

**FINAL FORM RULEMAKING
125-198
IRRC# 3143**

PENNSYLVANIA GAMING CONTROL BOARD

58 PA. CODE CH. 681a

21 Baccarat; Table Game Rules of Play

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) (relating to regulatory authority), proposes to add Chapter 681a (relating to 21 Baccarat) to read as set forth in Annex A.

Purpose of the Rulemaking

This rulemaking will add a new table game to the compliment of games available for play in this Commonwealth.

Explanation

Section 681a.1 (relating to definitions) contains the definitions used throughout Chapter 681a. Section 681a.2 (relating to 21 Baccarat table physical characteristics) contains the table physical characteristics. Section 681a.3 (relating to cards; number of decks; value of cards) details the number of cards and decks used to play the game. Section 681a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 681a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 681a.6 (relating to wagers) outlines the permissible wagers. Section 681a.7 (relating to procedures for dealing the cards; completion of each round of play) addresses how the cards are to be dealt and the round of play is to be completed. Section 681a.8 (relating to payout odds) outlines the permissible payout odds for winning wagers and section 681a.9 (relating to irregularities) addresses irregularities in play.

In 21 Baccarat, depending on the number of decks used for play of the game, the hold percentage for the optional Tie Wager is either 5.4% or 5.9% and between 5.8% and 8.0% for the optional Bonus Wager.

Comment and Response Summary

Notice of the proposed rulemaking was published at 46 Pa.B. 1433 (March 19, 2016). The Board did not receive any comments from the regulated community or the Independent Regulatory Review Commission regarding this rulemaking.

Affected Parties

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

Fiscal Impact

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

Political subdivisions. This rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer 21 Baccarat 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. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

This 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 9, 2016, the Board submitted a copy of the proposed rulemaking, published at 46 Pa.B. 1433 (March 19, 2016) 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 are 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 681a 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 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.

(1) 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	10 to 1	11 to 1	12 to 1

straight

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.