-high</u>	<u>40 to 1</u>	<u>50 to 1</u>	<u>40 to 1</u>
<u>Jack-high</u>	<u>10 to 1</u>	<u>10 to 1</u>	<u>10 to 1</u>

<u>Queen-high</u>	<u>7 to 1</u>	<u>7 to 1</u>	<u>7 to 1</u>
<u>King-high</u>	<u>6 to 1</u>	<u>5 to 1</u>	<u>5 to 1</u>
<u>Ace-high</u>	<u>3 to 1</u>	<u>3 to 1</u>	<u>3 to 1</u>

**(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 payable:**

<u>Hand</u>	<u>Payout</u>
<u>Seven-card straight flush</u>	<u>100%</u>
<u>Five aces</u>	<u>10%</u>
<u>Royal flush</u>	<u>500 for 1</u>
<u>Straight flush</u>	<u>100 for 1</u>
<u>Four-of-a-kind</u>	<u>75 for 1</u>
<u>Full house</u>	<u>4 for 1</u>

**(2) The initial and ~~reset~~ RESET amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least \$2,000.**