

Regulatory Analysis Form

(Completed by Promulgating Agency)

INDEPENDENT REGULATORY
COMMISSION
IRRC

2019 JUN 20 A 10:53

(All Comments submitted on this regulation will appear on IRRC's website)

(1) Agency
Pennsylvania Gaming Control Board

(2) Agency Number: 125
Identification Number: 223

IRRC Number: 3239

(3) PA Code Cite: 58 Pa.Code §§ 686a, 687a, and 688a

(4) Short Title:

Table Game Rules of Play

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact:

Chad W. Zimmermann
Assistant Chief Counsel
Pennsylvania Gaming Control Board
P.O. Box 69060
Harrisburg, PA 17101-8323
Phone: (717) 265-8356/ Fax: (717) 703-2988
Email: cwzimmerma@pa.gov

Secondary Contact:

(6) Type of Rulemaking (check applicable box):

- Proposed Regulation
- Final Regulation
- Final Omitted Regulation

- Emergency Certification Regulation;
 - Certification by the Governor
 - Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

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

(8) State the statutory authority for the regulation. Include specific statutory citation.

The Pennsylvania Gaming Control Board's general authority is 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).

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

There are no other applicable federal or state statutes, regulations or court decisions that mandate adoption of this rulemaking.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

This rule making will give certificate holders additional optional flexibility in the games that they provide to patrons and is needed to establish the rules of play. Patrons who play these games will benefit from the standardization of the rules of play.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no corresponding federal standards for any of these provisions in this rulemaking.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

This rule making expands the compliment of table games available for play. The Board reviewed all payout tables submitted by the manufacturer/proprietary owner. As all tables submitted are approved, the regulatory requirements contains in this rulemaking should not negatively impact Pennsylvania's ability to compete with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will not affect any other regulations of the PGCB nor any other state agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

No other persons or groups were involved in the development and drafting of the regulation.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

There are currently thirteen slot machine licensees that have a certificate to operate table games, all of which will be affected by the regulation in a positive manner in that they will have greater

flexibility in the compliment of games available for patron play. Casinos that operate in the Commonwealth of Pennsylvania are not small businesses as defined in the United States Small Business Administration's Small Business Size Regulations, under 13 C.F.R. Ch. 1 Part 121.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Any of the thirteen slot machine licensees that would like to offer the games contained in this rulemaking will be required to comply with the requirements of the rulemaking.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

It is not anticipated that this rulemaking will have a negative financial or economic impact on the regulated community. Slot machine licensees will be impacted by this rulemaking as they will have a greater number of options to offer at their facilities.

In Over/Under, the expected payback would be 98.95% on the required wagers. For the Bonus Wager, the expected payback wager on the approved payable would be 94.393%.

In DJ Wild Stud Poker, the expected payback on the Ante, Blind, and Play Wagers using perfect strategy is 98.99%. For the Trips Bonus Wager, the expected payback for the approved paytables are 98.843%, 92.474%, 92.338%, and 91.454%. For the Bad Beat Bonus Wager, the expected payback for the approved paytables are 86.8%, 87.682%, 85.904%, and 85.848%. For the Progressive Wager, the expected payback for the approved paytables is 77%.

In Face Up Pai Gow Poker, the expected payback on the required wagers is 98.404%. For the Ace High Bonus Wager, the expected payback for the approved paytables is 96.425%, 95.233%, 94.169%, 93.141%, and 92.647. For the Fortune Bonus Wager, the maximum payback for the approved paytables is 93.94%, 94.15%, 94.10%, 93.41%, 92.62%, and 94.10%. For the Progressive Wager, the payback percentage is 75.751%, 78.073%, 75.568%, 91.937%, 80.962%, 75.349%, and 75.746%.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

This rulemaking will provide operators with more table game options to offer and ensure consistency for patrons in the methods of play of the games. It is not anticipated that there will be any adverse effects associated with the approval of these games.

(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Certificate holders that decide to offer the game will be required to submit updated rules submission forms and internal controls to reflect any addition. The rules forms are simple

checklists that take little time to complete, and are available to operators electronically and are also submitted electronically. Any costs incurred to purchase equipment and train employees should be offset by the proceeds of gaming.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This rulemaking will have no fiscal impact on local governments. Host municipalities and counties will benefit from the local share funding that is mandated by the Pennsylvania Race Horse Development and Gaming Act of 2004, as amended.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Board does not expect that the requirements of this rulemaking will have any fiscal impact on the Board or any other Commonwealth agency. Internal control procedures and table games rules submission forms will be reviewed by existing Board Staff.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

As stated above, if an operator would like to offer the games contained in this rulemaking, the operator will have to submit updated internal controls, rules submission forms, layout schematics, etc. for approval. The rules submission forms are straightforward checklists and are submitted electronically.

(22a) Are forms required for implementation of the regulation?

Yes, operators will be required to electronically submit a rules submission form for approval before offering the table game.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here.** If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

Attached are copies of the checklists that operators would be required to complete and electronically submit to the agency prior to offering Over/Under, DJ Wild Stud Poker, or Face Up Pai Gow Poker.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY 2018/2019
PGCB Overall Budget	\$39,900,000	\$40,169,000	\$41,665,000	\$46,153,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.

The thirteen slot machine licensees that operate in the Commonwealth of Pennsylvania will be impacted by this rulemaking; however, in accordance with the United States Small Business Administration's Small Business Size Regulations, under 13 CFR Ch. 1 Part 121, none of the casinos qualify as a small business.

(b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

As all rules submission forms are simple to complete and are submitted to the PGCB electronically, it is not anticipated that there will be any significant reporting, recordkeeping or other administrative costs associated with this regulation.

(c) A statement of probable effect on impacted small businesses.

As stated above, none of the thirteen operational slot machine licensees are small businesses.

(d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Not applicable.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been added.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No alternative regulatory approaches were considered as this rulemaking contains the rules of play for three table games. This regulation reflects the least burdensome means of maintaining regulatory oversight of this activity.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

There is no data, as defined under section (3) of the Regulatory Review Act (71 P.S. § 745.3), upon which this rulemaking is based.

(29) Include a schedule for review of the regulation including:

- | | |
|---|-------------------------------|
| A. The length of the public comment period: | 30 days |
| B. The date or dates on which any public meetings or hearings will be held: | Held April 17, 2019 |
| C. The expected date of delivery of the final-form regulation: | 1st Quarter - 2021 |
| D. The expected effective date of the final-form regulation: | Upon final publication |
| E. The expected date by which compliance with the final-form regulation will be required: | Upon final publication |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | Ongoing |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

No formal review schedule has been established. Instead, the Board consistently reviews its regulations and proposes amendments as the need arises.

**Rules Submission
Over/Under-58 PA Code Chapter 686a**

Name of Licensee:		
Date Filed:		
Name of Table Games Manager or above who reviewed and approved this submission:		
If a selected option does not apply to all tables, please submit additional information in a separate document.		
Chapter 686a.	Description	Option Selected
.2(d)	Is the height of the discard rack: Equal to the height of the full stack of cards? Taller than the height of full stack of cards with a visible mark on its side to show the exact height of the full stack of cards?	Yes: _____ No: _____ Yes: _____ No: _____
.3(b)	Do you use an automated shuffling device?	Yes: _____ No: _____
.3(b)	Do you use a continuous shuffler?	Yes: _____ No: _____
.4(e)	Are the playing cards preinspected and reshuffled?	Yes: _____ No: _____
.6(a)	Do you accept verbal wagers, accompanied by cash, that are confirmed by the dealer and a floorperson and expeditiously converted into gaming chips or plaques?	Yes: _____ No: _____
.6(e)	Do you offer players the optional wager of Bonus Wager?	Yes: _____ No: _____
.6(f)	Do you allow players to wager on more than one adjacent box?	Yes: _____ No: _____
	What is the total number of boxes on which a player may place a wager in one round of play?	#: _____

**Rules Submission
DJ Wild Stud Poker-58 PA Code Chapter 687a**

Name of Licensee:		
Date Filed:		
Name of Table Games Manager or above who reviewed and approved this submission:		
If a selected option does not apply to all tables, please submit additional information in a separate document.		
Chapter 687a.	Description	Option Selected
.3(b)	Do you use an automated card shuffling device?	Yes: _____ No: _____
.4(e)	Are the playing cards preinspected and reshuffled?	Yes: _____ No: _____
.5(b)	If an automated card shuffling device is used, does it count the number of cards in the deck after the completion of each shuffle and indicate whether 53 cards are present?	Yes: _____ No: _____
.8(a)	Are cards dealt from a manual dealing shoe?	Yes: _____ No: _____
.9(a)	Are cards dealt from the dealer's hand (an automated shuffling device must be utilized)?	Yes: _____ No: _____
.10(a)	Are cards dealt from an automated dealing shoe?	Yes: _____ No: _____
.7(b)	If a player leaves the table during a round of play, do you consider any wagers made by the player abandoned and treat them as losing wagers?	Yes: _____ No: _____
.7(e)	Do you allow players to wager on more than one adjacent box?	Yes: _____ No: _____
.7(d)(2)	What is the total number of boxes on which a player may place a wager in one round of play? Do you offer a Progressive Bonus Wager?	#: _____ Yes: _____ No: _____
.11(b)(3)	If yes, What is the required bet for a Progressive Bonus Wager? Do you allow folded hands to qualify for the Progressive Bonus Wager?	\$1: _____ \$5: _____ Yes: _____ No: _____

Rules Submission
DJ Wild Stud Poker-58 PA Code Chapter 687a

.7(d)(3)	Do you offer a Trips Bonus Wager?	Yes: _____ No: _____
.12(d)	If yes, Which payable do you use to pay a winning Trips Bonus Wager	Payout Table: _____ Yes: _____ No: _____
.7(d)(4)	Do you offer a Two-Way Bad Beat Bonus Wager?	
.12(e)	If yes, Which payable do you use to pay a winning Two-Way Bad Beat Bonus Wager?	Payout Table: _____

**Rules Submission
Face Up Pai Gow Poker-58 PA Code Chapter 688a**

Name of Licensee:		
Date Filed:		
Name of Table Games Manager or above who reviewed		
and approved this submission:		
If a selected option does not apply to all tables, please submit additional information in a separate document.		
Chapter 688a.	Description	Option Selected
.2(c)	Is the starting position for the deal of cards determined by using Three dice and a Pai Gow Shaker? A computerized random number generator?	Yes: _____ No: _____ Yes: _____ No: _____
.3(b)	Do you use an automated card shuffling device?	Yes: _____ No: _____
.4(e)	Are the playing cards preinspected and reshuffled?	Yes: _____ No: _____
.5(j)	Do you mark the starting position for a round of play? If yes, What object do you use?	Yes: _____ No: _____ Object: _____
.7(b)	If a player leaves the table during a round of play, do you consider any wagers made by the player abandoned and treat them as losing wagers?	Yes: _____ No: _____
.7(e)(1)	Do you offer the player the optional wager of Ace High Bonus Wager?	Yes: _____ No: _____
.12(b)	If yes, Which payable do you use to pay out winning Ace High Bonus Wagers?	Pay Table: _____

Rules Submission
Face Up Pai Gow Poker-58 PA Code Chapter 688a

.7(e)(2)	Do you offer the player the optional wager of Fortune Bonus Wager?	Yes: _____ No: _____
.12(c)	If yes, Which payable do you use to pay out winning Fortune Bonus Wagers and Envy Bonus payouts?	Pay Table: _____
7(e)(3)	Do you offer the player the optional wager of Progressive Payout Wager?	Yes: _____ No: _____
.12(d)	If yes, Which payable do you use to pay out winning Progressive Payout Wagers and Envy Bonus payouts?	Pay Table: _____
.7(f)	Do you permit players to wager on two adjacent betting areas?	Yes: _____ No: _____
.8(a)	Do you use a manual dealing shoe?	Yes: _____ No: _____
.9(a)	Are cards dealt from the dealer's hand (an automated card shuffling device must be used to shuffle the cards)?	Yes: _____ No: _____
.10(a)	Are cards dealt from an automated dealing shoe?	Yes: _____ No: _____
.11(c)	Provide a copy of house rules for setting hands in a separate tab.	

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE
BUREAU**

**RECEIVED
IRRC**

2019 JUN 20 A 10: 53

(Pursuant to Commonwealth Documents Law)

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality
Attorney General

By: *Ang M. Elliott*
(Deputy Attorney General)

JUN 13 2019

DATE OF APPROVAL

Check if applicable
Copy not approved Objections attached

Copy below is hereby certified to be true and correct
copy of a document issued, prescribed or promulgated
by

**Pennsylvania Gaming
Control Board**

FISCAL NOTE NO.: 125-223

DATE OF ADOPTION 4/17/19

BY: *David M. Barasch*
David M. Barasch CHAIRMAN

Copy below is hereby approved as to form and legality
Executive or Independent Agencies

BY: *R. Douglas Sherman*
R. Douglas Sherman Chief Counsel

4/17/19

DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

Check if applicable No Attorney General Approval or
objection within 30 days after submission

**PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA**

**58 PA. CODE
Proposed Rulemaking
Subpart K.**

CHAPTERS 686a, 687a, 688a

PROPOSED RULEMAKING 125-223

PENNSYLVANIA GAMING CONTROL BOARD

58 PA. CODE CH. 686a, 687a, and 688a

Table Game Rules of Play

Over/Under, DJ Wild Stud Poker, Face Up Pai Gow Poker

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 Chapters 686a, 687a, and 688 (relating to Over/Under, DJ Wild Stud Poker, and Face Up Pai Gow Poker) to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

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

Explanation

Section 686a.1, 687a.1, and 688a.1 (relating to definitions) contains the definitions used throughout the chapters. Section 686a.2, 687a.2, and 688a.2 (relating to table physical characteristics) contains the physical characteristics of the table layout and related equipment. Section 686a.3, 687a.3, and 688a.3 (relating to cards; number of decks) details the number of cards and decks used to play the game and the rank of hands in 687a.3. Section 686a.4, 687a.4, and 688a.4 (relating to opening of the table for gaming) addresses how the dealer is to open the table game for play.

Section 686a.5, 687a.5, and 688a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut and in 688.5, how to determine the starting point for the dealing of the cards. Section 687a.6 and 688a.6 (relating to rankings) addresses the rank of the cards and hands. Section 686a.6, 687a.7 and 688a.7 (relating to wagers) outlines the permissible wagers players may place during a round of play.

Section 686a.7 (relating to procedure of dealing the cards; completion of each round of play) addresses how the cards are to be initially dealt and completing the round of play. Section

687a.8-10 and 688a.8-10 (relating to procedures for dealing the cards from a manual dealing shoe; the hand; and from an automated dealing shoe) addresses how the cards are to be dealt and the number of cards dealt to each player. Section 687a.11, and 688a.11 (relating to procedure for completion of each round of play) specifies how wagers are to be settled and a round of play completed. Section 686a.8, 687a.12, and 688a.12 (relating to payout odds; Progressive Wager configuration; payout limitation) outlines the permissible payout odds for winning wagers and allows the operator to place a payout limit, per player per round of play. Section 686a.9, 687a.13, and 688a.13 (relating to irregularities) addresses how a dealer is to handle irregularities during play.

In Over/Under, the expected payback would be 98.95% on the required wagers. For the Bonus Wager, the expected payback wager on the approved payable would be 94.393%.

In DJ Wild Stud Poker, the expected payback on the Ante, Blind, and Play Wagers using perfect strategy is 98.99%. For the Trips Bonus Wager, the expected payback for the approved paytables are 98.843%, 92.474%, 92.338%, and 91.454%. For the Bad Beat Bonus Wager, the expected payback for the approved paytables are 86.8%, 87.682%, 85.904%, and 85.848%. For the Progressive Wager, the expected payback for the approved paytables is 77%.

In Face Up Pai Gow Poker, the expected payback on the required wagers is 98.404%. For the Ace High Bonus Wager, the expected payback for the approved paytables is 96.425%, 95.233%, 94.169%, 93.141%, and 92.647%. For the Fortune Bonus Wager, the maximum payback for the approved paytables is 93.94%, 94.15%, 94.10%, 93.41%, 92.62%, and 94.10%. For the Progressive Wager, the payback percentage is 75.751%, 78.073%, 75.568%, 91.937%, 80.962%, 75.349%, and 75.746%.

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

Private sector. This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Over/Under, DJ Wild Stud Poker, or Face Up Pai Gow Poker within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment - specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This proposed 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

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Chad W. Zimmermann, Assistant Chief Counsel, Attention: Regulation #125-223 Public Comment, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is Chad W. Zimmermann, Assistant Chief Counsel, (717) 265-8356.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 20, 2019, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to

the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

DAVID M. BARASCH,
Chairman

Annex A

Title 58. RECREATION

PART VII. GAMING CONTROL BOARD

SUBPART K. TABLE GAMES

CHAPTER 686a. OVER/UNDER

Sec.

686a.1. Definitions.

686a.2. Over/Under table; physical characteristics; inspections.

686a.3. Cards; number of decks; value of cards.

686a.4. Opening of the table for gaming.

686a.5. Shuffle and cut of the cards.

686a.6. Wagers.

686a.7. Procedure of dealing the cards; completion of each round of play.

686a.8. Payout odds.

686a.9. Irregularities.

§ 686a.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 participate in the round of play.

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

Hand—The three cards dealt to the player.

Over 23 Wager—An additional wager made by the player after the first card is dealt to his hand if the player opts to remain in the round of play.

Surrender—When the player opts to forfeit his ante wager after being dealt the first card of the hand in a round of play.

Under 18 Wager—An additional wager made by the player after the first card is dealt to his hand if the player opts to remain in the round of play.

§ 686a.2. Over/Under table; physical characteristics; inspections.

(a) Over/Under 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 Over/Under 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 Ante Wager, Over 23 Wager, and Under 18 Wager for each player.

(3) Three rectangular areas in front of each player's position where the player's three-card hand will be placed.

(4) The following inscriptions:

(i) All bets pay even money except for Bonus Bets.

(ii) House wins on 18 - 23.

(iii) Aces are always counted as 11.

(5) If the certificate holder offers the optional Bonus Wager authorized under § 686a.6 (relating to wagers), a separate area designed for the placement of the Bonus 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 are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Over/Under table.

(c) Each Over/Under table must have a drop box and 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 Over/Under 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.

§ 686a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsection (b), Over/Under shall be played with a six-deck batch of cards that are identical in appearance and at least one cover card. The decks shall consist of 52 cards. The cards may be dealt from a multi-deck shoe or a continuous shuffler.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Over/Under shall be played with two batches of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with six decks included in each batch, with each batch containing the same number of decks.

(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 an Over/Under 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.

§ 686a.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) 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 § 686a.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 reshuffled 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.

§ 686a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled 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 § 686a.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 an Over/Under 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 § 686a.4 (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.

§ 686a.6. Wagers.

(a) Wagers at Over/Under shall be made by placing value chips, plaques, or other Board-approved table gaming wagering

instruments on the appropriate areas of the Over/Under 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 by § 686a.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 Over 23 Wager or Under 18 Wager 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 must place an Ante Wager to participate in a round of play.

(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 Ante Wager in

accordance with subsection (d), the option of placing a Bonus Wager.

(f) The certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place an Ante Wager in one round of play.

§ 686a.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 § 686a.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 Ante and Bonus 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 one card face up in the rectangular box described in § 686a.2(b)(3) closest to the player of each position on the layout in which an Ante Wager is placed.

(f) Immediately after the first card is dealt to each player, but prior to any additional cards being dealt the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and determine the decision of each player.

(g) Each player when asked by the dealer may elect to either:

(1) Place an Over 23 Wager equal to the amount of the player's Ante Wager.

(2) Place an Under 18 Wager equal to the amount of the player's Ante Wager.

(3) Surrender the Ante Wager, which shall then be collected by the dealer.

(g) A player's decision to surrender and forfeit the Ante Wager does not also forfeit the player's Bonus Wager, if made, and the Bonus Wager shall be settled in accordance with subsection (k).

(h) After a player indicates his decision, the dealer shall deal face up the two additional cards to the player's hand, even if the player decides to surrender his hand and has not placed a Bonus Wager.

(i) After the two additional cards have been dealt to a player, the dealer shall settle the player's wagers placed prior to and during the round of play, remove the cards and place them in the discard rack, and then move to the next player.

(i) A player shall win and be paid in accordance with § 686a.8 (relating to payout odds) if:

(1) The player placed an Ante Wager and an Over 23 Wager, and the total point count of the player's hand is 24, 25, 26, 27, 28, 29, 30, 31, 32, or 33.

(2) The player placed an Ante Wager and an Under 18 Wager, and the total point count of the player's hand is 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, or 17.

(j) A player's Ante Wager and Over 23 Wager or Under 18 Wager shall lose and shall be collected if the total point count of the player's hand is 18, 19, 20, 21, 22, or 23.

(k) A player's Bonus Wager shall win and be paid in accordance with § 686a.8 (relating to payout odds) if the player's point total is 6, 7, 8, 9, 10, 11, 12, 27, 28, 29, 30, 31, 32, or 33, and shall lose if the total point count of the player's hand is 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 26.

(l) After all player hands 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.

(m) Players and spectators may not handle, remove or alter any cards used to play Over/Under.

§ 686a.8. Payout odds.

(a) The certificate holder shall pay out each winning Ante Wager, Over 23 Wager, and Under 18 Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Bonus Wagers at the odds in the following paytable:

Paytable

Point Total	Pay
6 or 33	50 to 1
7 or 32	10 to 1
8 or 31	5 to 1
9 or 30	4 to 1
10 or 29	3 to 1
11 or 28	2 to 1
12 or 27	1 to 1

§ 686a.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.

(b) 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 the procedures in § 686a.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.

(c) If after receiving the first card, the dealer fails to deal the additional two cards to a player, then, at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards and complete the round of play, or call the player's hand dead and return the player's initial Ante Wager.

(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 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.

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CHAPTER 687a. DJ WILD STUD POKER

Sec.

- 687a.1. Definitions.
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- 687a.11. Procedure for completion of each round of play.
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687a.13. Irregularities.

§ 687a.1. Definitions.

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

Ante Wager-A wager a player is required to make prior to any cards being dealt to participate in a round of play.

Blind Wager-A wager a player is required to make prior to any cards being dealt to participate in a round of play, equal to the player's Ante Wager.

Fold-The withdrawal of a player from a round of play by not making Raise Wagers.

Progressive Bonus Wager-An optional wager a player may make prior to any cards being dealt to compete against a posted progressive paytable and meter.

Raise Wager-An additional wager of two times the player's Ante Wager that a player may make after examining the five cards dealt to the player.

Trips Bonus Wager-An optional wager a player shall make prior to any cards being dealt to compete against a posted paytable.

Two-Way Bad Beat Bonus Wager-An optional wager a player shall make prior to any cards being dealt to compete against the dealer.

§ 687a.2. DJ Wild Stud Poker table; physical characteristics.

(a) DJ Wild Stud 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 DJ Wild Stud 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) A separate betting area designated for the placement of the Ante Wager, Blind Wager, and Raise Wager.

(3) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2) (relating to wagers), the Trips Bonus Wager authorized under § 687a.7(d)(3), or the Two-Way Bad Beat Bonus Wager authorized under § 687a.7(d)(4) a separate area designated for the placement of each of the wagers for each player.

(4) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2) (relating to wagers), an area to place one card face down after the cards are dealt to the players and the dealer, which if necessary will replace the Joker card in a player's hand for purposes of the Progressive Bonus Wager.

(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 DJ Wild Stud Poker table.

(c) Each DJ Wild 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.

(d) Each DJ Wild Stud Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 687a.3. Cards; number of decks.

(a) DJ Wild Stud Poker shall be played with one deck of 53 cards that are identical in appearance and one cover card, made up of a standard 52 card deck and one Joker.

(b) If an automated card shuffling device is utilized, DJ Wild Stud Poker may be played with two decks of 53 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 DJ Wild 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.

§ 687a.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 § 687a.5 (relating to shuffle and cut of the cards).

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

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)-(d) do not apply.

§ 687a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled 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 § 687a.8, § 687a.9 or § 687a.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 DJ Wild Stud 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 § 687a.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.

§ 687a.6. DJ Wild Stud Poker rankings.

(a) The rank of the cards used in DJ Wild 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 with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace and 2). All suits shall be equal in rank.

(b) All four cards with a rank of 2 and the one Joker card are considered Wild, and may be used to complete a Poker hand by assuming a different rank.

(c) The permissible Poker hands in the game of DJ Wild Stud Poker, in order of highest to lowest rank, shall be:

(1) Five Wilds, which is a hand consisting of all five Wild cards.

(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 in consecutive ranking, other than a royal flush.

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

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

(6) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(7) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

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

(9) Two pairs, which is a hand consisting of two sets of two cards which are of the same rank.

(10) Pair, which is a hand consisting of two cards of the same rank.

(11) High card, which is a hand that does not contain a pair or better.

(d) If a certificate holder offers the Progressive Bonus Wager, the player's hands eligible for a payout shall be:

- (1) A royal flush.
- (2) A straight flush.
- (3) A four-of-a-kind.
- (4) A full house.
- (5) A flush.
- (6) A straight.
- (7) A three-of-a-kind.

(e) If a certificate holder offers the Trips Bonus Wager, the hands eligible for a payout shall be:

- (1) Five wilds.

- (2) A royal flush.
- (3) A straight flush.
- (4) A four-of-a-kind.
- (5) A full house.
- (6) A flush.
- (7) A straight.
- (8) A three-of-a-kind.

(f) If a certificate holder offers the Two-Way Bad Beat Bonus Wager, the player's hands eligible for a payout shall be:

- (1) A royal flush.
- (2) A straight flush.
- (3) A four-of-a-kind.
- (4) A full house.
- (5) A flush.
- (6) A straight.
- (7) A three-of-a-kind.

§ 687a.7. Wagers.

(a) Wagers at DJ Wild 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 a DJ Wild 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 Raise Wagers, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 687a.8, § 687a.9 or § 687a.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 § 687a.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 DJ Wild Stud Poker:

(1) To compete in a round of play, a player shall place an Ante Wager and Blind Wager, then a Raise Wager, in an amount equal to two times the player's Ante Wager, in accordance with § 687a.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 DJ Wild Stud Poker table the option to make an additional Progressive Bonus Wager which shall win if the five cards dealt to the player contain three-

of-a-kind or better as provided in § 687a.6(d) (relating to DJ Wild Stud Poker rankings).

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a DJ Wild Stud Poker table the option to make an additional Trips Bonus Wager, which shall win if the five cards dealt to the player contain three-of-a-kind or better as provided in § 687a.6(e) (relating to DJ Wild Stud Poker rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a DJ Wild Stud Poker table the option to make an additional Two-Way Bad Beat which shall win if the five cards dealt to the player contain three-of-a-kind or better as provided in § 687a.6(f) (relating to DJ Wild Stud Poker 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.

§ 687a.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 § 687a.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) If a player has placed a Progressive Bonus Wager on the sensor, the dealer will press the Start Game button on the keypad, which will light up the Progressive Bonus Wagers placed, and the dealer will collect the Progressive Bonus Wagers.

(d) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal a stack of five cards to each player who has placed an Ante Wager and Blind Wager in accordance with § 687a.7(d)(1) (relating to wagers). All cards shall be dealt face down to the players.

(e) After five cards have been dealt to each player, the dealer shall deal himself five cards.

(f) The dealer shall then place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics), and the dealer shall remove the stub from the manual dealing shoe and, except as

provided in subsection (i), place the stub in the discard rack without exposing the cards.

(g) 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.

(h) 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.

(i) 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.

§ 687a.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 § 687a.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. If a player has placed a Progressive Bonus Wager on the sensor, the dealer will press the Start Game button on the keypad, which will light up the Progressive Bonus Wagers placed, and the dealer will collect the Progressive Bonus Wagers.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal a stack of five cards to each player who has placed an Ante Wager and Blind Wager in accordance with § 687a.7(d)(1) (relating to wagers). All cards shall be dealt face down to the players.

(d) After five cards have been dealt to each player, the dealer shall deal himself five cards.

(e) The dealer shall then place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics), and 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 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.

§ 687a.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 § 687a.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 and Blind Wager in accordance with § 687a.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 and Blind Wager.

(c) After each stack of five cards has been dispensed and delivered in accordance with this section, the dealer shall dispense to himself five cards, remove the remaining cards from the automated dealing shoe and follow the procedures in § 687a.9(a)(2) (relating to procedure for dealing the cards from

the hand) and place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics) if a player has placed a Progressive Bonus wager.

(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.

§ 687a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 687a.8, § 687a.9 or § 687a.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 DJ Wild 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 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 an Ante Wager and Blind Wager if he wishes to make a Raise Wager in an amount equal to two times the player's Ante Wager or fold and forfeit the Ante Wager and Blind Wager and end his participation in the round of play.

(1) If a player has placed an Ante Wager and Blind Wager and an optional Trips Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and Blind Wager but does not forfeit the Trips Bonus Wager.

(2) If a player has placed an Ante Wager and Blind Wager and an optional Two-Way Bad Beat Bonus Wager but does not

make a Raise Wager, the player shall forfeit the Ante Wager, the Blind Wager, and the Two-Way Bad Beat Wager.

(3) The certificate holder may, in its discretion, choose to allow or not allow folded hands to qualify for the Progressive Bonus Wager.

(c) After each player who has placed an Ante Wager and Blind Wager has either placed a Raise Wager on the designated area of the layout or forfeited his Ante Wager and Blind Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Trips Bonus Wager or Progressive Bonus Wager, and place the cards in the discard rack.

(d) Once all players have either placed a Raise Wager or folded, the dealer shall turn over and reveal his five-card hand and announce the best possible DJ Wild Stud Poker hand that can be formed.

(e) Beginning with the player farthest to the dealer's left and continuing around the table in a counterclockwise direction, the dealer shall then evaluate and announce the best possible DJ Wild Stud Poker hand that can be formed using the player's five cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All Ante Wagers, Blind Wagers, and Raise wagers shall be settled as follows:

(1) If a player's highest ranking DJ Wild Stud Poker hand is higher than the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687a.6(c) (relating to DJ Wild Stud Poker hand rankings), the dealer shall pay the winning Ante Wager, Blind Wager, and Raise Wager in accordance with § 687a.12(a) and (b).

(2) If a player's highest ranking DJ Wild Stud Poker hand is equal to the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687a.6(c), the hand is a push, and the dealer shall not collect the Ante Wager, Blind Wager, and Raise Wager.

(3) If the player's highest ranking DJ Wild Stud Poker hand is lower than the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687.6(c), the player loses, and the dealer shall collect the Ante Wager, Blind Wager, and Raise Wager.

(f) After settling the player's Ante Wager, Blind Wager, and Raise Wager, the dealer shall settle any optional wagers as follows:

(1) For the Progressive Bonus Wager, if the player has been dealt the Joker Wild card, it will be replaced in his hand with the one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics).

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall collect the losing Progressive Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall pay the winning Progressive Bonus Wager in accordance with § 687a.12(c).

(2) For the Trips Bonus Wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall collect the losing Trips Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall pay the winning Trips Bonus Wager in accordance with § 687a.12(d).

(3) For the Two-Way Bad Beat Bonus Wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, or the player's highest ranking hand is a three-of-a-kind or better but does not lose to the dealer's higher ranking hand, as provided in § 687a.6(f), the dealer shall collect the losing Two-Way Bad Beat Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the dealer's higher ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat Bonus Wager in accordance with § 687a.12(e).

(g) 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.

§ 687a.12. Payout odds.

(a) A certificate holder shall pay winning Ante Wager and Raise Wagers 1 to 1.

(b) A certificate holder shall pay out winning Blind Bonus Wagers in accordance with one of the following payable:

Paytable

Hand	Pay
Five Wilds	1000 to 1
Royal Flush	50 to 1
Five-of-a-Kind	10 to 1
Straight Flush	9 to 1
Four-of-a-Kind	4 to 1
Full House	3 to 1
Flush	2 to 1

Straight	1 to 1
Three-of-a-Kind or less	Push

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

Progressive Paytable 1; \$1 Wager; \$2,000 seed and re-seed

Hand	Pay	Envy
Royal Flush	100% of meter	\$1,000
Straight Flush	10% of meter	\$300
Four-of-a-Kind	300 to 1	
Full House	50 to 1	
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-Kind	9 to 1	

Progressive Paytable 2; \$5 wager; \$10,000 seed and re-seed

Hand	Pay	Envy
Royal Flush	100% of meter	\$5,000
Straight Flush	10% of meter	\$1,500
Four-of-a-Kind	300 to 1	
Full House	50 to 1	
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-Kind	9 to 1	

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

Paytable DJWT-04

Hand	Natural	With Wild
Five Wilds	n/a	2000 to 1
Royal Flush	1000 to 1	90 to 1
Five-of-a-Kind	n/a	70 to 1
Straight Flush	200 to 1	25 to 1
Four-of-a-Kind	60 to 1	6 to 1
Full House	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-Kind	6 to 1	1 to 1

Paytable DJWT-05

Hand	Natural	With Wild
Five Wilds	n/a	2000 to 1
Royal Flush	1000 to 1	70 to 1
Five-of-a-Kind	n/a	60 to 1
Straight Flush	200 to 1	25 to 1
Four-of-a-Kind	50 to 1	6 to 1
Full House	30 to 1	5 to 1

Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-Kind	6 to 1	1 to 1

Paytable DJWT-06

Hand	Natural	With Wild
Five Wilds	n/a	500 to 1
Royal Flush	400 to 1	70 to 1
Five-of-a-Kind	n/a	60 to 1
Straight Flush	200 to 1	25 to 1
Four-of-a-Kind	50 to 1	6 to 1
Full House	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-Kind	6 to 1	1 to 1

Paytable DJWT-07

Hand	Natural	With Wild
Five Wilds	n/a	2000 to 1
Royal Flush	1000 to 1	60 to 1
Five-of-a-Kind	n/a	50 to 1
Straight Flush	200 to 1	25 to 1
Four-of-a-Kind	40 to 1	6 to 1
Full House	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1

Three-of-a-Kind 9 to 1

Paytable DJWBB-03

Hand	Pay
Royal Flush	500 to 1
Five-of-a-Kind	500 to 1
Straight Flush	500 to 1
Four-of-a-Kind	300 to 1
Full House	200 to 1
Flush	100 to 1
Straight	50 to 1
Three-of-a-Kind	15 to 1

Paytable DJWBB-04

Hand	Pay
Royal Flush	299 to 1
Five-of-a-Kind	299 to 1
Straight Flush	299 to 1
Four-of-a-Kind	299 to 1
Full House	200 to 1
Flush	100 to 1
Straight	50 to 1
Three-of-a-Kind or less	15 to 1

§ 687a.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 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 player's cards or dealer's cards are revealed prior to the placement of raise wagers in accordance with § 687a.11(b) (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, provided that if any player placed a Progressive Bonus Wager or Trips Bonus Wager, those wagers shall be settled in accordance with § 687a.11(f).

(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.

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Chapter 688a. Face Up Pai Gow Poker

Sec.

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§. 688a.1. Definitions.

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

Ace High Pai Gow-When the seven cards in the player or dealer's hand is a rank of Ace high.

Ace High Bonus Wager-An additional Face Up Pai Gow Poker wager which pays if the dealer's hand is an Ace High Pai Gow.

Envy Bonus-An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Face Up Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand-A player's Face Up Pai Gow Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

Fortune Bonus Wager-An additional Face Up Pai Gow Poker wager which considers the best hand possible among the player's seven cards against a posted paytable.

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.

Progressive Payout Wager-An optional wager a player may make prior to any cards being dealt to compete against a posted progressive paytable and meter.

Qualifying Wager-A Progressive Payout Wager or 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 seven cards dealt.

§ 688a.2. Face Up Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics.

(a) Face Up 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 Face Up 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 Face Up 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 Aces High Bonus Wager authorized under § 688a.7(e)(1), a separate area designated for the placement of the Aces High Bonus Wager for each player.

(6) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 688a.7(e)(2) (relating to wagers), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(7) If the certificate holder offers the optional Progressive Payout Wager authorized under § 688a.7(e)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(8) Inscriptions that advise patrons that if the dealer's hand is an Ace High Pai Gow, the player's wager shall push and be returned to the 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 Face Up Pai Gow Poker table.

(c) To determine the starting position for the dealing or delivery of the cards, Face Up 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 § 688a.7(e)(3), the Face Up 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. If the certificate holder is offering a Progressive Payout Wager pursuant to § 688.7(e)(3) 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 placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(e) Each Face Up 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 Face Up Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 688a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Face Up 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 Face Up 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, Face Up 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 Face Up 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.

§ 688a.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 § 688a.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 reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)–(d) do not apply.

§ 688a.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 § 688a.8, § 688a.9 or § 688a.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 § 688a.8, § 688a.9 or § 688a.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 Face Up 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.

(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 § 688a.8, § 688a.9 or § 688a.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 or similar object approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

§ 688a.6. Face Up Pai Gow Poker rankings.

(a) The rank of the cards used in Face Up 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 Face Up 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) Three pair, used for the Fortune Bonus Wager only, which is a hand containing three pairs, with three aces, three kings, three queens being the highest ranking three pair hand and three 4s, three 3s, and three 2s being the lowest ranking three pair hand.

(10) 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.

(11) 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 Aces High Bonus Wager under § 688a.7(e)(1) (relating to wagers), the wager wins if the dealer's seven cards are an Ace High Pai Gow.

(e) If the certificate holder offers the optional Fortune Bonus Wager under § 688a.7(e)(2) (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 an additional king and queen of a same suit.

(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 § 688a.7(e)(3), the following hands shall be used to determine the amount of the progressive payout and progressive wager envy bonus 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) Seven-card natural straight flush is a hand consisting of seven cards of the same suit in consecutive order without a joker.

(3) Seven-card wild straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with a joker being used to complete the straight flush.

(4) 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 a same suit.

(5) Five aces, which is a hand consisting of four aces and a joker.

(6) Five-of-a-kind, which is a hand consisting of four cards of the same rank and a joker.

(7) 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.

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

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

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

§ 688a.7. Wagers.

(a) Wagers at Face Up Pai Gow Poker shall be made by placing value chips, plaques or other Board-approved wagering instruments on the appropriate areas of the Face Up Pai Gow Poker layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Face Up 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 Face Up Pai Gow Poker shall be placed prior to the dealer announcing ``no more bets'' in accordance with the dealing procedures in § 688a.8, § 688a.9 or § 688a.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 Face Up 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) An Ace High Bonus Wager that the seven cards dealt to the dealer will be an Ace High Pai Gow.

(2) A Fortune Bonus Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a three-pair or better as described in § 688a.6(e) (relating to Face Up Pai Gow Poker rankings).

(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 § 688a.6(f).

(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 Face Up 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.

§ 688a.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 § 688a.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 or Progressive Payout 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 § 688a.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 to the player and face up to the dealer, 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.

(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.

§ 688a.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 § 688a.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 or Progressive Payout 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 § 688a.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 face down, and to the dealer face up, 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.

§ 688a.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 § 688a.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 or Progressive Payout 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 § 688a.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 face up.

(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.

§ 688a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 688a.8, § 688a.9 or § 688a.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, the dealer shall set his seven cards into two hands by arranging the cards into a high 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 high hand and low hand face up on the appropriate area of the layout.

(b) After the high hand and low hand of the dealer have been set, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at a Face Up 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.

(c) 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.

(d) Unless a player has placed an optional wager authorized under § 688a.7(e)(1)-(3) (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 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 Face Up 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 Face Up Pai Gow Poker Wager of that player wins, loses or is a tie.

(f) A Face Up 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.

(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 an Ace High Pai Gow.

(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. The dealer shall pay the winning Face Up Pai Gow Poker Wager in accordance with the payout odds in § 688a.12(a) (relating to payout odds; Envy Bonus; rate of progression; payout limitation).

(g) Except as provided in subsection (h), after settling the player's Face Up Pai Gow Poker Wager, the dealer shall place the cards of the player in the discard rack.

(h) After settling the player's Face Up Pai Gow Poker Wager, the dealer shall rearrange the seven cards of any player who placed an optional wager, in accordance with § 688a.7(e)(1)-(3), 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 or Progressive Payout Wager. After rearranging the player's seven cards, the dealer shall:

(1) Settle the player's Ace High Bonus Wager as follows:

(i) If the dealer:

(A) Does not have an Ace High Pai Gow, as described in § 688a.6(d) (relating to Face Up Pai Gow rankings), the dealer shall collect the Ace High Bonus Wager.

(B) Has an Ace High Pai Gow, the dealer shall pay the winning Ace High Bonus Wager in accordance with § 688a.12(b).

(2) Settle the player's Fortune Bonus Wager as follows:

(i) If a player:

(A) Does not have a straight or higher, as described in § 688a.6(e) (relating to Face Up Pai Gow Poker rankings), the dealer shall collect the Fortune Bonus Wager.

(B) Has a straight or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 688a.12(c). 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 §688a.12(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 Progressive Payout Wager as follows:

(i) If a player:

(A) Does not have a full house or better, as described in § 688a.6(f), the dealer shall collect the Progressive Payout Wager.

(B) Has a full house or better, 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 § 688a.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.

(C) Did not place a Progressive Payout 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.

(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.

§ 688a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Face Up Pai Gow Poker Wager at odds of 1 to 1, and shall not charge a commission or vigorish on winning hands.

(b) The certificate holder shall pay out winning Ace High Bonus Wager 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):

Paytable 1

Outcome	Pay
Both Dealer and Player have Ace High	20 to 1
Only Dealer has Ace High, with Joker	10 to 1
Only Dealer has Ace High, no Joker	8 to 1

Paytable 2

Outcome	Pay
Both Dealer and Player have Ace High	40 to 1
Only Dealer has Ace High, with Joker	15 to 1
Only Dealer has Ace High, no Joker	5 to 1

Paytable 3

Outcome	Pay
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Both Dealer and Player have Ace High	30 to 1
Only Dealer has Ace High, with Joker	15 to 1
Only Dealer has Ace High, no Joker	6 to 1

Paytable 4

Outcome	Pay
Both Dealer and Player have Ace High	25 to 1
Only Dealer has Ace High, with Joker	10 to 1
Only Dealer has Ace High, no Joker	7 to 1

Paytable 5

Outcome	Pay
Both Dealer and Player have Ace High	40 to 1
Only Dealer has Ace High, with Joker	12 to 1
Only Dealer has Ace High, no Joker	5 to 1

(c) 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):

Paytable 1

Outcome	Pay	Envy
7 Card Straight Flush	5,000 to 1	\$1,000
Royal Flush + Royal Match	1,000 to 1	\$250
7 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	

Paytable 2

Outcome	Pay	Envy
7 Card Straight Flush	8,000 to 1	\$5,000
Royal Flush + Royal Match	2,000 to 1	\$1,000
7 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	

Paytable 3

Outcome	Pay	Envy
7 Card Straight Flush	5,000 to 1	\$3,000

Royal Flush + Royal Match	2,000 to 1	\$1,000
7 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	

Paytable 4

Outcome	Pay	Envy
7 Card Straight Flush	2,500 to 1	\$1,000
Royal Flush + Royal Match	1,000 to 1	\$750
7 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	

Paytable 5

Outcome	Pay	Envy
7 Card Straight Flush	5,000 to 1	\$2,500
Royal Flush + Royal Match	1,000 to 1	\$500
7 Card Straight Flush with Joker	500 to 1	\$250
Five Aces	300 to 1	\$150
Royal Flush	100 to 1	\$55
Straight Flush	45 to 1	\$25
Four of a Kind	25 to 1	\$6
Full House	5 to 1	
Flush	4 to 1	
Three of a Kind	3 to 1	
Straight	2 to 1	

Paytable 6

Outcome	Pay	Envy
7 Card Straight Flush	5,000 to 1	\$2,500
Royal Flush + Royal Match	2,000 to 1	\$500
7 Card Straight Flush with Joker	1,000 to 1	\$250
Five Aces	400 to 1	\$150
Royal Flush	150 to 1	\$55
Straight Flush	50 to 1	\$25
Four of a Kind	25 to 1	\$6
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 Progressive Payout 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):

Paytable 1 (\$1 wager)	Pay
7 Card Straight Flush	100% of meter
Five Aces	10% of meter
Royal Flush	\$500
Straight Flush	\$100
Four of a Kind	\$75
Full House	\$4

Meter Seed: \$10,000

Rate of Progression: 28%

Original wager not returned to player

Paytable 2 (\$1 wager)	Pay
7 Card Natural Straight Flush	100% of meter
7 Card Wild Straight Flush	10% of meter
Five of a Kind	\$500
Royal Flush	\$300
Straight Flush	\$100
Four of a Kind	\$30

Full House \$7

Meter Seed: \$10,000

Rate of Progression: 7%

Original wager not returned to player

Fully Wild Joker

Paytable 3 (\$1 wager)

Pay

7 Card Straight Flush 100% of meter

Five Aces 10% of meter

Royal Flush \$500

Straight Flush \$100

Four of a Kind \$75

Full House \$4

Meter Seed: \$2,000

Rate of Progression: 29%

Original wager not returned to player

Paytable 4 (\$5 wager)

Outcome	Pay & Progressive	Envy
7 Card Straight Flush	\$5,000/100% of meter	\$5,000
Royal Flush + Royal Match	\$5,000/20% of meter	\$3,750
7 Card Straight Flush w/Joker	\$5,000/10% of meter	\$1,250
Five Aces	\$2,500	\$500
Royal Flush	\$500	\$250
Straight Flush	\$200	\$100
Four of a Kind	\$100	\$25

Full House	\$25
Flush	\$20
Three of a Kind	\$15
Straight	\$7.50

Meter Seed: \$10,000

Rate of Progression: 1%

Reserve Rate: 1%

Original wager returned to player

Paytable 5 (\$1 wager)

Pay

7 Card Straight Flush	100% of meter
Five Aces	10% of meter
Five of a Kind	\$1,000
Royal Flush	\$500
Straight Flush	\$100
Four of a Kind	\$20
Full House	\$5

Meter Seed: \$5,000

Rate of Progression: 17%

Original wager not returned to player

Fully Wild Joker

Paytable 6 (\$1 wager)

Pay

7 Card Straight Flush	100% of meter
Five Aces	10% of meter
Five of a Kind	\$800

Royal Flush \$400

Straight Flush \$75

Four of a Kind \$10

Meter Seed: \$2,000

Rate of Progression: 17%

Original wager not returned to player

Fully Wild Joker

Paytable 7 (\$1 wager)

Pay

7 Card Straight Flush 100% of meter

Five Aces 10% of meter

Five of a Kind \$800

Royal Flush \$400

Straight Flush \$75

Four of a Kind \$10

Meter Seed: \$1,000

Rate of Progression: 26%

Original wager not returned to player

Fully Wild Joker

§ 688a.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) 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.

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

(g) 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.

(h) If the dealer 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.

(i) If a card is exposed while the dealer is dealing the cards in accordance with § 688a.9 (relating to procedures for dealing the cards from the hand) or the seven stacks in accordance with § 688a.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.

(j) 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.

(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 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.

(m) 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.

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 125-223

DATE: 6/20/19

SUBJECT: Subpart K. Chapters 686a. 687a. 688a

AGENCY: Pennsylvania Gaming Control Board (PGCB)

TYPE OF REGULATION

X

Proposed Regulation

Final-Form Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

a. With Revisions

b. Without Revisions

2019 JUN 20 A 10:53

RECEIVED
IRRC

FILING OF REGULATION

DATE

SIGNATURE

DESIGNATION

1. 6/20/19

[Signature]

Chair, (R) Senate Community, Economic
Senator Thomas H. Killion (351 MC) & Recreational Development

2. 6/20/19

[Signature]

(D) Chair, Senate Community, Economic
Senator Lindsey M. Williams (366 MC) & Recreational Development

3. 6/20/19

[Signature]

Chair, (R) House Gaming Oversight
Representative Jim Marshall (108 Ryan)

4. 6/20/19

[Signature]

(D) Chair, House Gaming Oversight
Representative Scott Conklin (314 Irvis)

5. 6/20/19

[Signature]

Independent Regulatory Review
Commission

6. _____

Attorney General

7. 6/20/19

[Signature]

Legislative Reference Bureau