

RULES AND REGULATIONS

Title 40—LIQUOR

LIQUOR CONTROL BOARD

[40 PA. CODE CHS. 1, 3, 5, 7, 11, 13 AND 17]

License Applications and Management Contracts

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), amends 40 Pa. Code Chapters 1, 3, 5, 7, 11, 13 and 17.

Purpose

Several of the changes pertain to the use of management companies by licensees and to the level of interest in the licensed business that the management companies may have. The Board has found with increasing frequency that holders of hotel licenses, and to a somewhat lesser degree, holders of restaurant and eating place malt beverage licenses, are using management companies to carry out day-to-day activities. While Act 10 of 2002 amended the Liquor Code (47 P. S. §§ 1-101—8-803) to acknowledge and regulate this process, sections 4-404 and 4-436(f) of the Liquor Code still require that the licensee itself be the only party that is “pecuniarily interested” in the license. (47 P. S. §§ 4-404 and 4-436(f)).

Unfortunately, the term “pecuniarily interested” is not defined in the Liquor Code and the case law is somewhat scant. This presents a problem to the industry as it tries to draft agreements that would allow them to avail themselves of the opportunity to use a management company in a manner that does not violate the Liquor Code. When analyzing a management agreement, the Board has been guided by the Commonwealth Court decision in *Appeal of: E-J Westside Inn Corp.*, 449 A.2d 93 (Pa. Cmwlth. 1981). In that case, the Commonwealth Court held that a party has a pecuniary interest in a license when it participates in the profits of the licensed business and exercises substantial control over the business.

The purpose of this part of the rulemaking is to let the licensed community know how the Board interprets the Commonwealth Court’s decision and the factors that the Board will consider when reviewing an arrangement between the licensee and a third party. The definition of “pecuniary interest” incorporates the factors specified in the *E-J Westside* decision: participation in the profits of the licensed business and exercising “substantially” all right to control the business. Further, the rulemaking codifies the Board’s use of a 10% threshold in participation in the proceeds of the business as its trigger for further review of a management contract. This has been the administrative standard utilized by the Board for at least the last 2 decades.

Sections 4-404 and 4-436 of the Liquor Code mandate that the Board be satisfied upon receipt of the application and proper fees for issuance of a liquor license that the applicant is the only person pecuniarily interested in the license to be issued and that the applicant is a responsible person of good reputation. The rulemaking clarifies that the same standards the Board applies when determining the fitness of licensees will also be applied to the management companies they utilize. In other words, management companies are subject to sections 4-404 and 4-436 of the Liquor Code, requiring that the contractual arrangement does not give the management company (a nonlicensee) a pecuniary interest and the license, and

that the management company is also a responsible person or entity of good reputation.

The final-form regulations specify that the Board may refuse an interest based upon the factors provided in section 4-470(a.1) (47 P. S. § 4-470(a.1)), of the Liquor Code: reputation, criminal history and current or prior involvement in other licenses. The final-form regulations clarify that management companies are subject to the Liquor Code’s requirement that the entity be a responsible person or entity of good reputation. Put another way, the purpose is to clarify that the Board has the authority to examine the reputation of a management company in the same manner that it can examine the reputation of the licensee which employs the management company.

In addition, the regulations are amended to notify the licensed community of the process that shall be followed to notify the Board that a management company is being used. The Board will notify the applicant or licensee, in writing, of the Board’s decision to either approve or refuse the involvement of a person providing services as a management company. The final-form regulations do not set forth a specific time frame for the Board to notify an applicant or licensee of the Board’s decision regarding approval of a management contract. The Board believes that setting a specific time frame would be impracticable, because the management contracts that it reviews are highly variable in their scope, complexity and number of parties involved. Additionally, the approval or rejection of a management contract represents an after-the-fact event (that is, the licensee has already engaged the services of the management company) and therefore does not adversely affect the operation of the licensed business, as the licensee can continue to utilize the management company pending Board approval.

The rulemaking establishes a fee of \$350 for the Board’s review of a management contract. In certain circumstances, a fee can be waived by the Board if the intent of the applicant is to simply advise of a minor change or correction to a previously approved management contract. For example, there would be no fee assessed when an applicant is fixing a typographical error for a name of a party or an address, where an applicant is providing an exhibit that was referenced in the approved agreement but was inadvertently not provided originally, where an applicant is providing a missing page to an already approved contract or exhibit, where an applicant is reporting a name change as to one of the parties, or where an applicant is reporting a change in the mailing address or a change in contact information. However, a fee will be required by the Board if an applicant is reporting that one of the owners of the management company has changed, or if an applicant is reporting that the agreement is being assigned.

Another change involves the procedures for cleaning and maintaining systems for serving draft beer. This change reflects the fact that changes in technology allow for cleaning methods that do not require weekly cleanings and will encourage licensees to adopt these more modern methods. There has been uncertainty in the licensed community because the improved technology has been available for several years, but the ability for a licensee to use this technology under the existing regulations has not been clear. It is anticipated that the licensed community will realize a savings if the draft beer systems do not have to be completely emptied and cleaned every week.

The enforcement officers of the Bureau of Liquor Control Enforcement, Pennsylvania State Police also have been uncertain about the permissibility of this advanced technology. Resolving these uncertainties should help make enforcement more efficient, predictable and cost-effective.

A further change pertains to tastings that are conducted at State stores. Tastings were first authorized by Act 15 of 2003. See 47 P. S. § 2-215(e). In response, the Board drafted regulations to govern these tastings. Having now conducted several years of tastings, the Board feels that amendments will make the tastings more efficient and more consumer-friendly. The specific amendments allow sponsors of in-store tastings to import those products to be tasted into this Commonwealth, rather than requiring sponsors to purchase the products from the Board. It also allows partially-consumed bottles being used for tastings to be stored at wine and spirits stores, rather than requiring that they be discarded.

Another change pertains to the information the Board considers when assessing an applicant's reputation. The amendment reflects the fact that the Liquor Code contemplates a review of the reputation of the individuals associated with the licensee in addition to the licensee itself. Good reputation is a characteristic required by the Liquor Code in determining eligibility for a license. The amendment makes it clear that the reputation of the officers, directors, shareholders, members and partners of an applicant entity will be considered in determining eligibility for a license. Improved clarity and predictability will make the application process more efficient and thus more economical for the applicant for a license.

Administrative amendments have been included in Chapter 17 (relating to special rules of practice and procedure for matters before the Board). These changes allow prehearing submission of proposed exhibits to the Board's Hearing Examiner and encourage the parties to exchange documents before a hearing. All participants in hearings should benefit from this process to clarify the issues before a hearing begins. Other changes benefit hearing participants by clarifying the time within which a protest to an application must be received. The Board's authority to issue its own subpoenas is also clarified, and thus the administrative process is simplified.

The remaining amendments address administrative changes that will facilitate and improve the Board's administration of the Liquor Code. Each of these changes as presented responds to the public interest in an efficiently regulated alcohol beverage industry in this Commonwealth while keeping pace with changes in the dynamic marketplace for alcohol beverages.

Proposed amendments relating to requiring vendor tax clearance have been completely withdrawn. These proposals were found in §§ 1.1, 3.8, 3.142(a)(2) and 11.143. The proposal intended to place merchants on notice that the Commonwealth's Contractor Responsibility Program applied to business entities that sell liquor and liquor accessories to the Board. These sales of liquor and liquor accessories are not subject to the Commonwealth's Procurement Code. The proposal would have required that the merchants of the Board provide documentation demonstrating that they had necessary tax clearances from the Departments of Revenue and Labor and Industry. During the pendency of the proposal, however, the Commonwealth revised its administrative procedures regarding the payment of Commonwealth vendors. Under the new procedures, merchants selling liquor and liquor accessories to the Board are currently ineligible to receive payment of their invoices if they do not have tax clear-

ance from the Departments of Labor and Industry and Revenue. As the implementation of these new Commonwealth procedures resolved the issues to be addressed by the proposed regulations, the regulations have been withdrawn in their entirety.

Moreover, the Board has withdrawn proposed amendments to § 3.8(a) and (b) (relating to certificate of completion; certificate of approval; letter of authority), as the Board is currently uncertain as to how it wishes to proceed regarding the policy changes reflected in the regulations. Accordingly, it was decided to withdraw the proposed amendments and resubmit them to the Independent Regulatory Review Commission (IRRC), in a subsequent regulatory package, after the Board further reflects on how to proceed.

Summary of Amendments:

The amendments add three new definitions, establish regulations for management agreements, revise procedures for wine and spirits tastings in stores and revise rules of hearing procedure. Obsolete regulations about cleaning draft beer systems are updated. The following are summaries of the regulatory changes:

- Defines the term "pecuniary interest."
- Clarifies that the reputation of stockholders, directors, officers and members of corporate or other business entity licensees will be considered in assessing the reputation of the licensee.
- Establishes rules and procedures for approval of management agreements and sets a fee for review of such agreements.
- Recognizes that licensees are using new technology to assure that malt or brewed beverage dispensing systems are clean.
- Codifies the Board's established practice that the purchase price for transfers of licenses that involve changes in ownership must be placed into escrow.
- Amends regulations on "tasting events" to clarify the amount of alcoholic beverages that may be given. It also allows sponsors of in-store tastings to import into this Commonwealth, products to be tasted rather than making them buy the products from the Board. It also allows partially-consumed bottles being used for tasting to be stored at wine and spirits stores, rather than requiring that they be discarded.
- Amends hearing procedures related to issuance of subpoenas and the time for filing protests.

Affected Parties

The regulations will affect licensees and applicants for licenses issued by the Board. It will affect anyone participating in a hearing before the Board.

Paperwork Requirements

The amendments will not significantly increase paperwork for the agency or most of the regulated community.

Fiscal Impact

With respect to the regulatory changes pertaining to management contracts, members of the regulated community who utilize a management company will be required to pay the \$350 processing fee under § 3.142(c). No other additional costs, except for the previously mentioned \$350 fees, are expected to be borne by the regulated community, as the regulatory changes merely codify existing Board practices in reviewing these management contracts. Fees assessed on applicants and licensees utilizing management companies would be retained by the Board, resulting in an overall increase to the Board's revenues,

which can be utilized to defray the current administrative costs associated with processing the contracts. The records of the Board's Bureau of Licensing estimates that since June 2005, there are a total of 486 management companies on file with the Board. Further, since the start of 2009, the Board has received 64 applications for management companies, which included a copy of the management contract. Accordingly, if the Board would receive a total of 85 management contracts through the end of 2009, the Board would receive approximately \$30,000 in fees.

There are no expected costs or savings expected for the regulated community regarding the proposed modification to § 1.5 related to evaluating the reputation of licensees. Further, the Board does not expect that the proposed change will result in any costs or savings for either the Commonwealth or local governments.

With respect to the amendments pertaining to beer line cleaning, it is possible that the regulated community may realize potential costs or savings depending on its utilization of any newly approved beer line cleaning systems. Costs or savings nor both, would be speculative and outside the Board's control. The Board does not expect that the proposed change will result in any costs or savings for either the Commonwealth or local governments.

With respect to the amendments in §§ 13.201 and 13.211 (relating to definitions; and tasting events), there are no expected costs or savings expected for the regulated community regarding the amendments. Further, the Board does not expect that the amendments will result in any costs or savings for either the Commonwealth or local governments.

With respect to the amendments in §§ 13.223 and 13.228 (relating to procurement of wine or spirits, or both; and disposal and storage of partially-used liquor and empty containers) members of the regulated community which provide in-store tastings may realize savings as a result of being able to provide and transport the wine and spirits from their own stock, as opposed to having to purchase products from the Board. Further, savings may be realized in that the final-form regulations would allow members of the regulated community to reseal bottles used at such in-store tasting events and transport them for additional tasting events, thereby reducing the number of bottles needed for tasting events. If members of the regulated community sponsoring in-store tasting events all chose not to purchase their products from the Board, as permitted by these regulations, the Board has estimated that its loss of tax revenue would be approximately \$200,000 per year, based upon the Board's experience with conducting tasting events. It should be noted that the estimated loss of \$200,000 per year would be realized in savings by the regulated community.

With respect to the amendments to administrative hearing procedures, there are no expected costs or savings expected for the regulated community. Further, the Board does not expect that the proposed changes will result in any costs or savings for either the Commonwealth or local governments.

With respect to the remaining administrative amendments represented by the final-form regulations, there are no expected costs or savings expected for the regulated community. Further, the Board does not expect that the amendments will result in any costs or savings for either the Commonwealth or local governments.

Effective Date

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

Public Comment/Contact Person

Comments and questions should be addressed to James F. Maher, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 17, 2007, the Board submitted a copy of the notice of proposed rulemaking, published at 37 Pa.B. 3418 (July 21, 2007), to the Independent Regulatory Review Commission (IRRC) and the House and Senate Committee (Committees) for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing these final-form regulations, the Board has considered all comments from IRRC, the Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act, (71 P. S. § 745.5a(j.2) on November 18, 2009, these final-form regulations were deemed approved by the Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 19, 2009 and approved the final-form regulations.

Findings

The Commission finds that:

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

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapters 1, 3, 5, 7, 11, 13 and 17, are amended by amending §§ 1.1, 1.5, 3.1, 5.23, 5.51—5.54, 7.2, 13.43, 13.51, 13.201, 13.211, 13.223, 13.228, 17.5, 17.7 and 17.13; and by adding §§ 3.141—3.143 and 5.50 to read as set forth in Annex A.

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

PATRICK J. STAPLETON, III,
Chairperson

(Editor's Note: The proposal to amend § 3.8 and to add § 11.143, included in the proposed rulemaking at 37 Pa.B. 3418 has been withdrawn by the Board. The amendment of § 3.1 and the addition of § 5.50 were not included in the proposed rulemaking which appeared at 37 Pa.B. 3418.)

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 39 Pa.B. 6915 (December 5, 2009).)

Fiscal Note: Fiscal Note 54-63 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 1. GENERAL PROVISIONS

§ 1.1. Definitions.

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

Alcohol—Absolute alcohol, ethyl alcohol, cane spirits, Cuban spirits, grain spirits, fruit spirits, high wines and other spirits by whatever name or designation given.

Board—The Liquor Control Board of the Commonwealth.

Examiner—An individual learned in the law appointed by the Governor under the Liquor Code.

Liquor Code—The Liquor Code (47 P. S. §§ 1-101—8-803).

Pecuniary interest—An interest that sounds in the attributes of proprietorship. There is a rebuttable presumption of a pecuniary interest when a person receives 10% or more of the proceeds of the licensed business or when control is exercised by one or more of the following:

- (i) Employing a majority of the employees of the licensee.
- (ii) Independently making day-to-day decisions about the operation of the business.
- (iii) Having final authority to decide how the licensed business is conducted.

§ 1.5. Reputation: Use of criminal and citation history.

(a) When considering whether a person is reputable or the repute of a person under any section of the Liquor Code or this title, the Board may consider whether that person has been convicted of any crimes including misdemeanors and felonies, the person's history regarding licenses issued by the Board, including the citation history of the licenses, and any other factor the Board deems appropriate.

(b) When considering the reputation of a corporation, partnership, limited liability company or other business entity, the Board will consider the reputation of its stockholders, directors, officers, managers or members.

CHAPTER 3. LICENSE APPLICATIONS

Subchapter A. GENERAL PROVISIONS

§ 3.1. Definitions.

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

Authorized agent—An individual whose signature appears on the reverse side of a Wholesale Liquor Purchase Permit Card, provided the individual is regularly employed in the business or establishment of a permit holder.

Bar/counter—A smooth flat surface affixed to the premises on which drinks and food are served.

Bench—A long seat for more than one person.

Booth—A table usually surrounded by one or two benches, serving as partitions.

Chair—A single seat with back, often with arms, and supported on legs or a pedestal.

Eating space—A space at least 18 inches wide by 12 inches deep, which is suitable for a service setting of plate, utensils and drink.

Management contract—An agreement between a licensee and a management company to operate, manage or supervise all or part of the operation of the licensed premises.

Permit holder—A retail liquor licensee, registered pharmacist, hospital, State-owned institution, manufacturing pharmacist or chemist, manufacturer of products for nonbeverage purposes, or other person to whom a Wholesale Liquor Purchase Permit has been issued by the Board.

Retail liquor licensee—A person, partnership, association or corporation holding a hotel, restaurant, club or public service liquor license or other license issued under the Liquor Code for the sale of liquor and malt or brewed beverages at retail.

Seating—The number of patrons able to be served meals in a restaurant or eating place retail dispenser premises where a stool, chair, booth or bench is provided to sit on, and where an eating space is provided.

Stool—A backless and armless single seat supported on legs or a pedestal.

Table—A piece of furniture having a smooth flat top supported by one or more vertical legs.

Subchapter M. MANAGEMENT CONTRACTS

Sec.	
3.141.	Management contracts.
3.142.	Reporting.
3.143.	Board approval and licensee responsibility.

§ 3.141. Management contracts.

(a) A licensee may contract with another person to manage its licensed premises.

(b) A management contract must reserve to the licensee the capability to direct its own business.

(c) A management contract must be in writing, and a copy shall be maintained on the licensed premises where it shall be available for inspection by the Board.

(d) A management contract may not give a pecuniary interest to a management company.

§ 3.142. Reporting.

(a) Current licensees or applicants for licenses that have management contracts shall file with the Board's Bureau of Licensing (Licensing) on forms supplied by Licensing, the identity of all persons who are parties to the management contract.

(b) Current licensees or applicants for licenses that enter into, modify or terminate management contracts shall, within 30 days, file a written notice with the Board that this has occurred. The changes shall be reported on forms which will be furnished upon request by the Board.

(c) Licensees filing notice of the establishment or modification of a management contract shall pay a fee of \$350. No fee is payable when a licensee gives notice to the Board that a management contract has been terminated. Likewise, no fee is required when a licensee is notifying the Board of a nonsubstantive change to an existing management contract, such as the correction of a typographical error, the providing of a page or document

inadvertently omitted from an earlier submission, or a name, address or contact information change as to one of the parties.

§ 3.143. Board approval and licensee responsibility.

(a) The Board will notify the current licensee or applicant, in writing, of the Board's decision to either approve or refuse the involvement of a person providing services as a management company.

(b) The Board may refuse the involvement of a person providing services as a management company. The Board's refusal may be based upon the following:

(1) The creation by the management contract of a pecuniary interest in the license.

(2) Facts upon which the Board could refuse a person's involvement in the license which may include reasons specified in section 4-470(a.1) of the Liquor Code (47 P. S. § 4-470(a.1)) such as reputation, criminal history, and current or prior involvement in other licenses.

(c) The licensee's use of a management company will not affect the licensee's responsibility for violations of the Liquor Code or this title.

CHAPTER 5. DUTIES AND RIGHTS OF LICENSEES

Subchapter B. EMPLOYEES OF LICENSEES EMPLOYMENT OF OTHERS

§ 5.23. Appointment of managers.

(a) The operation of a licensed business requires a manager. A licensee shall appoint an individual as manager for each licensed establishment. The manager shall devote full time and attention to the licensed business.

(b) An individual licensee holding multiple licenses may designate himself as manager of only one licensed establishment. If a license is held by more than one individual, the manager may be one of the individuals or another person the licensee may designate.

(c) The manager appointed by a licensee shall be a reputable person. The licensee shall notify the Board in writing of the name and home address of the manager and the date and place of birth. If there is a change of manager, the licensee shall give the Board written notice within 15 days of the change together with full information for the new individual who is appointed as manager. Each notice of the appointment of a manager or notice of a change of manager shall be accompanied by the appropriate fee.

(d) When a background investigation is conducted to obtain or verify information regarding an individual appointed as manager, a total fee of \$135 will be assessed. An individual may not act in the capacity of manager after the licensee has been notified that the individual has been disapproved by the Board. The designated manager shall devote full time to the licensed business and may not be employed or engaged in another business unless prior written approval is obtained from the Board. If the designated manager is currently a Board-approved officer, member, partner or shareholder of that licensee, a fee of \$60 will be assessed.

(e) Appointment or approval, or both, by the Board of a manager will not exempt the licensee from the penalties provided by law and this title for violations committed in the licensed establishment or in the course of the operation of the licensed business.

(f) The Board may rescind the approval of an appointment of a manager at any time for any cause which it deems sufficient.

(g) In the event of the illness or extended vacation of a licensee, the Board may approve the appointment of a manager for a period not to exceed 30 days. In case of emergency, the approval may be extended upon written request of the licensee.

(h) The licensee, without Board approval, may designate one of its employees as the person in charge of the business for a period of time not to exceed 15 calendar days, when the manager is absent from the licensed premises.

(i) A club manager or steward may engage in employment outside his duties as manager or steward except as provided in section 4-493(11) of the Liquor Code (47 P. S. § 4-493(11)).

(j) If approved by the Board, management contracts may permit the manager for the licensed premises to be employed by the management company; however, the licensee shall have unfettered discretion in all aspects of management of the licensed business, including the employment of the manager and sales of food, alcoholic and nonalcoholic beverages. The licensee's discretion includes control of the manager's hiring, firing, discipline, salary and duties. The manager is an agent of the licensee.

Subchapter D. SANITARY CONDITIONS AND LIGHTING AND CLEANING OF MALT OR BREWED BEVERAGE DISPENSING SYSTEMS

CLEANING OF MALT OR BREWED BEVERAGE DISPENSING SYSTEMS

§ 5.50. Definition.

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

Malt or brewed beverage dispensing system—A keg or other container of malt or brewed beverages together with all components used to serve those beverages on draft.

§ 5.51. Cleaning of malt or brewed beverage dispensing systems.

(a) A licensee that uses a malt or brewed beverage dispensing system in its licensed premises shall clean the system at its sole expense. One licensee may not clean a malt or brewed beverage dispensing system for another licensee.

(b) The method of cleaning must leave the entire malt or brewed beverage dispensing system in a clean and sanitary condition. The cleaning method used must include cleaning the entire system with a chemical cleaning solution or other cleaning method approved by the Board. The following alternative cleaning methods have Board approval:

(1) Live steam.

(2) Hot water and soda solution, followed by thorough rinsing with hot water.

(c) The frequency of cleaning for the malt or brewed beverage dispensing system shall be as follows:

(1) Once every 7 days for the faucets.

(2) Once every 7 days for the dispensing lines, valves, joints, couplers, hose fittings, washers, o-rings, empty beer detectors (known as "FOBS") and draft foam control units, except if the licensee has an operating ultrasonic, electromagnetic or other system that retards the growth

of yeast and bacteria in the dispensing lines. If such a system is installed and operating, the licensee shall follow the cleaning frequency and cleaning method guidelines of the system's manufacturer.

(3) The Board may approve different cleaning frequencies.

§ 5.52. Certificate or record required.

(a) The malt or brewed beverage dispensing system may be cleaned for the licensee by a person, other than another licensee, thoroughly equipped to do so by a method enumerated in § 5.51 (relating to cleaning of malt or brewed beverage dispensing systems). The licensee shall obtain from the cleaner a certificate showing the date cleaned, the name of the person by whom cleaned and the method utilized. The certificate shall be kept on file at the licensed premises at all times for inspection by the Board.

(b) The malt or brewed beverage dispensing system may be cleaned by the licensee. The licensee shall maintain and keep a record of the date of each cleaning and the method utilized. This record shall also be kept on file at all times for inspection by the Board.

§ 5.53. Pressure maintenance.

If a compressed gas or other pressurizing system is used in the malt or brewed beverage dispensing system, it shall be designed to preserve the normal flavor of the malt or brewed beverage and not introduce contaminants such as dust, water or oil, into the system.

§ 5.54. Responsibility for condition of equipment.

The licensee has the sole responsibility of maintaining equipment used in dispensing malt or brewed beverages on draft in a clean and sanitary condition. The mere fact that records of licensees indicate that the malt or brewed beverage dispensing system has been cleaned is no defense to enforcement action under the law and the provisions of this subchapter if the malt or brewed beverage dispensing system is at any time found to be in an unsanitary condition.

**CHAPTER 7. TRANSFER, EXTENSION,
SURRENDER, EXCHANGE AND SUSPENSION OF
LICENSES**

Subchapter A. TRANSFER OF LICENSES

§ 7.2. Transfers of ownership.

When an application is filed for transfer of a license from one person to another, a bill of sale of the business or fixtures shall be executed by the licensee and shall be exhibited to the Board or its representative. The purchase price of the business, either in the form of cash or legal obligation as security for the purchase price, shall be placed in escrow with an attorney or financial institution, to be paid to the original licensee upon the approval of the transfer by the Board. The actual transfer of ownership of the business may not pass until approval of the transfer of license has been given. The transferee shall exhibit a deed or lease for the premises, or bill of sale, or both, as the case may be. The license may not change hands until the license transfer has been approved by the Board and the original licensee may continue the operation of the business and may sell liquor or malt or brewed beverages until formal approval of the transfer is given. If the original licensee does not continue operation of the business under the license, no liquor or malt or brewed beverages may be sold and the license shall be surrendered to the Board until the transfer is approved.

**CHAPTER 13. PROMOTION
Subchapter A. ADVERTISING
ADVERTISING OF BRAND NAMES**

§ 13.43. Interior display.

(a) A licensee may install or permit to be installed electrically operated signs or devices, lithographs, framed pictures, cardboard displays, statuettes, plaques, placards, streamers or similar items advertising brand names and intended for interior display on the licensed premises.

(b) When the point-of-sale material, as described in subsection (a), is of maximum value as set by the Board, no background material may be used in conjunction with the installation.

(c) Signs or displays intended for use interchangeable in a window, doorway or in the interior must meet the requirements for both maximum area, as provided in § 13.42 (relating to window and doorway display) and maximum value as set by the Board.

GIVING AND ACCEPTING THINGS OF VALUE

§ 13.51. General prohibition.

(a) Except as provided herein and in § 13.52 (relating to advertising novelties), no in-State or out-of-State manufacturer, licensee or group of licensees, their servants, agents or employees, may directly or indirectly, in person, individually or through a trade organization, contribute to or accept from another licensee or group of licensees of a different class, their servants, agents or employees or a trade organization of licensees of a different class, anything of value by means of advertisements, contributions, purchase, sale of tickets, donations or by any device, for any purpose.

(b) Manufacturers of alcoholic beverages and their servants, agents, employees or representatives are not prohibited from participating in the activities of conventions of State or National organizations of retail liquor licensees, or distributor or importing distributor malt beverage licensees. The participation shall be limited to the payment of registration fees entitling the registrant to admission to the convention, to the insertion of advertising in the convention program of the State or National convention and to the furnishing of food, beverages and entertainment to persons who are bona fide registrants at the conventions.

(c) This section does not prohibit an in-State or out-of-State manufacturer, licensee or trade organization from providing another in-State or out-of-State manufacturer, licensee or trade organization routine business entertainment as defined in § 13.1 (relating to definitions). The routine business entertainment shall be subject to the following conditions:

(1) Routine business entertainment shall be provided without a corresponding obligation on the part of the recipient to purchase alcoholic beverages or to provide any other benefit to the donor or to exclude or restrict from sale the products of any other licensee or in-State or out-of-State manufacturer.

(2) The donor, its servants, agents or employees shall accompany the recipient during routine business entertainment. When items such as tickets are donated by manufacturers to importing distributors for the ultimate use of retailers, the donor is considered to be the importing distributor and it is the importing distributor, or its servants, agents or employees, who shall accompany the retailer.

(3) Routine business entertainment that requires or includes an overnight stay is prohibited.

(4) No more than \$800 may be spent in a calendar year on any recipient licensee.

(5) Included under the \$800 yearly entertainment cap for a recipient licensee are the licensee, a spouse, employees and guests.

(6) Licensees, in-State manufacturers and out-of-State manufacturers shall keep complete and accurate records of all expenses incurred and all routine business entertainment received for 2 years. These records must contain the name of the recipient and donor of the entertainment, the type of routine business entertainment, the date and, in the case of a donor, the amount of expenditure for each occasion.

(d) After prior written agreement, manufacturers may reimburse importing distributors or distributors for the cost of affixing the manufacturers' beer brand logos to importing distributors' or distributors' delivery vehicles.

(e) The sponsorship of a tasting upon a licensed premises will not be considered giving or accepting a thing of value.

**Subchapter D. TASTING EVENTS
GENERAL PROVISIONS**

§ 13.201. Definitions.

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

In-store tasting events—Tasting/tasting events held upon the premises of a State Liquor Store.

Sponsor—A sponsor of a tasting event may be any licensed vendor, importer, distributor, importing distributor or manufacturer or its agent or employee who is 21 years of age or older.

Standard size alcoholic beverage—A standard size alcoholic beverage is 12 fluid ounces of a malt or brewed beverage, 4 fluid ounces of wine (including fortified wine) or 1 1/2 fluid ounces of spirits.

Tasting/tasting events—A presentation of alcoholic products to the public for the purpose of market research, disseminating product information and education of the public as to quality and availability.

TASTING EVENTS

§ 13.211. Tasting events.

(a) Tastings may be conducted by sponsors upon licensed or unlicensed premises.

(b) Sponsors conducting a tasting event shall adhere to the following requirements:

(1) Products used shall be legally procured and properly registered and taxes on the products shall be paid.

(2) Purchase requirements may not be associated with the tasting.

(3) Products offered will not exceed a standard size alcoholic beverage for that product. For example, if wine is offered, each glass of each wine offered to a participant will not exceed 4 ounces in volume. A tasting event comparing a brand of Chardonnay from California to a brand of Chardonnay from France would allow the participant to receive one 4-ounce glass of each Chardonnay.

IN-STORE TASTING EVENTS

§ 13.223. Procurement of wine or spirits, or both.

(a) Wine or spirits used during the in-store tasting events shall be procured by the sponsor in accordance

with the sampling process as specified in § 13.81 (relating to samples of liquor), by purchase from the Board or the sponsor may provide and transport the wine and spirits from its own stock.

(b) A maximum of four products per sponsor per in-store tasting event may be made available for tasting by consumers.

(c) Wine and spirits used during an in-store tasting event shall be dispensed from original containers prepared by the manufacturer with labels visible to the consumer.

§ 13.228. Disposal and storage of partially-used liquor and empty containers.

(a) At the conclusion of the in-store tasting event, sponsors shall either discard unused portions of opened liquor containers at the State Liquor Store or may reseal the partially-consumed liquor containers. The resealed partially-used containers shall be placed in storage at the store for use at a subsequent store tasting or may be removed from the premises. No partially-consumed liquor containers may be placed in storage at a store for more than 15 days. After 15 days, partially-used containers of liquor may be discarded by the Board.

(b) Sponsors shall dispose of all empty liquor containers in accordance with section 4-491(5) of the Liquor Code (47 P. S. § 4-491(5))

(c) Resealed partially-used containers may not be furnished to employees of the Board or any other person and may only be used for a subsequent in-store tasting.

**CHAPTER 17. SPECIAL RULES OF PRACTICE
AND PROCEDURE FOR MATTERS BEFORE THE
BOARD**

Subchapter A. GENERAL

§ 17.5. Subpoenas.

(a) *Issuance.* Except for subpoenas issued upon the Board's own motion, issuance of subpoenas will be as follows:

(1) Subpoenas for the attendance of witnesses or for the production of documents will be issued only upon written application to the Board, with a copy of the application to the opposing party.

(2) Written application shall specify as clearly as possible the relevance of the testimony or documentary evidence sought. Requests for documents must specify, to the extent possible, the documents desired.

(3) Failure to adhere to this subsection may result in the refusal by the Board to issue the requested subpoenas.

(b) *Service.* Service of subpoenas shall be as follows:

(1) A subpoena shall be served personally upon the witness by the party requesting the subpoena, who shall be responsible for witness fees.

(2) Subpoenas for the production of documents shall be served upon the individual in possession of the documents, if known, or the agency head, who may designate a custodian of the documents.

(3) Service shall be made at least 48 hours prior to the hearing, unless the witness agrees to waive the 48-hour requirement.

(4) Failure to adhere to this subsection may result in a ruling by the Board denying the enforceability of the subpoena.

(c) *Supersession.* Subsection (a) supersedes 1 Pa. Code § 35.142(a) (relating to subpoenas). Subsection (b) supplements 1 Pa. Code § 35.142(b) and (c).

§ 17.7. Exhibits.

(a) Exhibits to be presented in connection with a hearing shall be submitted in five copies each at the time of the hearing unless otherwise directed by the Board.

(b) Documents that the Board, a party, petitioner or intervenor expects to offer as exhibits may be presented to the Board's hearing examiner and all other parties of record in advance of a hearing. The documents are not evidence unless admitted into the record by the hearing examiner at the hearing. Presentation of documents to the other parties before a hearing is encouraged.

(c) Subsection (a) supersedes 1 Pa. Code § 33.15 (relating to number of copies).

Subchapter B. LICENSE APPLICATIONS

§ 17.13. Protests/intervention procedure.

(a) *Form.* A protest or petition to intervene must be substantially in the following form and contain:

(1) The identity of the protestant or petitioner—name, address and telephone number.

(2) The matter to which the protest or petition is addressed.

(3) A concise statement of the objections, including the legal basis for consideration as a valid protest, if applicable.

(4) In addition to the requirements in paragraphs (1)—(3), petitions to intervene must contain the following:

(i) A statement of the direct interest of the petitioner in the proceeding.

(ii) A description of how the petitioner will be aggrieved in the event of a Board decision contrary to the petitioner's direct interest.

(b) *Time.* A protest or petition to intervene shall be filed with the Board within 30 days of the posting of notice of application as required under Chapter 3, Subchapter B (relating to notice posting). The Board may accept an untimely filed protest or petition to intervene, but only upon good cause shown.

(c) *Notice.* A petition to intervene shall be served upon the applicant in compliance with 1 Pa. Code §§ 33.31—33.37 (relating to service of documents). With respect to a valid protest as determined by the Board, service upon a party is not required. The Board will notify the applicant of a valid protest if a hearing is convened.

(d) *Action or petition to intervene.* An answer to a petition to intervene or protest is not required.

(e) *Hearings.* When the Board orders a hearing, valid protestants and those who have been granted status as intervenors will be notified of the time and place of the hearing at least 10 days in advance of the hearing. The Board will render its decision based upon the record. Failure to appear or testify at the hearing may remove the reasons for protest or intervention from the Board's consideration.

(f) *Limitation of participation in hearing.* If the Board determines that two or more protestants or intervenors have substantially similar interests and positions, the Board may indicate the similarity of interests in the notice of hearing and direct that one or more persons testify as representative of the similar interests. Designated representatives shall advise the Board at the time of hearing. If no designation has been effected, the Board will select a representative protestant or intervenor, or permit all or a portion of the group to testify as time permits or as appropriate under the circumstances.

(g) *Supersession.* This section supersedes 1 Pa. Code §§ 35.23, 35.24, 35.27—35.32 and 35.35—35.41 (relating to protests; intervention; and answers).

[Pa.B. Doc. No. 10-389. Filed for public inspection March 5, 2010, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 521, 527, 553, 555, 557, 559, 561, 563 AND 565]

Temporary Table Game Training Requirements; Temporary Table Game Rules for Poker, Caribbean Stud Poker, Four Card Poker, Let It Ride Poker, Pai Gow Poker, Texas Hold 'Em Bonus Poker and Three Card Poker

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 1303A (relating to temporary table game regulations) enacted by the act of January 7, 2010 (Act 1) and the specific authority in 4 Pa.C.S. §§ 1302A(1)—(4), (5.1) and (7) and 1323A (relating to regulatory authority; and training of employees and potential employees), adopts temporary regulations in Chapters 521, 527, 553, 555, 557, 559, 561, 563 and 565 (relating to general provisions; minimum training standards; poker; Caribbean Stud Poker; Four Card Poker; Let It Ride Poker; Pai Gow Poker; Texas Hold 'Em Bonus Poker; and Three Card Poker) to read as set forth in Annex A. The Board's temporary regulations will be added to Part VII (relating to Gaming Control Board) as part of a new Subpart K entitled Table Games.

Purpose of the Temporary Rulemaking

This temporary rulemaking contains minimum training provisions for dealers, procedures to request permission to offer a new table game or seek a waiver of table game regulations and the rules for conducting the games of Poker, Caribbean Stud Poker, Four Card Poker, Let It Ride Poker, Pai Gow Poker, Texas Hold 'Em Bonus Poker and Three Card Poker.

Explanation of Chapters 521, 527, 553, 555, 557, 559, 561, 563 and 565

In Chapter 521, definitions of the terms "ante," "cover card" and "stub" have been added. These terms are used throughout the chapters related to the rules of the games.

A new § 521.4 (relating to request to offer a new table game or new feature for an existing table game) has been added to give certificate holders a mechanism through which they can request permission to offer a new table game for which the Board has not promulgated regulations, or add a new wager or feature to an existing game. The Board recognizes that as more jurisdictions permit table games, certificate holders may need to be able to add new games or modify existing games to maintain player interest and meet market demands. Under this section, certificate holders will be able to file a written request with the Board's Executive Director requesting permission to do either of these.

Similarly, a new § 521.5 (relating to waiver of existing table game regulations) has been added which will allow certificate holders to file a petition to seek a waiver of any of the Board's table game regulations. While the Board has attempted to build a fair amount of flexibility into the table game regulations, it recognizes that there may be circumstances where a certificate holder may find that a specific regulation imposes an unreasonable hardship on the certificate holder. Adding this waiver provision will create a process whereby a certificate holder can seek relief.

Chapter 527 sets forth the general minimum training or experience requirements that an individual will have to meet to be a dealer in this Commonwealth. Dealers will have to be trained in the table games they deal, either at a school or a licensed facility or have at least 6 months previous dealing experience in another jurisdiction. Section 527.2 (relating to minimum proficiency requirements) lists the minimum hours of instruction required for different table games which will need to be included in the training programs of schools and certificate holders. It also contains general requirements related to training on the handling of cards, dice and tiles that are used in the play of table games. In § 527.3 (relating to employee training by certificate holders), the Board has listed the areas that each certificate holder must include as part of its in-house training of employees who are going to be dealers and in § 527.4 (relating to submission of training programs to the Board) certificate holders are required to submit those training programs to the Board. Finally, under § 527.5 (relating to table test; employee personnel file) certificate holders will be required to have all prospective dealers pass a live table test before the dealers will be permitted to conduct table games on the gaming floor. Additionally, this section requires the certificate holder to document all of a dealer's training in the dealer's personnel file so that the Board can audit compliance with these requirements.

Chapter 553 contains the rules for the nonbanking poker games that may be offered. Nonbanking table games are games where the players compete against each other, not the certificate holder, and for which the certificate holder collects a percentage of winning pots or a fee, referred to as the "rake." This chapter includes general provisions which address: the layout of tables used for Poker; the decks of cards to be used; the ranking of Poker hands; the opening of Poker tables; the procedures for shuffling, cutting and dealing; and wagers. It also includes separate sections which contain the specific rules for the five poker games that can be offered, which are: Seven-card Stud Poker; Hold'em Poker; Omaha Poker; Five-card Draw Poker; and Five-card Stud Poker. Also contained in this chapter are sections which outline: the general rules applicable to all Poker games and how irregularities in play are to be handled; rules for player conduct; announcement of available games and seats at tables; and the rules for Bad Beat payouts, if they are offered by the certificate holder.

Chapters 555, 557, 559, 561, 563 and 565 contain the rules for the authorized banking poker games, where the players compete against the certificate holder. Each of these chapters is organized in a similar manner which includes: the layout of tables used for each of the games; the decks of cards to be used; the opening of tables; the ranking of hands; the different wagers that may be made; the procedures for shuffling, cutting and dealing; the procedures for the actual play of each game; the collection of losing wagers and payment of winning wagers; the

minimum payout odds and paytables that may be used; and how irregularities in play are to be handled.

Affected Parties

Slot machine licensees who elect to become certificate holders will be required to hire and train dealers for the table games they wish to offer and purchase the equipment necessary to conduct the table games.

The Board will experience increased regulatory demands resulting from the implementation of table games. The most significant increases will be the hiring of additional casino compliance agents to oversee the operation of the table games at the licensed facilities and increased number of license and occupation permit applications that will have to be processed by the Bureau of Licensing.

Fiscal Impact

Commonwealth

The Board expects that it will experience increased costs related to adding additional staff at the licensed facilities and at its offices to handle the increased licensing and oversight requirements that will result from the introduction of table games. Because the Board is just starting to receive petitions from slot machine licensees seeking permission to conduct table games, the extent of these additional costs are not known. However, the Board does not expect these increased costs to exceed the additional funding provided to the Board under Act 1.

Political Subdivisions

This rulemaking will have no direct fiscal impact on political subdivisions of this Commonwealth. Eventually, host municipalities and counties will benefit from the local share funding that is mandated by Act 1.

Private Sector

This rulemaking will result in additional costs for slot machine licensees who elect to become certificate holders. More specifically, certificate holders will be required to meet the requirements contained in these regulations, to purchase equipment to conduct table games and to hire and train employees to operate table games. While these costs are expected to be significant, they will be offset by the revenues generated from the table games.

General Public

This rulemaking will have no direct fiscal impact on the general public.

Paperwork requirements

This rulemaking will require certificate holders to file Rules Submissions for each table game they elect to offer. These filings may take the form of standardized checklists for each game and should be relatively simple to fill out. Certificate holders will also be required to maintain information related to dealer training in the individual employees' personnel files.

Effective Date

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

Public Comments

While this rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how these temporary regulations might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after

the date of publication in the *Pennsylvania Bulletin* to Richard Sandusky, Director of Regulatory Review, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-112.

Contact Person

The contact person for questions about this rulemaking is Richard Sandusky, Director of Regulatory Review at (717) 214-8111.

Regulatory Review

Under 4 Pa.C.S. § 1303A, the Board is authorized to adopt temporary regulations which are not subject to the provisions of: sections 201—205 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1208), referred to as the Commonwealth Documents Law; the Regulatory Review Act (71 P. S. §§ 745.1—745.12); and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P. S. §§ 732-204(b) and 732-301(10)). These temporary regulations shall expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 1303A, the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the Commonwealth Documents Law and sections 204(b) and 301(10) of the Commonwealth Attorney Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

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

(1) The regulations of the Board, 58 Pa. Code Chapters 521, 527, 553, 555, 557, 559, 561, 563 and 565, are amended by amending § 521.1 and adding §§ 521.4 and 521.5, 527.1—527.5, 553.1—553.20, 555.1—555.14, 557.1—557.13, 559.1—559.15, 561.1—561.14, 563.1—563.13 and 565.1—565.13 to read as set forth in Annex A.

(2) The temporary regulations are effective March 6, 2010.

(3) The temporary regulations shall be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations shall be subject to amendment as deemed necessary by the Board.

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

GREGORY C. FAJT,
Chairperson

Fiscal Note: 125-112. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 521. GENERAL PROVISIONS

§ 521.1. Definitions.

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

Ante—The wager that a player may be required to make prior to any cards being dealt to participate in the round of play.

Cover card—An opaque card that is a solid color readily distinguishable from the color of the backs and edges of the playing cards.

Dealer—An employee of a certificate holder whose primary function is to directly operate and conduct table games.

Floorperson—An employee of a certificate holder whose primary function is to supervise the conduct of table games at multiple tables on the gaming floor.

Plaque—A rectangular, square or oval marker that can be used to lieu of gaming chips.

Suit—One of the four categories of cards: clubs, diamonds, hearts or spades.

Stub—The remaining portion of a deck or decks after all cards in the round of play have been dealt.

Table inventory container—The area of a gaming table where a boxman or dealer keeps gaming chips, coins or plaques used for this operation of a table game.

Washing—Mixing of a deck or decks of cards or tiles by placing the cards or tiles face down on a table and mixing them around with both hands so that they are in no particular order.

Vigorish—A percentage commission that is taken by a certificate holder from a wager placed by a player or the winnings of a player.

§ 521.4. Request to offer a new table game or new feature for an existing table game.

A certificate holder that desires to offer a new table game that is not in this subpart or offer a new wager or feature as part of a table game included in this subpart, shall file a written request with the Board's Executive Director. The request, at a minimum, must contain:

(1) A detailed description of the table game or feature including the rules of play and wagering that would be used for the new table game or feature.

(2) The reason why the new table game or feature is being proposed.

(3) A list of other gaming jurisdictions where the new table game or feature is currently being offered.

§ 521.5. Waiver of existing table game regulations.

A certificate holder that desires to conduct a table game, in a manner that is inconsistent with the Board's regulations, shall file a petition in accordance with § 493a.4 (relating to petitions generally) seeking approval of the Board. The petition, at a minimum, must contain:

(1) A detailed description of the modification to the table game.

(2) The reason why the modification to the table game is being requested.

(3) A list of other gaming jurisdictions where the modification to the table game is currently being used.

CHAPTER 527. MINIMUM TRAINING STANDARDS

Sec.

527.1. Minimum training standards for dealers.

527.2. Minimum proficiency requirements.

527.3. Employee training by certificate holders.

527.4. Submission of training programs to the Board.

527.5. Table test; employee personnel file.

§ 527.1. Minimum training standards for dealers.

When filing an application to obtain an occupational permit under § 435a.3 (relating to occupation permit) to work as a dealer in any of the table games authorized in this subpart, the applicant shall provide proof of at least one of the following:

(1) Satisfactory completion of a course of curriculum related to the dealing of table games within the last 5 years which meets the minimum proficiency requirements of § 527.2 (relating to minimum proficiency requirements) at a gaming school, as defined in section 1103 of the act (relating to definitions), or an equivalent curriculum at a gaming school approved by another jurisdiction's state educational authority or gaming regulatory body, to provide training related to the dealing of table games.

(2) Satisfactory completion of a training program offered by a certificate holder which includes a curriculum related to the dealing of table games which meets the minimum proficiency requirements in § 527.2.

(3) At least 6 months of employment as a dealer within the last 5 years in another gaming jurisdiction.

§ 527.2. Minimum proficiency requirements.

A curriculum related to the conduct of table games offered by a gaming school or by a certificate holder, must, at a minimum, include:

(1) The following minimum hours of instruction on the conduct of table games in accordance with the regulations in Subpart K (relating to table games):

<i>Table Game</i>	<i>Minimum Hours of Instruction</i>
Blackjack and other banked card games	120 hours over a 6 week period
Craps	160 hours over a 6 week period
Baccarat and Mini-Baccarat	80 hours over a 4 week period
Poker	80 hours over a 4 week period
Roulette	80 hours over a 4 week period
Pai Gow Tiles	160 hours over a 6 week period
Pai Gow Poker	80 hours over a 4 week period

(2) The proper use, control and shuffling of playing cards for authorized games that involve the use of cards.

(3) The proper use and control of dice for authorized games that involve the use of dice.

(4) The proper use and control of tiles for authorized games that involve the use of tiles.

§ 527.3. Employee training by certificate holders.

A certificate holder shall develop a training program for its dealers which, at a minimum, includes training in each of the following:

(1) Procedures for opening and closing tables for gaming, including the proper security procedures regarding table chip inventories.

(2) Procedures for distributing gaming chips or plaques to and removing gaming chips and plaques from gaming tables.

(3) Procedures for accepting cash at gaming tables.

(4) Procedures for the acceptance of tips and gratuities from patrons.

(5) Procedures for shift changes at gaming tables.

(6) Procedures for the proper placement of wagers by patrons and the proper collection of losing wagers and payment of winning wagers.

(7) Training in recognizing problem and compulsive gamblers at table games and procedures for informing supervisory personnel.

(8) Training in cardio pulmonary resuscitation (CPR).

§ 527.4. Submission of training programs to the Board.

A certificate holder shall submit a detailed summary of its curriculum developed in accordance with § 527.2 (relating to minimum proficiency requirements) and its employee training program developed in accordance with § 527.3 (relating to employee training by certificate holders) to the Board to demonstrate the adequacy of the training in accordance with section 1323A of the act (relating to training of employees and potential employees).

§ 527.5. Table test; employee personnel file.

(a) Prior to conducting any table game on the certificate holder's gaming floor, a prospective dealer shall pass a table test on the table games that the dealer will be conducting. The table test must consist of the dealer demonstrating proficiency at the table game to the satisfaction of an employee of the certificate holder at the level of pit boss or higher.

(b) A certificate holder shall document the following in a dealer's personnel file:

(1) Completion of the minimum training or experience required under § 527.1 (relating to minimum training standards for dealers).

(2) Completion of the training program required under § 527.3 (relating to employee training by certificate holders).

(3) Successful completion of the table test required under subsection (a).

CHAPTER 553. POKER

Sec.	Definitions.
553.1.	Definitions.
553.2.	Poker table physical characteristics.
553.3.	Cards; number of decks.
553.4.	Poker rankings.
553.5.	Opening the table for gaming.
553.6.	Shuffle and cut of the cards.
553.7.	Poker overview; general dealing procedures for all types of Poker.
553.8.	Wagers.
553.9.	Types of permissible Poker games.
553.10.	Seven-card Stud Poker; procedures for dealing of cards; completion of each round of play.
553.11.	Hold'em Poker; procedures for dealing of cards; completion of each round of play.
553.12.	Omaha Poker; procedures for dealing of cards; completion of each round of play.
553.13.	Five-card Draw Poker; procedures for dealing of cards; completion of each round of play.
553.14.	Five-card Stud Poker; procedures for dealing of cards; completion of each round of play.
553.15.	Poker revenue.
553.16.	General operating rules for all types of Poker; handling of irregularities.
553.17.	Conduct of players.
553.18.	Minimum and maximum wagers.
553.19.	Announcement of available games and seats.
553.20.	Bad Beat payouts; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

§ 553.1. Definitions.

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

All-in—A player who has no funds remaining on the Poker table to continue betting in a round of play but who still retains the right to contend for that portion of the pot in which the player has already placed a bet.

Bad Beat—One or more predesignated high value Poker hands which, when held by a player as a losing hand in a round of play, shall result in a Bad Beat payout if the certificate holder has elected to offer a Bad Beat payout at that Poker table.

Bad Beat payout—One or more awards that are payable to a player in accordance with the procedures in § 553.20 (relating to Bad Beat payouts; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation) upon the occurrence of a Bad Beat.

Bet—An action by which a player places gaming chips or gaming plaques into the pot on any betting round.

Betting round—A complete wagering cycle in a hand of Poker after all players have called, folded or gone All-in.

Blind Bet—A mandatory wager in Hold'em or Omaha Poker games which only players sitting in specific betting positions at the Poker table shall be required to place prior to any cards being dealt.

Burn card—A card taken from the top of a deck which is discarded face down, which is not in play and the identity of which remains unknown.

Button—An object which is moved clockwise around the table to determine the betting and dealing sequence.

Call—A wager made in an amount equal to the immediately preceding wager.

Check—A player who waives the right to initiate the betting in a betting round but retains the right to place a bet if another player initiates the betting.

Common card—A card which is dealt, in any game of Stud Poker, face upward if there are insufficient cards left in the deck to deal each player a card individually and which can be used by all players at the showdown.

Community card—A card which is dealt face upward and which can be used by all players to form their best hand.

Draw—In any game of Draw Poker, an exchange by a player of cards held in his hand, after the initial round of betting, for an equal number of new cards from the deck.

Fold—The withdrawal of a player from a round of play by refusing to equal a wager during a betting round and discarding his hand of cards.

Forced Bet—A wager which is required to start the wagering on the first betting round in Seven-card or Five-card Stud Poker.

Fouled hand—A hand that either has an improper number of cards or has come into contact with other cards in such a way as to render it impossible to determine accurately which cards are contained in the hand.

Half-kill option—In the game of Omaha High-low-hand Split Eight or Better Poker, when one player wins an entire qualifying pot, the betting limits are increased by one-half the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low-hand or until a pot does not equal or exceed the qualifying pot.

High—A game of Poker in which the highest ranking hand in accordance with § 553.3 (relating to cards; number of decks) wins the pot.

High-low-hand split—A form of Poker in which there is a winner for both the highest and lowest ranking hands.

High-low-hand Split Eight or Better—A version of High-low-hand Split Poker in which a winning low-hand must contain no pairs or any card ranked above an 8.

Hole card—Any card dealt to a player face down.

Kill option—In the game of Omaha High-low-hand Split Eight or Better Poker, when one player wins an entire qualifying pot, the betting limits are twice the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low-hand or until a pot does not equal or exceed the qualifying pot.

Low-hand—A game of Poker in which the lowest ranking hand in accordance with § 553.3 wins the pot.

Opening bet—The first bet in a round of play.

Pot—The amount which is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount anted or bet by the players during the round of play, less any rake extracted under § 553.15 (relating to Poker revenue) and, if applicable, any amount contributed to a Bad Beat payout fund in accordance with § 553.20.

Protected hand—A hand of cards which the player is physically holding or has placed under one or more gaming chips.

Qualifying pot—In the game of Omaha High-low-hand Split Eight or Better Poker, a pot which equals or exceeds an amount established by the certificate holder which triggers the increase in the minimum and maximum wagers when the Kill or Half-kill options are used.

Raise—A bet in an amount greater than the immediately preceding bet in that betting round.

Rake—The amount of gaming chips, gaming plaques or currency collected by the dealer as Poker revenue in accordance with § 553.15.

Round of play—For any game of Poker, the cycle of play during which cards are dealt, bets are placed and the winner of the pot is determined and paid in accordance with the rules of this chapter.

Showdown—The action of revealing the hands of each player in order to determine who shall win the pot.

Side pot—A separate pot formed when one or more players are All-in.

Table stakes—A player's currency, gaming chips and gaming plaques on the table that are available to place a wager during a round of play.

Up-card—In a game of Stud Poker, any card dealt to a player face up.

§ 553.2. Poker table physical characteristics.

(a) Poker shall be played on a table which is oval in shape and which has places for up to ten players and a dealer. The design of each Poker table authorized under this chapter shall be approved by the Bureau of Gaming Operations. Each Poker table shall be designed and constructed to contain any feature the Bureau of Gaming Operations may require to maintain the integrity of the game.

(b) The layout for a Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

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

(2) A designated holding area located to the right of the dealer for the collection of the rake prior to final placement of the rake in the drop box.

(c) Each Poker table must have a designated area, in a location approved by the Bureau of Gaming Operations, for the placement of at least one deck of cards. This area may be part of the table inventory container.

(d) Each Poker table must have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, in locations approved by the Bureau of Gaming Operations.

(e) If a certificate holder offers a Bad Beat payout at a designated Poker table, a transparent locked box or container shall be attached to the table on the same side as the drop box and shall be used to hold the pot contributions that fund the Bad Beat payout.

§ 553.3. Cards; number of decks.

(a) Poker shall be played with one deck of cards with backs of the same color and design and one additional cover card. Two decks of cards shall be maintained for use at each Poker table at all times. Each deck maintained at the Poker table must have backs that are different colors. While one deck is in use, the other deck shall be stored in a designated area approved under § 553.2(c) (relating to poker table physical characteristics), unless an automated card shuffling device is being used.

(b) Each deck of cards maintained at the Poker table shall be rotated in and out of play. All decks opened for use on a Poker table shall be changed at least every 6 hours.

(c) Each gaming day, decks of cards with distinguishable card backings shall be distributed among all open Poker tables in the manner contained in the certificate holder's internal controls.

(d) If an automated card shuffling device is being used:

(1) One deck shall be shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game.

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

§ 553.4. Poker rankings.

(a) The rank of the cards used in all types of Poker other than Low-hand Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three and two. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with a two, three, four and five.

(b) The permissible High Poker hands in Poker games that result in a full five-card hand, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and nine being the highest ranking

straight flush and ace, two, three, four and five being the lowest ranking straight flush.

(3) A four-of-a-kind, which is a hand containing four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind.

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house.

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

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, two, three, four and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two, three).

(7) A three-of-a-kind, which is a hand containing three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind.

(8) Two pairs, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pairs and two threes and two twos being the lowest ranking two pairs.

(9) One pair, which is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) The rank of the cards used in Low-hand Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, two, three, four, five, six, seven, eight, nine, 10, jack, queen and king. All suits shall be considered equal in rank.

(d) The ranking of a Low-hand Poker hand, as determined by the holding of a five-card hand, shall be the inverse of the rankings for a High Poker hand as set forth in subsection (b); provided, however, that straights and flushes will not be considered for purposes of determining a winning hand at Low-hand Poker.

(e) When comparing two hands which are of identical Poker hand rank under subsection (b) or (d), or which contain none of the Poker hands authorized for that game, the hand which contains the highest ranking card as provided in subsection (a) or (c), whichever is applicable, which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands will be considered tied and the pot shall be divided equally among the players with the tied hands.

(f) In all games of Poker, a hand shall be ranked according to the cards actually contained therein and not by the player's opinion or statement of its value.

§ 553.5. Opening the table for gaming.

(a) After receiving two decks of cards at the table, the dealer shall inspect the cards for any defects.

(b) Following the inspection of the cards by the dealer and the verification by a floorperson or higher, the cards shall be spread out face up on the table for visual

inspection by the first two players to be seated at the table. The cards shall be spread out according to suit and in sequence.

(c) Immediately prior to the commencement of play and after a minimum of two players are afforded an opportunity to visually inspect the cards from each deck at the table, each deck shall be separately turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Each deck of cards shall then be shuffled in accordance with § 553.6 (relating to the shuffle and cut of the cards).

(d) If an automated card shuffling device is not being used, one of the decks shall be cut in accordance with § 553.6 and the other deck shall be placed in the area designated under § 553.2(c) (relating to poker table physical characteristics). In the alternative, a certificate holder may wash, shuffle and cut only the deck intended for immediate use and place the other deck in the area designated under § 553.2(c). Upon rotation of the decks of cards as required under § 553.3 (relating to cards; number of decks), the other deck shall be washed, shuffled and cut in accordance with the requirements in this section.

(e) If an automated card shuffling device is being used, one of the decks shall be cut in accordance with § 553.6 and the other deck shall be placed or left in the automated shuffler for the next round of play.

§ 553.6. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled, and after the completion of each round of play, the dealer shall shuffle the entire deck of cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled, stacked, and placed on the table in front of the dealer, the dealer shall, using one hand, cut the deck by:

(1) Placing the cover card on the table in front of the deck of cards.

(2) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.

(3) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card.

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

(d) If there is no gaming activity at the Poker table, each deck of cards at the table shall be spread out on the table face up. After the first two players who arrive at the table are afforded an opportunity to visually inspect both of the decks, the procedures required under § 553.5(c) (relating to opening the table for gaming) shall be completed.

§ 553.7. Poker overview; general dealing procedures for all types of Poker.

(a) Poker shall be conducted in a separate and distinct area designated specifically for the operation of Poker as approved by the Board or the Board's Executive Director.

(b) Poker shall be played by a minimum of two players and up to a maximum of ten players. Poker shall be dealt

by a dealer at a Poker table. For all types of permissible Poker games set forth in this chapter, the dealer may not participate in the playing or outcome of the game in any way except as otherwise authorized in this chapter.

(c) A player shall wager on the cards that the player holds in his hand. All bets by a player shall be placed by the dealer in the designated area of the table known as the pot. A player may be required to Ante or place a Blind Bet prior to the receipt of any cards. After each round of cards is dealt, a betting round shall be conducted. Each player shall decide whether to continue contending for the pot by calling or raising the bet of the other players.

(d) The object of Poker shall be for a player to win the pot either by making a bet that no other player elects to call, or depending on the type of Poker being played, having the highest ranking high Poker hand, the highest ranking low Poker hand or both the highest ranking high and low Poker hands in accordance with § 553.4 (relating to Poker rankings). If two or more players are still in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among the players still in contention to determine which player has the winning hand.

(e) The following procedures shall be utilized by the dealer when dealing the game of Poker:

(1) The dealer shall choose the hand in which he will hold the cards. Once the dealer has chosen a hand, the dealer must use that hand whenever holding the cards. The cards held by the dealer shall, at all times, be held in front of the dealer, as level as possible and over the Poker table. If during a round of play, the deck must be set down to handle a transaction, the dealer shall place a marker button on top of the deck until the transaction has been completed.

(2) The dealer shall verbalize or physically indicate the action which is occurring at the Poker table with regard to the conduct of the game and instruct each player as to the player's various turns to act and options.

(3) All burn cards required by this chapter shall be kept separate from the pile of discarded cards.

(4) The dealer shall be required to either:

(i) Count the entire deck of cards at least once every five rounds to determine that 52 cards are present; provided, however, that the dealer may count the stub in the games of Hold 'Em Poker and Omaha Poker.

(ii) Utilize an automated card shuffling device approved by the Bureau of Gaming Operations that has the capability of counting the cards in a deck as it shuffles them.

(5) If a count reveals an incorrect number of cards, the deck shall be removed from the table.

(6) At the completion of a round of play, the dealer shall award the pot to the winning player or players after a showdown or to the last remaining player if all other players have folded. Prior to pushing the pot to the winner and collecting the winning hand, the dealer shall:

(i) Collect the cards from all losing players. The losing hands shall be counted by the dealer to determine that the proper number of cards have been returned.

(ii) Award all side pots.

(iii) Collect the rake in accordance with § 553.15 (relating to Poker revenue).

(iv) Collect, if applicable, any amount required to be contributed to a Bad Beat payout fund in accordance with

§ 553.20 (relating to Bad Beat payouts; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation).

§ 553.8. Wagers.

(a) Only players who are seated at the Poker table may be permitted to receive cards and participate in each betting round.

(b) A player may only participate in the wagering during a round of play with the table stakes which were already on the Poker table in front of the player when the round of play commenced.

(1) A player may only add to his table stakes between rounds of play and, except as provided in paragraph (5), may not remove any of his table stakes from the Poker table at any time during a round of play.

(2) Currency which is available for use by a player in accordance with the requirements of this section may be utilized to initiate, call or raise a bet if the currency is expeditiously converted into gaming chips or gaming plaques by the dealer.

(3) To participate in a round of play, a player shall be required to have an amount of gaming chips, gaming plaques or currency available on the Poker table prior to the start of the round of play which is sufficient to make any Ante, Blind or Forced bet required by the Poker game being played and at least one bet at the posted table minimum.

(4) A player who satisfies the requirements of paragraph (3) but who depletes his funds on the Poker table prior to the completion of a round of play shall be deemed to be All-in.

(i) An All-in player shall retain financial interest in the outcome of the round of play, but shall only be eligible to win the amount of the pot to which he contributed.

(ii) An All-in player shall continue to receive any cards to which he would normally be entitled.

(iii) Betting shall continue unimpeded among the other players by generating a separate side pot which only those players shall be eligible to win.

(5) Whenever a player indicates an intent to temporarily leave a Poker table during a round of play without relinquishing his seat at the table, a flooper or higher shall do one of the following:

(i) Determine the amount of the player's table stakes prior to the player's departure from the table and verify that the amount of the player's table stakes have not been changed upon the player's return to the table.

(ii) Maintain the player's table stakes on the table surface using a nontransparent cover until the player's return.

(c) A verbal statement of "fold," "check," "call," "raise," or an announcement of a specific size wager by a player, that is within the rules of the Poker game being played and the minimum and maximum wager limits for the Poker table, shall be binding on the player if it is the player's turn to act.

(d) A player who announces a bet or raise of a certain amount but places a different amount of gaming chips or gaming plaques in the pot shall be required to correct his bet or raise to the announced amount in accordance with the instructions of the dealer.

(e) A player shall be considered to have placed a bet if the player:

(1) Pushes gaming chips or gaming plaques forward to indicate the intent of placing a bet.

(2) Places gaming chips or gaming plaques at a sufficient distance from the player and towards the pot to make it obvious that the gaming chips or plaques are intended as a bet.

(3) Places currency into the pot to be exchanged for chips under subsection (b)(2).

(f) A player may not be permitted to make a bet and thereafter attempt to increase the amount of the bet unless:

(1) The player indicates at the time the bet is being made that the bet is not yet complete.

(2) When a player who puts the proper amount of gaming chips or gaming plaques into the pot to call a bet, the player indicates his intention to also raise.

(g) Subject to the posted table wagering limits, a player who announces "raise" may continue to bet gaming chips or gaming plaques until both of his hands come to rest in front of the pot.

(h) It shall be the dealer's responsibility to ensure that no player touches any of the gaming chips or gaming plaques once the gaming chips or gaming plaques are placed into the pot.

(i) Unless a raise has been verbally announced by a player, the player who puts a single gaming chip into the pot that is larger than required, is assumed to have only called the preceding bet and to be awaiting change from the dealer.

(j) Unless specifically posted to the contrary, a player shall be permitted to raise after the player has previously checked in a betting round.

§ 553.9. Types of permissible Poker games.

(a) A certificate holder may offer the following types of Poker games:

(1) Seven-card Stud (High, High-low-hand Split and High-low-hand Split Eight or Better).

(2) Hold 'em (High).

(3) Omaha (High, High-low-hand Split Eight or Better).

(4) Five-card Draw (high and low-hand).

(5) Five-card Stud (high).

(6) Other Poker games approved by the Board.

(b) A certificate holder may not offer or permit the playing of any Poker game which is not authorized by this chapter or approved under § 521.3 (relating to table games surveillance requirements).

§ 553.10. Seven-card Stud Poker; procedures for dealing of cards; completion of each round of play.

(a) A certificate holder that offers the games of Seven-card Stud High, Seven-card Stud High-low-hand Split or Seven-card Stud High-low-hand Split Eight or Better Stud Poker shall be required to observe the procedures in this section.

(b) A Seven-card Stud Poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an Ante. The rule governing the placement of an Ante and the amount of the Ante, if any, shall be specified in the

certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the Poker table, the dealer shall deal two rounds of cards face down and one round of cards face up to each player.

(d) Once each player has received three cards in accordance with subsection (c), the first betting round shall commence by requiring one player to place a Forced Bet. The amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 521.2 and posted at the Poker table. The player required to place the Forced Bet shall be determined by comparing the up-card of each player. For the purposes of this subsection only, in the event that two or more up-cards are of the same rank, the up-cards shall then be ranked by suit, with the highest to lowest ranked suits in the following order: spades, hearts, diamonds, clubs. The Forced Bet shall be made by:

(1) For Seven-card Stud High Poker, the player with the lowest ranked up-card.

(2) For Seven-card Stud High-low-hand Split Poker, the player with the highest ranked up-card. In this game, to determine the highest ranked up-card, an ace shall be considered ranked below a two.

(3) For Seven-card Stud High-low-hand Split Eight or Better Poker, the player with the lowest ranked up-card. In this game, to determine the lowest ranked up-card, an ace shall be considered the highest ranking card.

(e) Following the placement of the Forced Bet required by subsection (d), each subsequent player, proceeding in a clockwise rotation from the player who placed the Forced Bet, may fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to his left, deal a fourth card face up to each player who made or called the last wager. The next betting round shall commence as follows:

(1) The player with the highest ranking Poker hand showing shall be required to bet or check.

(2) If the highest ranking Poker hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

(g) Following the initial bet or check required by subsection (f), each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not made a bet, check. Once a bet has been made, the next player in a clockwise rotation may fold, call or raise. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who made or called the last wager. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck. Notwithstanding the foregoing, if insufficient cards remain in the deck to give each remaining player either a sixth or seventh card, the top card of the deck shall be burned and a common card shall be dealt face up in the center of the table. If there is either one or no card remaining in the deck when a common card is to

be dealt, the dealer shall shuffle the burn cards, burn a card and then deal the common card. The dealing of each round of cards or, if applicable, each common card pursuant to this subsection shall be followed by a betting round conducted in accordance with subsections (f) and (g).

(i) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card Poker hand from the seven cards which the player was dealt. This five-card hand shall constitute the Poker hand of that player at the showdown. The winner of the pot shall be:

(1) In Seven-card Stud High Poker, the player with the highest ranking five-card high hand.

(2) In Seven-card Stud High-low-hand Split Poker or Seven-card Stud High-low-hand Split Eight or Better Poker, the player with the highest ranking five-card high hand and the player with the highest ranking five-card low-hand Poker hand, subject to the provisions of subsection (j), who shall divide the pot equally.

(i) If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

(ii) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high Poker card by suit.

(iii) If a tie exists between two or more players for the highest ranking low-hand, the low-hand share of the pot shall be divided equally among the tied players. If the low-hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking low-hand Poker card by suit.

(iv) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest ranked suit in order as follow: spades, hearts, diamonds and clubs.

(j) In Seven-card Stud High-low-hand Split Eight or Better Poker, a winning low-hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a nine, 10, jack, queen or king. This defines the qualifying clause known as "eight or better." In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(k) In Seven-card Stud High-low-hand Split Poker and Seven-card Stud High-low-hand Split Eight or Better Poker, the player may form two different hands of five cards each out of the player's seven available cards, enabling that player to contend for both the high hand and low-hand share of the pot. A player may use the same five-card grouping to make a high-hand Poker hand and a low-hand Poker hand. For example:

(1) A hand consisting of a two, three, four, five and six would qualify as a straight for purposes of the high hand and as a high ranking low-hand.

(2) A hand consisting of five cards of the same suit, none higher than an eight, would qualify as a flush for purposes of the high hand and as a high ranking low-hand.

(l) In Seven-card Stud High-low-hand Split Poker and Seven-card Stud High-low-hand Split Eight or Better Poker; an ace may be used concurrently as a low-hand card to make up a low-hand and as a high card to make up a high hand.

§ 553.11. Hold'em Poker; procedures for dealing of cards; completion of each round of play.

(a) A certificate holder that offers the game of Hold'em Poker shall be required to observe the procedures in this section. Hold'em Poker shall be played to determine a winning high hand only.

(b) A Hold'em Poker table shall be restricted to a maximum of ten players. Each player who elects to participate in a round of play may be required to place an Ante. The rule governing the placement of an Ante and the amount of the Ante, if any, shall be specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

(1) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.

(2) At the commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(3) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) The player to the immediate left of the button shall be required to initiate the first betting round before any cards are dealt by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately subsequent to the initial Blind Bet. The amount and number of all Blind Bets required by the certificate holder shall be specified in the certificate holder's Rules Submission under § 521.2 and posted on a sign at the table.

(e) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal two rounds of cards face down to each player, with the player with the button being the last player to receive a card each time.

(f) Following the dealing of the two cards in subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.

(h) Upon completion of the betting round required by subsection (g), the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the requirements of subsection (g).

(i) Upon completion of the betting round required under subsection (h), the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with the requirements of subsection (g).

(j) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form his highest ranking five-card high Poker hand by using, in any combination, his own two cards and the five community cards available on the table. The winner of the pot shall be the player with the highest ranking five-card high Poker hand. If the highest ranking five-card high Poker hand that each of the remaining players can form is comprised of the five community cards, all players remaining in the round of play shall share equally in the pot.

§ 553.12. Omaha Poker; procedures for dealing of cards; completion of each round of play.

(a) A certificate holder that offers the game of Omaha High or Omaha High-low-hand Split Eight or Better Poker shall be required to observe the procedures in this section.

(b) An Omaha Poker table shall be restricted to a maximum of ten players. Each player who elects to participate in a round of play may be required to place an Ante. The rule governing the placement of an Ante and the amount of the Ante, if any, and the Kill or Half-kill option, if offered, shall be specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

(1) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.

(2) At the commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(3) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) The player to the immediate left of the button shall be required to initiate the first betting round before any cards are dealt by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately subsequent to the initial Blind Bet. The amount and number of all Blind Bets required by the certificate holder shall be specified in the certificate holder's Rules Submission under § 521.2 and posted on a sign at the table.

(e) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal four rounds of cards

face down to each player with the player with the button being the last player to receive a card each time.

(f) Following the dealing of the four cards in subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) Upon completion of the betting round required under subsection (f), the dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.

(h) Upon completion of the betting round required under subsection (g), the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the requirements of subsection (g).

(i) Upon completion of the betting round required under subsection (h), the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with the requirements of subsection (g).

(j) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card Poker hand by using two of the four cards dealt to the player and three of the five community cards. This five-card hand shall constitute the Poker hand of the player at the showdown. The winner of the pot shall be:

(1) In Omaha High Poker, the player with the highest ranking five-card high Poker hand.

(2) In Omaha High-low-hand Split Eight or Better Poker, the player with the highest ranking five-card high Poker hand and the player with the highest ranking five-card low-hand Poker hand, subject to subsection (k), who shall divide the pot equally.

(i) If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

(ii) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high Poker card by suit.

(iii) If a tie exists between two or more players for the highest ranking low-hand, the low-hand share of the pot shall be divided equally among the tied players. If the low-hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking low-hand Poker card by suit.

(iv) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.

(k) In Omaha High-low-hand Split Eight or Better Poker, the winning low-hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a nine, 10, jack, queen or king. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high Poker hand.

(l) The following rules only apply in Omaha High-low-hand Split Eight or Better Poker:

(1) A player may form two different hands of five cards each, enabling that player to contend for both the high hand and low-hand share of the pot. Each hand must consist of any three of the community cards and any two of four cards dealt to the player.

(2) A player may use the same five-card grouping to make a high hand and a low-hand.

(3) An ace may be used concurrently as a low-hand card to satisfy a low-hand and as a high card to satisfy a high hand.

(m) In Omaha High-low-hand Split Eight or Better Poker, the certificate holder may use either the Half-kill or Kill option. If the certificate holder elects to use either option, the certificate holder shall indicate which option is being used in the certificate holder's Rules Submission under § 521.2 and shall post which option is being used and the minimum value of a qualifying pot on a sign at each Omaha Poker table.

§ 553.13. Five-card Draw Poker; procedures for dealing of cards; completion of each round of play.

(a) A certificate holder that offers the games of Five-card Draw High or Five-card Draw Low-hand Poker shall be required to observe the procedures in this section.

(b) A Five-card Draw Poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an Ante. The rule governing the placement of an Ante and the amount of the Ante, if any, shall be specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

(1) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.

(2) At the commencement of play, the button shall be placed in front of either:

(i) The first player to the right of the dealer.

(ii) The player randomly determined by rank of a single card dealt.

(3) Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal five rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(e) After each player has been dealt five cards face down, the player to the immediate left of the button shall be required to initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately subsequent to the initial Blind Bet. The amount and number of all Blind Bets required by the certificate holder shall be specified in the certificate holder's Rules Submission under § 521.2 and posted on a sign at the table.

(f) Following the placement of the required Blind Bets, each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, shall have an opportunity to draw new cards. This process shall be accomplished one player at a time. Each player may keep his original hand or discard as many cards as he chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck as follows:

(1) Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck.

(2) If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose; provided, however, that the cards to be discarded by a player who has not yet requested new cards shall not be included as part of the reshuffled cards.

(h) The final betting round shall then commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The final betting round shall be considered complete when the last player has responded to the most recent bet.

(i) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be:

(1) In Five-card High Poker, the player with the highest ranking five-card high hand.

(2) In Five-card Low-hand Poker, the player with the highest ranking five-card low-hand.

§ 553.14. Five-card Stud Poker; procedures for dealing of cards; completion of each round of play.

(a) A certificate holder that offers the game of Five-card Stud Poker shall be required to observe the procedures in this section. Five-card Stud Poker shall be played to determine a winning high hand only.

(b) A Five-card Stud Poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an Ante. The rule governing the placement of an Ante and the amount of the Ante, if any, shall be specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) and posted on a sign at each Five-card Stud Poker table.

(c) Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the Poker table, the dealer shall deal one round of cards face down and one round of cards face up to each player.

(d) Once each player has received two cards in accordance with subsection (c), the first betting round shall commence by comparing the up-card of each player. The player with the lowest ranked up-card shall be required to make a Forced Bet. For the purposes of this subsection, in the event that two or more up-cards are of the same rank, the up-cards shall then be ranked by suit, with the highest to lowest ranked suits in order as follow: spades, hearts, diamonds, clubs. The rule governing the placement of the Forced Bet and the amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 521.2 and posted on a sign at each Five-card Stud Poker table.

(e) Following the Forced Bet, each subsequent player may, proceeding in a clockwise rotation from the player who placed the Forced Bet, fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then deal another round of cards face up to each player who made or called the last wager. The next betting round shall be commenced by the player with the highest ranking high Poker hand showing. If two or more hands are of equal rank, the player closest to the left of the dealer shall be required to bet. The player who is required to place the first bet, may fold, check or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) The dealer shall then deal two additional rounds of cards face up to each player who made or called the last wager, with each round followed by a betting round conducted in accordance with the provisions of subsection (f). Prior to each round of cards being dealt, the dealer shall burn the top card of the deck.

(h) If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking five-card high Poker hand.

§ 553.15. Poker revenue.

(a) A certificate holder shall derive its Poker revenue at all Poker tables by extracting a rake. Each certificate holder shall submit as part of its Rules Submission under § 521.2 (relating to table games Rules Submissions):

- (1) The types of rake utilized.
- (2) The methodology used for calculating the rake.
- (3) The amount of maximum permissible rake.

(b) A certificate holder may use one or more of the following procedures in determining and extracting the rake:

- (1) A percentage rake, not to exceed 10% which:
 - (i) Shall be calculated and extracted from the pot and any side pots after the conclusion of a betting round and placed into the designated rake area required under § 553.2(b)(2) (relating to poker table physical characteristics) as play progresses.
 - (ii) Shall be calculated and extracted from the pot and any side pots upon completion of a round of play and immediately placed by the dealer into the drop box.

(2) A rake which shall be taken in incremental amounts, as certain predetermined dollar levels have been achieved which:

(i) Upon collection shall be placed into the designated rake area required under § 553.2(b)(2).

(ii) Upon completion of a round of play, shall be immediately placed by the dealer into the drop box.

(3) A rake based on time charges which:

(i) May be imposed on a per-player basis or on a per-table basis. If taken on a per-player basis, inactive players seated at the table shall also be assessed.

(ii) Shall be expressed as an hourly fee based on the minimum and maximum wagering limits at a game.

(iii) May be assessed fractionally every 20 or 30 minutes as determined by the certificate holder.

(iv) Once assessed, shall be placed by the dealer into the designated rake area required under § 553.2.

(v) Upon verification by a floorperson or above of the time charges collected, shall be immediately placed by the dealer into the drop box.

(c) A sign describing the type and amount of rake to be collected under subsection (b) shall be posted at each Poker table.

(d) An uncalled final bet may not be considered part of the pot for purposes of calculating the amount of rake under subsection (b)(1) and (2).

(e) Once the dealer has extracted the rake, and the pot and any side pots have been collected by the winning player or players, no additional rake may be taken by the certificate holder.

§ 553.16. General operating rules for all types of Poker; handling of irregularities.

(a) It shall be the responsibility of each player to ensure that the player's hand has lost to the other hands at the table before discarding the hand.

(b) In all disputes in which a ruling, interpretation, clarification or intervention is required, the decision of the Poker shift supervisor shall be final.

(c) Each player shall be required to keep all cards dealt to the player in full view of the dealer at all times. The dealer shall ensure compliance with this requirement.

(d) At the showdown, a winning hand must be clearly displayed in its entirety and properly identified. The player initiating the final wager shall be the first player to show his hand at the showdown; all other players who have not folded shall then reveal their hands in a clockwise rotation. Any player holding a losing hand may concede his rights to the pot and discard the hand without revealing the player's cards unless the certificate holder, in its Rules Submission under § 521.2 (relating to table games Rules Submissions), requires the disclosure of all discarded hands.

(e) Misdeals shall cause all the cards to be returned to the dealer for a reshuffle. The following errors shall be cause for a misdeal:

(1) Failure to shuffle and cut the cards in accordance with § 553.6 (relating to shuffle and cut of the cards).

(2) Dealing to an incorrect starting position if the error has been detected prior to two players voluntarily placing wagers into the pot.

(3) If more than one card is found face-up in the deck.

(4) Failure to deal to an eligible seated player, if the error has been detected prior to two or more players voluntarily placing wagers into the pot.

(f) If one or more cards are mistakenly dealt to an ineligible player, the cards dealt to that player shall be discarded and the round of play shall continue.

(g) If at any time during a round of play, missing cards are discovered or additional cards are found, the round of play shall be voided, all gaming chips and gaming plaques in the pot shall be returned to the appropriate player and the deck shall be replaced.

(h) A card found face upwards in the deck shall not be used in the game and shall be placed with the pile of discarded cards.

(i) A player who fails to take reasonable means to protect his hand shall have no redress if his hand becomes a fouled hand or the dealer accidentally collects the hand.

(1) Hole cards in a game of Stud Poker shall be considered protected for purposes of fouling a hand.

(2) If a protected hand comes into contact with discarded cards, every effort shall be made to reconstruct the hand and complete the round of play.

(3) A player who has a protected hand collected by the dealer or fouled by discarded cards shall be entitled to a refund from the pot of all monies that the player put in the pot if the player has been a victim of and not a contributor to the error.

(4) A player who leaves the table without comment and has an unprotected hand shall be assumed to have no interest in the pot, and his cards shall be collected and discarded.

(j) Verbal statements which are clearly audible by and directed to the dealer shall always have precedence over actions and gestures and are considered binding on the player whose turn it is to act.

(1) A player shall be deemed to have folded if, when faced with making or calling a wager, the player:

(i) Discards his hand face-down towards the pile of discarded cards or the pot.

(ii) Turns face-down his up-cards in a game of Stud Poker.

(2) If a player is obligated to place a wager as a Blind Bet, Forced Bet or by virtue of a verbal statement, throwing away his cards does not relieve the player of that obligation.

(k) In Seven-card Stud, if a player's first or second hole card is accidentally turned face-up in the dealing process, the third card shall be dealt face-down. If both hole cards are accidentally turned face-up, the dealer shall collect the two cards, call the player's hand void and return the player's Ante, if applicable. If a player's third hole card is accidentally turned face-up in the dealing process, the player shall be afforded the option to either:

(1) End his obligation to make additional wagers and contend only for that part of the pot formed prior to any additional wagering.

(2) Continue to contend for the entire pot.

(1) In Five-card Stud, if a player's hole card is accidentally turned face-up in the dealing process, the second card shall be dealt face-down.

(m) If a card is accidentally dealt off the table, it may not be used in that round of play and shall be placed with the pile of discarded cards after a thorough examination by the dealer.

(n) In the games of Hold'em and Omaha, if any of the cards that are required to be dealt face down to a player are accidentally dealt face up, the dealer shall exchange the exposed card with a card from the top of the deck and place the exposed card face down with the pile of discarded cards.

(o) 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.

(p) Any automated card shuffling device shall be removed from a gaming table before another method of shuffling may be utilized at that table.

(q) A certificate holder may clarify and supplement the procedures related to irregularities in this section in the certificate holder's Rules Submission under § 521.2.

§ 553.17. Conduct of players.

(a) Each player in a Poker game shall play the game solely to improve the player's chance of winning and shall take no action to improve another player's chance of winning. A player may not communicate any information to another player which could assist the other player in any manner respecting the outcome of a Poker game.

(b) A certificate holder which has reasonable cause to believe that a player has acted or is acting in violation of subsection (a) may require the player to leave the game and shall notify a casino compliance representative as expeditiously as possible.

§ 553.18. Minimum and maximum wagers.

Each certificate holder shall post a sign stating the minimum and maximum wagers in effect at each Poker table, except that, if all patrons at a Poker table agree to increase the minimum wager at the table, the minimum wager posted at the table need not be followed. The certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) must include provisions specifying the maximum amount that the minimum wager can be increased and how the dealer will determine that all of the patrons have agreed to the increased minimum wager amount. The certificate holder's Rules Submission under § 521.2 and the sign required by this section must also include any restrictions with regard to the maximum number of raises that may be permitted for any round of betting.

§ 553.19. Announcement of available games and seats.

A certificate holder may announce, in the areas where Poker tables are located, the particular types of available Poker games, the minimum/maximum wagers that are being offered and the availability of any vacant seats at particular Poker tables.

§ 553.20. Bad Beat payouts; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

(a) A certificate holder may include in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions) provisions for a payout for one or more Bad Beat Poker hands. A Bad Beat payout shall be made from a separate fund created from pot contributions required at tables where a Bad Beat

payout is offered and shall be paid in accordance with the procedures established under this section.

(b) A certificate holder shall post, at each Poker table that offers a Bad Beat payout, a notice advising patrons of eligibility for the Bad Beat payout. In addition to displaying the current amount of the Bad Beat payout, a certificate holder that offers a Bad Beat payout shall post its Bad Beat payout rules in a conspicuous location within its Poker room which, at a minimum, must address:

(1) The maximum amount that can be contributed from each pot and the method of calculation for any contributed amount.

(2) The minimum pot amount required for a contribution to a Bad Beat payout.

(3) Qualifying Bad Beat requirements and payouts.

(c) A certificate holder shall extract from each pot at a Poker table designated for participation in a Bad Beat payout a prescribed contribution to the Bad Beat payout, which amount shall be collected in accordance with the certificate holder's Bad Beat payout rules specified in the certificate holder's Rules Submission under § 521.2. Prior to distributing the pot to a winning patron and after the dealer has extracted the rake, the amount from each pot to be contributed to a Bad Beat payout shall be determined, segregated from the pot, and deposited into the Bad Beat payout box. Notwithstanding the foregoing and subject to subsection (i), a certificate holder may, upon amending its Bad Beat payout rules, terminate collection of Bad Beat contributions at any time.

(d) At least once each gaming day and upon notice to a casino compliance representative, a certificate holder shall count the accumulated contents of each Bad Beat payout box and the contents shall be transferred to the cashiers' cage or a satellite cage. The counting shall occur at a closed Poker table, the cashiers' cage or a satellite cage in accordance with Board approved internal controls.

(1) If the counting of the contents of a Bad Beat payout box occurs at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or higher, and it shall be recorded by the surveillance department. Documentation of the count shall be prepared and signed by both the dealer and the floorperson or higher. The contents of the Bad Beat payout box shall then be placed in a locked container along with documentation of the count and transported to the cashiers' cage or satellite cage by a security department employee.

(2) If the counting of the contents of a Bad Beat payout box occurs in the cashiers' cage or a satellite cage, a floorperson or above shall account for all locked Bad Beat payout boxes transported from the Poker tables to the cage. A security department employee shall transport the Bad Beat boxes to the cashiers' cage or satellite cage for counting by cage cashiers.

(e) Once each Bad Beat payout box or a container containing the contents of the Bad Beat payout boxes is delivered to the cashiers' cage or satellite cage, a cashier shall count the contents of each box or, if the contents of the boxes were previously counted by Poker room personnel and combined in a locked container for transport, verify the aggregate count. The official record of the amount of daily contributions to the Bad Beat payouts shall be maintained by the finance department.

(f) Each Bad Beat Poker hand shall be verified by the Poker shift supervisor prior to awarding the Bad Beat payout. Upon verification, the Poker shift supervisor shall:

(1) Post a sign or otherwise provide visible notice that the applicable Bad Beat payout display amount is pending adjustment due to a Bad Beat payout.

(2) Notify a representative from the security department or finance department to deliver to the Poker table the applicable amount of the Bad Beat payout.

(g) The finance department shall prepare a Bad Beat payout distribution in cash, a recognized cash equivalent or gaming chips in accordance with the certificate holder's Board approved internal controls. Notwithstanding subsection (f)(2), a certificate holder may elect to pay a Bad Beat payout at the cashiers' cage.

(h) No less than once a day and immediately upon notification of a Bad Beat verification by the Poker shift supervisor, a finance department representative shall:

(1) In the presence of a floorperson or above, adjust each Bad Beat payout amount displayed in the Poker area to reflect the current Bad Beat payout amount.

(2) Verify that the amount of any Bad Beat payout maintained by the finance department corresponds to the amount being displayed to patrons.

(i) No Bad Beat payout may be offered at a Poker table until a certificate holder has submitted to the Board and the Board has approved procedures for discontinuing any Bad Beat payout. The procedures must address the method by which pot contributions shall be terminated or for transferring Bad Beat payout amounts to other Bad Beat payouts, or both, to ensure that all payout amounts are paid to Poker patrons.

CHAPTER 555. CARIBBEAN STUD POKER

Sec.	
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§ 555.1. Definitions.

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

Bet Wager—An additional wager made by a player, in an amount double the player's Ante Wager, after all cards for the round of play have been dealt but before the dealer's hole cards are exposed.

Fold—The withdrawal of a player from a round of play by discarding his hand after all cards have been dealt and prior to placing a Bet Wager.

Hand—The five-card hand dealt to each player and the dealer.

Hole card—Any of the four cards which are dealt face down to the dealer.

Progressive payout hand—A flush, full house, four-of-a-kind, straight flush or royal flush, as defined in §§ 555.6 and 555.12 (relating to Caribbean Stud Poker rankings; and progressive payout).

Qualifying hand—A dealer's hand with a rank of ace, king, four, three and two or better.

Rank or ranking—The relative position of a card or group of cards as set forth in § 555.6.

Round of play or round—One complete cycle of play during which all players then playing at the table have been dealt a hand, have folded or wagered upon the hand, and have had their wagers paid off or collected in accordance with the rules of this chapter.

§ 555.2. Caribbean Stud Poker table physical characteristics.

(a) Caribbean Stud Poker shall be played on a table having betting positions for up to seven players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a Caribbean Stud Poker table shall be approved by the Bureau of Gaming Operations and must, at a minimum, contain:

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

(2) A separate designated betting area at each betting position for the placement of Ante Wagers.

(3) A separate designated betting area located immediately behind each Ante betting area for the placement of Bet wagers.

(4) The inscription "Bet Wager Void Unless Dealer has Ace/King or Better."

(5) An inscription identifying the payout odds for all authorized wagers unless the payout odds are posted as required by subsection (c).

(c) If the payout odds are not inscribed on the layout as required by subsection (b)(5), a sign identifying the payout odds for all authorized wagers shall be posted at each Caribbean Stud Poker table.

(d) Each Caribbean Stud Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer, in locations approved by the Bureau of Gaming Operations.

(e) Each Caribbean Stud Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

(f) Each Caribbean Stud Poker table must also have a table game progressive payout wager system approved by the Bureau of Gaming Laboratory Operations for the placement of progressive wagers. A table game progressive payout wager system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

(2) A control device that controls or monitors the placement of progressive wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any progressive wager that a player attempts to place after the dealer has announced "no more bets."

§ 555.3. Cards; number of decks.

(a) Except as provided in subsection (b), Caribbean Stud Poker shall be played with one deck of cards with backs of the same color and design and one cover card to be used in accordance with § 555.5 (relating to shuffle and cut of the cards.)

(b) If an automated card shuffling device is used, a certificate holder shall be permitted to use a second deck of cards to play the game, provided that:

(1) Each deck of cards complies with the requirements of subsection (a).

(2) The backs of the cards in the two decks are different colors.

(3) One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game.

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

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

(c) The decks of cards used in Caribbean Stud 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.

§ 555.4. 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.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, 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 laid out according to suit and in sequence.

(c) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with § 555.5 (relating to shuffle and cut of the cards.)

(d) If a certificate holder uses an automated card shuffling device to play the game and two decks of cards are received at the table as permitted under § 555.3(b) (relating to cards; number of decks), each deck of cards shall be separately spread, inspected, verified, laid out, inspected, mixed, stacked and washed in accordance with subsections (a), (b) and (c).

§ 555.5. Shuffle and cut of the cards.

(a) Immediately prior to the commencement of play, unless the cards were reshuffled, and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing herein prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used and 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 the procedures in § 555.8, § 555.9 or § 555.10 (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 reshuffled, cut the cards in accordance with the procedures in subsection (d).

(d) If a cut of the cards is required, the dealer shall:

(1) Cut the deck, using one hand, by:

(i) Placing the cover card on the table in front of the deck of cards.

(ii) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.

(iii) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card.

(2) Deal the cards in accordance with the procedures in § 555.8, § 555.9 or § 555.10.

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

(f) Whenever there is no gaming activity at a Caribbean Stud Poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures in § 555.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 555.6. Caribbean Stud Poker rankings.

(a) The rank of the cards used in Caribbean Stud Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or straight formed with a 2, 3, 4 and 5.

(b) The permissible poker hands at the game of Caribbean Stud Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and nine being the highest ranking straight flush and a five, four, three, two and ace being the lowest ranking straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house.

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

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and a 5, 4, 3, 2 and ace being the lowest ranking straight. An ace may not be combined with any other sequence of cards for purposes of forming a straight (for example, queen, king, ace, two, three).

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

(8) A two pairs, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair.

(9) A one pair, which is a hand containing two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

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

§ 555.7. Wagers.

(a) All wagers at Caribbean Stud Poker shall be made by placing gaming chips or plaques on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may not be accepted.

(b) All Ante Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 555.8, § 555.9 or § 555.10 (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). No wager may be made, increased, or withdrawn after the dealer has announced "no more bets."

(c) Upon placing an Ante Wager, a player may, at the player's discretion, place a progressive payout wager by placing a \$1 gaming chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective progressive payout wager has been accepted.

(d) A Bet Wager shall be made in accordance with § 555.11 (relating to Bet Wagers; procedure for completion of each round of play; collection and payment of wagers).

(e) A player may not be permitted to play more than one hand per round of play.

(f) Only players who are seated at the Caribbean Stud Poker table may place a wager at the game. Once a

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

§ 555.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location approved by the Bureau of Gaming Operations. Once the procedures required under § 555.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automatic shuffling device.

(b) Prior to dealing the cards and after all Ante and progressive payout wagers have been placed, the dealer shall announce "no more bets" and use the table game progressive payout wager system to prevent the placement of any additional progressive payout wagers. The dealer shall then collect any progressive payout wagers and, on the layout in front of the table inventory container, verify that the number of gaming chips wagered equals the number of progressive payout wagers accepted by the table game progressive payout wager system. The dealer shall then place the gaming chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards to each player who has placed a wager in accordance with § 555.7 (relating to wagers) as follows:

(1) One card face down to each player who has placed an Ante Wager.

(2) One card face up to an area directly in front of the table inventory container designated for the dealer's hand.

(3) A second card face down to each player directly on top of that player's first card.

(4) A second card face down to the dealer to the right of the dealer's first card dealt face up.

(5) A third, fourth and fifth card, in succession, face down to each player and the dealer directly on top of the preceding card dealt face down.

(e) After five cards have been dealt to each player and the area designated for the hand of the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designed for the placement of the dealer's hand has more or less than five cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 555.9. 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 § 555.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand.

(i) After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall then announce "no more bets" and use the table game progressive payout wager system to prevent the placement of any additional progressive payout wagers prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it on the appropriate area of the layout as required under subsection (b).

(b) The dealer shall, starting with the player farthest to his left and continuing around the table in a clockwise manner, deal the cards to each player who has placed a wager in accordance with § 555.7 (relating to wagers) as follows:

(1) One card face down to each player who has placed an Ante Wager.

(2) One card face up to an area directly in front of the table inventory container designated for the dealer's hand.

(3) A second card face down to each player directly on top of that player's first card.

(4) A second card face down to the dealer to the right of the dealer's first card dealt face up.

(5) A third, fourth and fifth card face down to each player and the dealer, in succession, directly on top of the preceding card dealt face down.

(c) After five cards have been dealt to each player and the area designated for the placement of the dealer's hand, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The

dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designed for the placement of the dealer's hand has more or less than five cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 555.10. 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 § 555.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) The dealer shall then announce "no more bets" and use the table game progressive payout wager system to prevent the placement of any additional progressive payout wagers.

(b) The dealer shall then deal the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with § 555.7 (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with § 555.7. The dealer shall then deliver a stack of five cards face down to the area designated for the dealer's hand.

(c) After each stack of five cards has been dispensed and delivered in accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designed for the placement of the dealer's hand has more or less than five cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) The stack of five cards comprising the dealer's hand shall then be spread in a row directly in front of the table

inventory container with the top card to the dealer's right and the bottom card to the dealer's left. The dealer shall then expose the bottom card of the dealer's hand, the card farthest to the dealer's left, and the round of play shall proceed in accordance with § 555.11 (relating to Bet Wagers; procedure for completion of each round of play; collection and payment of wagers).

§ 555.11. Bet Wagers; procedure for completion of each round of play; collection and payment of wagers.

(a) After the dealing procedures required under § 555.8, § 555.9 or § 555.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed but before the dealer exposes the hole cards, each player shall, after examining his cards, either place a Bet Wager in the designated betting area or fold and forfeit the Ante Wager. If a player folds, the entire Ante Wager shall be collected by the dealer and placed in the table inventory container. A folded hand shall then be immediately collected by the dealer and placed in the discard rack.

(b) Each player who makes a Bet Wager shall be responsible for his own hand and no other person other than the dealer may touch the cards of that player. Each player shall be required to keep the five cards in full view of the dealer at all times. Once each player has examined his cards and placed the five cards face down on the appropriate area of the layout, the player may not touch the cards again.

(c) A player may not exchange or communicate information regarding his hand prior to the dealer revealing the hole cards. Any violation shall result in a forfeiture of all wagers on that round by the players communicating.

(d) After all players have either placed a Bet Wager or folded, the dealer shall turn over and reveal the dealer's four hole cards and set the highest ranking poker hand.

(e) After the hole cards are revealed, the dealer shall, starting with the player farthest to the dealer's right, turn over the player's cards and if the dealer has a qualifying hand:

(1) All losing wagers shall immediately be collected by the dealer and placed in the table inventory container. All losing hands shall then be immediately collected by the dealer and placed in the discard rack. Ante and Bet Wagers made by a player shall lose if the qualifying hand of the dealer has a hand rank which is higher than the hand of that player.

(2) If the hand of the player ties with that of the dealer's qualifying hand, the hand of the player shall be a tie. The dealer shall return the player's wagers to the player, and immediately collect the cards of that player after all losing wagers and hands have been collected.

(3) After all losing wagers and ties have been settled, all winning wagers shall be paid. All winning hands shall remain face up on the layout until all winning Ante, Bet Wagers and, if applicable, progressive payout wagers are paid. Winning wagers shall be paid in accordance with the payout odds in § 555.13 (relating to payout odds; rate of progression; payout limitation.) The dealer shall pay all winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. Any wager made by a player shall win if the hand of the player has a hand rank higher than that of the dealer's qualifying hand. After paying all

winning Ante and Bet Wagers, the dealer shall immediately collect the cards of all winning players and place them in the discard rack; provided however, if a player has won a progressive payout which is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(f) After the hole cards are revealed, if the dealer does not have a qualifying hand:

(1) The dealer shall be required to turn over the cards of any player who has made a progressive wager in accordance with § 555.7(c) (relating to wagers) and shall pay all winning progressive wagers in accordance with § 555.12 (relating to progressive payout).

(2) The dealer shall immediately announce "no hand" and pay all Ante Wagers at payouts odds of 1 to 1. The dealer shall pay all Ante Wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table.

(3) All Bet Wagers shall be considered void and the dealer shall return the Bet Wagers to the players.

(4) After paying all Ante Wagers, the dealer shall immediately collect the cards of all players and place them in the discard rack; provided however, if a player has won a progressive payout which is not being paid from the table inventory container, the cards of that player shall not be collected until the necessary documentation has been completed.

(g) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that the cards can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 555.12. Progressive payout.

(a) A progressive payout wager shall be paid in accordance with the payout table in § 555.13 (relating to payout odds; rate of progression; payout limitation) prior to the collection of the winning player's cards by the dealer.

(b) Prior to paying a progressive payout hand, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Verify that the appropriate light on the acceptor device has been illuminated.

(3) Have a floorperson or above validate the progressive payout in accordance with approved internal control procedures.

(c) Any winning progressive payout wager shall be paid irrespective of the rank of the hand of the dealer or even if the dealer does not have a qualifying hand or has a higher ranking hand.

§ 555.13. Payout odds; rate of progression; payout limitation.

(a) The payout odds for winning wagers at Caribbean Stud Poker printed on any layout or in any brochure or other publication distributed by a certificate holder shall be stated through the use of the word "to" and no odds shall be stated through the use of the word "for."

(b) A certificate holder shall pay out winning Ante Wagers at payout odds of 1 to 1.

(c) A certificate holder shall pay off each winning Bet Wager at the game of Caribbean Stud Poker at the odds contained in the certificate holder's Rules Submission filed in accordance with § 521.2 (relating to table games Rules Submissions) which shall be no less than the following odds:

<i>Wager</i>	<i>Payout Odds</i>
Royal Flush	100 to 1
Straight Flush	50 to 1
Four-of-a-kind	20 to 1
Full House	7 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two Pair	2 to 1
One Pair or less	1 to 1

(d) A certificate holder shall pay out winning progressive payouts at the odds contained in the certificate holder's Rules Submission filed in accordance with § 521.2 which shall be no less than the following amounts:

<i>Hand</i>	<i>Payout</i>
Royal Flush	100% of the progressive jackpot
Straight Flush	Either 10% of the progressive jackpot or \$5,000, as designated in the certificate holder's approved system of internal controls
Four-of-a-kind	\$500
Full House	\$100
Flush	\$50

(e) The rate of progression for the progressive meter used for the progressive payouts in subsection (d) shall be contained in the certificate holder's Rules Submission filed in accordance with § 521.2 and shall be no less than 70%. The initial and reset amount shall also be contained in the certificate holder's Rules Submission.

(f) Winning progressive payout hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 555.12 (related to progressive payout) provided, however, if more than one player at a table has a royal flush progressive payout hand, each player shall share equally in the amount on the progressive meter and shall be paid when the first player with a royal flush is paid.

§ 555.14. Irregularities.

(a) If a hole card is exposed prior to the dealer announcing "no more bets," all hands shall be void, all wagers being returned to the players and the cards shall be reshuffled.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in the game 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 being returned to the players and the cards shall be reshuffled.

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

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void. If the dealer is dealt four cards of the five card hand, the dealer shall deal an additional card to complete the hand. Any other misdeal to the dealer shall result in all hands being void, all wagers being returned to the players and the cards shall be reshuffled.

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

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

(g) An automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 557. FOUR CARD POKER

<i>Sec.</i>	<i>Definitions.</i>
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557.11.	Play Wagers; procedures for completion of each round of play.
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§ 557.1. Definitions.

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

Aces Up Wager—An optional wager that a player may make prior to any cards being dealt that the player's best Four Card Poker hand will be a pair of aces or better.

Hand—The best Four Card Poker hand that can be formed by each player and the dealer from the cards they are dealt.

Play Wager—An additional wager that a player is required to make if the player opts to remain in competition against the dealer.

Round of play—One complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been settled in accordance with the rules of this chapter.

§ 557.2. Four Card Poker table physical characteristics.

(a) Four Card Poker shall be played on a table having betting positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a Four Card Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

- (1) The name or logo of the certificate holder offering the game.
- (2) A separate designated betting area at each betting position for the placement of the Ante Wager.
- (3) A separate designated betting area at each betting position for the placement of the Play Wager.
- (4) A separate designated betting area at each betting position for the placement of the Aces Up Wager.

(5) An inscription identifying the payout odds for all authorized wagers unless the payout odds are posted as required by subsection (c).

(c) If payout odds are not inscribed on the layout as required under subsection (b)(5), a sign identifying the payout odds for all authorized wagers shall be posted at each Four Card Poker table.

(d) Each Four Card Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer, in locations approved by the Bureau of Gaming Operations.

(e) Each Four Card Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

§ 557.3. Cards; number of decks.

(a) Except as provided in subsection (b), Four Card Poker shall be played with one deck of cards with backs of the same color and design and one additional cover card to be used in accordance with § 557.5 (relating to shuffle and cut of the cards).

(b) If an automated card shuffling device is used, a certificate holder may be permitted to use a second deck of cards to play the game, provided that:

(1) Each deck of cards complies with the requirements of subsection (a).

(2) The backs of the cards in the two decks are different colors.

(3) One deck is being shuffled by the automated card shuffling device while the other deck is being used to play the game.

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

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

(c) The decks of cards used in Four Card Poker shall be changed:

(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.

§ 557.4. 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.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out 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 § 557.5 (relating to shuffle and cut of the cards).

(d) If a certificate holder uses an automated card shuffling device to play the game and two decks of cards are received at the table as permitted under § 557.3(b) (relating to cards; number of decks), each deck of cards

shall be separately spread, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with subsections (a), (b) and (c).

§ 557.5. Shuffle and cut of the cards.

(a) Immediately prior to the commencement of play, unless the cards were reshuffled, and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used and 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 the procedures in § 557.8, § 557.9 or § 557.10 (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 reshuffled, cut the cards in accordance with the procedures in subsection (d).

(d) If a cut of the cards is required, the dealer shall:

(1) Cut the deck, using one hand, by:

(i) Placing the cover card on the table in front of the deck of cards.

(ii) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.

(iii) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card.

(2) Deal the cards in accordance with the procedures in § 557.8, § 557.9 or § 557.10.

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

(f) Whenever there is no gaming activity at a Four Card Poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, the cards shall be turned face up once a player arrives at the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 557.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 557.6. Four Card Poker rankings.

(a) The rank of the cards used in Four Card Poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. All suits shall be

considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2, 3 and 4.

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

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

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an ace, king, queen and jack being the highest ranking straight flush and a 4, 3, 2 and ace being the lowest ranking straight flush.

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

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

(5) A straight, which is a hand consisting of four cards of more than one suit and of consecutive rank, with ace, king, queen and jack being the highest ranking straight and 4, 3, 2 and ace being the lowest ranking straight; provided however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, king, ace, 2 and 3).

(6) A two pair, which is a hand consisting of two pairs with two aces and two kings being the highest ranking two pair and two 3's and two 2's being the lowest ranking two pair.

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

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

§ 557.7. Wagers.

(a) The following wagers may be placed in the game of Four Card Poker:

(1) A player may compete solely against the dealer by placing an Ante Wager in an amount within the posted minimum and maximum wagers posted at the table and then placing a Play Wager in an amount from one to three times the amount of the Ante Wager.

(2) A player may compete solely against a posted payout table by placing an Aces Up Wager in any amount within the minimum and maximum wagers posted at the table.

(3) A player may compete against both the dealer and the posted payout table by placing wagers in accordance with the requirements in paragraphs (1) and (2).

(b) All wagers at Four Card Poker shall be made by placing gaming chips or plaques on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may not be accepted.

(c) Only players who are seated at a Four Card Poker table may wager at the game. Once a player has placed a wager and received cards, that player must 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.

(d) Ante Wagers and Aces Up Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 557.8, § 557.9 or § 557.10 (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 for Play Wagers, a wager may not be made, increased, or withdrawn after the dealer has announced "no more bets." All Play Wagers shall be placed in accordance with § 557.11(b) (relating to Play Wagers procedures for completion of each round of play).

(e) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), permit a player to simultaneously play and place wagers at two adjacent betting positions during a round of play.

§ 557.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location approved by the Bureau of Gaming Operations. Once the procedures required under § 557.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing the cards and after all Ante Wagers and Aces Up Wagers are placed, the dealer shall announce "no more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager or an Aces Up Wager and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players and the first five cards dealt to the dealer shall be dealt face down. The dealer's sixth card shall be dealt face up. The dealer's fifth and sixth cards shall be dealt consecutively.

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

(f) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player has more or less than five cards or the dealer has more or less than six cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 557.9. 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 § 557.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand.

(i) After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall then announce "no more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck.

(b) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager or an Aces Up Wager and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players and the first five cards dealt to the dealer shall be dealt face down. The sixth card dealt to the dealer shall be dealt face up. The dealer's fifth and sixth cards shall be dealt consecutively.

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

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall be required to count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player has more or less than five cards or the dealer has more or less than six cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all

wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 557.10. 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 § 557.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) The dealer shall then announce "no more bets" prior to the shoe dispensing any stacks of cards.

(b) The dealer shall deal the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager or Aces Up Wager. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deal a stack face down to each of the other players who has placed an Ante Wager or Aces Up Wager. The dealer shall then deal a stack of five cards face down to himself. When the automated dealing shoe dispenses the next stack of five cards, the dealer shall remove the stack from the shoe and place the stack on the layout next to his hand. The dealer shall spread the cards in the stack face down, with the bottom card of the stack to the dealer's far left and the top card of the stack to the dealer's far right. The dealer shall turn the bottom card of the stack (the card on the dealer's far left) face up on the dealer's hand. The dealer shall collect the remaining four cards of that stack and place the cards in the discard rack without revealing the cards.

(c) After each stack of five cards has been dispensed and delivered in accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall be required to count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player has more or less than five cards or the dealer has more or less than six cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 557.11. Play Wagers; Procedures for completion of each round of play.

(a) After the dealing procedures required under § 557.8, § 557.9 or § 557.10 (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.

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

(c) The dealer shall, starting with the player farthest to the left of the dealer and continuing clockwise around the table, offer each player who has placed an Ante Wager the option to either make a Play Wager or forfeit his Ante Wager. A Play Wager shall be made in an amount from one to three times the amount of the player's Ante Wager. If a player has placed an Ante Wager and an Aces Up Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but does not forfeit the Aces Up Wager.

(d) After each player has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited Ante Wagers. The dealer shall collect the cards of any player who forfeited his Ante Wager and also did not make an Aces Up Wager, and place the cards in the discard rack.

(e) The dealer shall then reveal the dealer's cards and select the four cards that form the highest possible ranking hand. The dealer shall then, starting with the player farthest to the dealer's right whose hand is still active and continuing counterclockwise around the table, reveal the cards of each player and select the four cards that form the highest possible ranking hand for each player. The dealer shall then collect all losing Ante, Play and Aces Up Wagers.

(f) The dealer shall then settle the winning wagers remaining on the table, in accordance with the payout odds in § 557.12 (relating to payout odds).

(g) After all winning wagers have been settled, the remaining cards shall be collected by the dealer and placed in the discard rack in such a way that the cards can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 557.12. Payout odds.

(a) The three payout types are:

(1) A player in competition against the dealer shall be paid 1 to 1 on both the Ante Wager and the Play Wager if the player's hand is either ranked higher than the dealer hand's or is of equal rank with the dealer's hand.

(2) A player placing an Ante Wager and a Play Wager who has a three-of-a-kind or better shall be paid a bonus on the Ante Wager, regardless of whether the player's hand outranks the dealer's hand, at the odds preselected by the certificate holder in it Rules Submission under § 521.2 (relating to table games Rules Submissions), which are no less than the following:

<i>Hand-Type</i>	<i>Payout Odds</i>
Four-of-a-kind	25 to 1
Straight flush	20 to 1
Three-of-a-kind	2 to 1

(3) A player shall be paid for an Aces Up Wager if the player's best Four Card Poker hand is one of the hand types in the table below, regardless of whether the player's hand outranks the dealer's hand, at the odds preselected by the certificate holder in it Rules Submission under § 521.2, in one of the following payout tables:

<i>Hand Type</i>	<i>Table I</i>	<i>Table II</i>	<i>Table III</i>	<i>Table IV</i>
Four-of-a-kind	50 to 1	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	30 to 1	30 to 1
Three-of-a-kind	9 to 1	7 to 1	9 to 1	7 to 1
Flush	6 to 1	6 to 1	6 to 1	6 to 1
Straight	4 to 1	5 to 1	4 to 1	5 to 1
Two pair	2 to 1	2 to 1	2 to 1	2 to 1
Pair of aces	1 to 1	1 to 1	1 to 1	1 to 1

<i>Hand Type</i>	<i>Table V</i>	<i>Table VI</i>	<i>Table VII</i>
Four-of-a-kind	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1
Three-of-a-kind	8 to 1	8 to 1	7 to 1
Flush	5 to 1	6 to 1	5 to 1
Straight	4 to 1	4 to 1	4 to 1
Two pair	3 to 1	2 to 1	3 to 1
Pair of aces	1 to 1	1 to 1	1 to 1

§ 557.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game 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 was the next card from the shoe or the deck.

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

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accordance with § 557.11(e) (relating to play wagers; procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(g) An automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 559. LET IT RIDE POKER

Sec.	Definitions.
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- 559.9. Three Card Bonus Wager.
- 559.10. Procedure for dealing the cards from a manual dealing shoe.
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- 559.13. Procedures for completion of each round of play.
- 559.14. Payout odds; payout limitation.
- 559.15. Irregularities.

§ 559.1. Definitions.

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

Community card—A card which is initially dealt face down to a designated area in front of the table inventory container and which is used by all players to form a five-card poker hand.

Hand—The five-card poker hand formed for each player by combining the three cards dealt to the player and the two community cards.

Let It Ride—When a player chooses not to take back a wager that may be withdrawn in accordance with § 559.13 (relating to procedures for completion of each round of play).

Round of play—One complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with the rules of this chapter.

§ 559.2. Let It Ride Poker table physical characteristics.

(a) Let It Ride Poker shall be played on a table having betting positions for seven players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a Let It Ride Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) Three separate designated betting areas at each betting position for the placement of wagers in accordance with § 559.7 (relating to wagers).
- (3) A separate designated area at each betting position for the placement of the cards of each player.
- (4) A separate designated area located directly in front of the table inventory container for the placement of the community cards.
- (5) The payout odds for all authorized wagers, including the Let It Ride Bonus Wager authorized under § 559.8 (relating to Let It Ride Bonus Wager) and the Three Card Bonus Wager authorized under § 559.9 (relating to Three Card Bonus Wager), if the certificate holder offers either optional wager.
- (6) The inscription indicating the payout limit per hand established by the certificate holder under § 559.14 (relating to payout odds; payout limitation) or a generic inscription indicating the game is subject to the posted payout limit.

(7) If a certificate holder offers the optional Three Card Bonus Wager authorized under § 559.9, a separate designated area at each betting position for the placement of the Three Card Bonus Wager.

(c) If payout odds are not inscribed on the layout as required under subsection (b)(5), a sign indicating the payout odds for all authorized wagers shall be posted at each Let It Ride Poker table. The sign must also include

the details of the payout limit authorized under § 559.14 in a manner approved by the Bureau of Gaming Operations.

(d) Each Let It Ride Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer, in locations approved by the Bureau of Gaming Operations.

(e) Each Let It Ride Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

(f) If a certificate holder offers the Let It Ride Bonus Wager authorized under § 559.8, the Let It Ride Poker table must also include the following equipment or devices, which shall be approved by the Bureau of Gaming Laboratory Operations:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Let It Ride Bonus Wager.

(2) A control device that controls or monitors the placement of Let It Ride Bonus Wagers at the gaming table, including a mechanism that prevents the recognition of any Let It Ride Bonus Wager that a player attempts to place after the dealer has announced "no more bets."

§ 559.3. Cards; number of decks.

(a) Except as provided in subsection (b), Let It Ride Poker shall be played with one deck of cards with backs of the same color and design and one additional cover card to be used in accordance with § 559.5 (relating to shuffle and cut of the cards).

(b) If an automated card shuffling device is used, a certificate holder shall be permitted to use a second deck of cards to play the game, provided that:

- (1) Each deck of cards complies with the requirements of subsection (a).
- (2) The backs of the cards in the two decks are different colors.
- (3) One deck is being shuffled by the automated card shuffling device while the other deck is being used to play the game.
- (4) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.
- (5) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Let It Ride 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.

§ 559.4. 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.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out 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, they shall be shuffled in accordance with § 559.5 (relating to shuffle and cut of the cards).

(d) If a certificate holder uses an automated card shuffling device to play the game and two decks of cards are received at the table as permitted under § 559.3(b) (relating to cards; number of decks), each deck of cards shall be separately spread, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of subsections (a), (b) and (c).

§ 559.5. Shuffle and cut of the cards.

(a) Immediately prior to the commencement of play, unless the cards were preshuffled, and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated card shuffling device shall place the deck of cards in a single stack; provided, however, that nothing herein prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used and 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 § 559.10, § 559.11 or § 559.12 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

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

(d) If a cut of the cards is required, the dealer shall:

(1) Cut the deck, using one hand, by:

(i) Placing the cover card on the table in front of the deck of cards.

(ii) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.

(iii) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on top of the cover card.

(2) Deal the cards in accordance with § 559.10, § 559.11 or § 559.12.

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

(f) Whenever there is no gaming activity at a Let It Ride Poker table which is open for gaming, the cards shall be spread out on the table either face up or face

down. If the cards are spread face down, the cards shall be turned face up once a player arrives at the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 559.4(c) (relating to opening of the table for gaming) shall be completed.

§ 559.6. Let It Ride Poker rankings.

(a) The rank of the cards used in Let It Ride Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or straight formed with a 2, 3, 4 and 5. All suits shall be considered equal in rank.

(b) The permissible poker hands at the game of Let It Ride Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2's and two 3's being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, 2, 3).

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

(8) A two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3's and two 2's being the lowest ranking two pair.

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

(c) For purposes of the optional Three Card Bonus Wager defined in § 559.9 (relating to Three Card Bonus Wager), the permissible Three Card Bonus Wager hands eligible for a payout in accordance with § 559.14(e) (relating to payout odds; payout limitation) shall be:

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

(2) A straight flush, which is a hand, other than a mini-royal, consisting of three cards of the same suit in consecutive ranking.

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

(4) A straight, which is a hand consisting of three cards of consecutive rank, including an ace, two and three; provided, however, that an ace may not be combined with a king and a two.

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

(6) A pair, which is a hand consisting of two cards of the same rank.

§ 559.7. Wagers.

(a) All wagers at Let It Ride Poker shall be made by placing gaming chips or plaques on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may not be accepted.

(b) Only players who are seated at a Let It Ride Poker table may wager at the game. Once a player has placed his wagers and received cards, that player must remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 559.10, § 559.11 or § 559.12 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in subsection (d), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) At the beginning of each round of play, each player shall be required to place three equal but separate wagers. The wagers shall be identified as Bet Number 1, Bet Number 2 and Bet Number 3. Bet Number 1 and Bet Number 2 may subsequently be removed by the player in accordance with § 559.13 (relating to procedures for completion of each round of play).

(e) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), permit a player to simultaneously play and place wagers at an adjacent betting position during a round of play.

§ 559.8. Let It Ride Bonus Wager.

(a) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), offer to each player at a Let It Ride Poker table the option to make an additional Let It Ride Bonus Wager that the player will receive a poker hand with a rank of three-of-a-kind or better.

(b) If the Let It Ride Bonus Wager is offered, each player who has placed the three wagers required under § 559.7 (relating to wagers) may make an additional Let It Ride Bonus Wager by placing a \$1 gaming chip on the approved wagering location designated for that wager prior to the dealer announcing "no more bets."

(c) All winning Let It Ride Bonus Wagers shall be paid in accordance with the payout schedule in § 559.14(d) (relating to payout odds; payout limitation).

(d) A Let It Ride Bonus Wager shall be independent of any other wager made by a player at the game of Let It Ride Poker.

§ 559.9. Three Card Bonus Wager.

(a) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), offer to each player at a Let It Ride Poker table the option to make an additional Three Card Bonus Wager that the three cards dealt to the player will have a rank of pair or better.

(b) If the Three Card Bonus Wager is offered, each player who has placed the three wagers required under § 559.7 (relating to wagers) may make an additional Three Card Bonus Wager by placing a wager on the approved wagering area designated for that wager prior to the dealer announcing "no more bets."

(c) All winning Three Card Bonus Wagers shall be paid in accordance with the payout table in § 559.14(e) (relating to payout odds; payout limitation) preselected by the certificate holder in the certificate holder's Rules Submission under § 521.2.

(d) A Three Card Bonus Wager shall be independent of any other wager made by a player at the game of Let It Ride Poker.

§ 559.10. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location as approved by the Bureau of Gaming Operations. Once the procedures required under § 559.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) The dealer shall announce "no more bets" prior to dealing any cards. If any Let It Ride Bonus Wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and shall then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(c) In dealing the cards, each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face down to each player who has placed three wagers in accordance with § 559.7 (relating to wagers).

(2) One card face down to the area designated for the placement of the community cards.

(3) A second card face down to each player who has placed three wagers in accordance with § 559.7.

(4) A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area.

(5) A third card face down to each player who has placed three wagers in accordance with § 559.7.

(e) After three cards have been dealt to each player and two cards have been dealt to the area designated for the placement of the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designated for the placement of the community cards has more or less than three or two cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 559.11. Procedure for dealing the cards from the hand.

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

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

(2) After the procedures required under § 559.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand.

(i) After the dealer has chosen the hand in which he will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall announce "no more bets" prior to dealing any cards. If any Let It Ride Bonus Wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(b) The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face down to each player who has placed three wagers in accordance with § 559.7 (relating to wagers).

(2) One card face down to the area designated for the placement of the community cards.

(3) A second card face down to each player who has placed three wagers in accordance with § 559.7.

(4) A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area.

(5) A third card face down to each player who has placed three wagers in accordance with § 559.7.

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

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designated for the placement of the community cards has more or less than three or two cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 559.12. Procedure for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required by § 559.5 (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 then announce "no more bets." If any Let It Ride Bonus Wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and shall then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his left who has placed three wagers in accordance with § 559.7 (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed three wagers in accordance with § 559.7. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the community cards, and spread the stack within the designated area so that the top card is to the dealer's right, the middle card is directly in front of the dealer, and the bottom card is to the dealer's left. The dealer shall then remove the community card that is to his left, and place that card in the discard rack face down.

(c) After each stack of three cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the stub from the automated dealing

shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designed for the placement of the dealer's hand has more or less than three or two cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 559.13. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 559.10, § 559.11 or § 559.12 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards, subject to the following limitations:

(1) Each player who wagers at Let It Ride Poker shall be responsible for his own hand and no person other than the dealer may touch the cards of that player.

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

(3) After each player has made a decision regarding Bet Number 2 as required by subsection (e), the player's cards shall be placed face down on the appropriate area of the layout and the player may not touch the cards again.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to withdraw Bet Number 1 or Let It Ride.

(1) If a player chooses to let Bet Number 1 ride, that bet shall remain on the appropriate betting area of the layout until the end of the round of play.

(2) If a player chooses to withdraw Bet Number 1, the dealer shall move the gaming chips on the betting area designated for Bet Number 1 toward the player who shall then immediately remove the gaming chips from the betting area.

(c) After each player has made a decision regarding Bet Number 1, the dealer shall then turn the community card that is to the dealer's left face up and place it on top of the remaining community card. The exposed card shall become the first community card.

(d) After the first community card is exposed, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to withdraw Bet Number 2 or

Let It Ride. This decision shall be made by each player regardless of the decision made concerning Bet Number 1.

(1) If a player chooses to let Bet Number 2 ride, that bet shall remain on the appropriate betting area of the layout until the end of the round of play.

(2) If a player chooses to withdraw Bet Number 2, the dealer shall move the gaming chips on the betting area designated for Bet Number 2 toward the player who shall then immediately remove the gaming chips from the betting area.

(e) The dealer shall then move the first community card to the right of the card that remains face down in the community card area. The face down card shall be turned face up by the dealer and become the second community card.

(f) After the second community card is turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the three cards of the player face up. The two community cards and the three cards dealt to the player shall form the five-card poker hand of that player.

(2) The dealer shall examine the cards of the player to determine if the player's hand qualifies for a payout under § 559.14 (relating to payout odds; payout limitation). A Let It Ride Poker wager under § 559.7 (relating to wagers) on a hand which has a rank that is lower than a pair of tens shall be a losing wager.

(3) The dealer shall then settle all wagers of that player, including any bonus wagers. All losing wagers by the player shall be immediately collected by the dealer and placed in the table inventory container. After all losing wagers have been collected, all winning wagers shall be paid in accordance with the payout odds in § 559.14.

(4) All hands shall remain face up on the layout until all wagers have been settled by the dealer.

(h) After settling all wagers, the dealer shall immediately collect the cards of all players starting with the player to the dealer's right and then the community cards and place the cards in the discard rack.

§ 559.14. Payout odds; payout limitation.

(a) The payout odds for winning wagers at Let It Ride Poker printed on the table layout or in any brochure or other publication distributed by a certificate holder shall be stated through the use of the word "to" and no odds shall be stated through the use of the word "for."

(b) Subject to the payout limitation in subsection (c), a certificate holder shall pay off each winning wager at the game of Let It Ride Poker under § 559.7 (relating to wagers) at the odds specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), which shall be no less than the following odds:

<i>Wager</i>	<i>Payout Odds</i>
Royal Flush	1000 to 1
Straight Flush	200 to 1
Four-of-a-kind	50 to 1
Full House	11 to 1
Flush	8 to 1

<i>Wager</i>	<i>Payout Odds</i>
Straight	5 to 1
Three-of-a-kind	3 to 1
Two Pair	2 to 1
Pair of Tens, Jacks, Queens, Kings or Aces	1 to 1

(c) Notwithstanding the minimum payout odds required in subsection (b), a certificate holder may, in the certificate holder's Rules Submission under § 521.2 establish a maximum amount that is payable to a player on a single hand. The maximum amount shall be at least \$50,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. If the established maximum payout limit is not included on the layout, the certificate holder shall provide notice of the maximum payout limit by posting the maximum payout limit on a sign at the Let It Ride table. Any maximum payout limit established by a certificate holder shall apply only to payouts of Let It Ride Poker wagers placed under § 559.7 (relating to wagers) and does not apply to payouts of Let It Ride Bonus Wagers placed under § 559.8 (relating to Let It Ride Bonus Wager) or Three Card Bonus Wagers placed under § 559.9 (relating to Three Card Bonus Wager).

(d) A certificate holder shall pay off each winning Let It Ride Bonus Wager in the monetary amounts specified in the certificate holder's Rules Submission under § 521.2, which shall be no less than the following monetary amounts:

<i>Wager</i>	<i>Payout</i>
Royal Flush	\$25,000
Straight Flush	\$2,500
Four-of-a-kind	\$400
Full House	\$200
Flush	\$50
Straight	\$25
Three-of-a-kind	\$5

(e) A certificate holder shall pay off each winning Three Card Bonus Wager at the odds specified in the certificate holder's Rules Submission under § 521.2, which shall be no less than the odds in one of the following alternative pay tables:

<i>Hand Type</i>	<i>Table A</i>	<i>Table B</i>	<i>Table C</i>
Mini-royal	N/A	N/A	N/A
Straight flush	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

<i>Hand Type</i>	<i>Table D</i>	<i>Table E</i>	<i>Table F</i>
Mini-royal	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

§ 559.15. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game 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 dealt in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(f) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 561. PAI GOW POKER

<i>Sec.</i>	<i>Definitions.</i>
561.1.	Definitions.
561.2.	Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics.
561.3.	Cards; number of decks.
561.4.	Opening of the table for gaming.
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561.6.	Pai Gow Poker rankings; cards; poker hands.
561.7.	Wagers.
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561.9.	Procedures for dealing the cards from a manual dealing shoe.
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561.12.	Procedure for determining the starting position for dealing cards or delivering stacks of cards.
561.13.	Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.
561.14.	Irregularities; invalid roll of dice.

§ 561.1. Definitions.

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

High hand—The five-card hand which is formed from the seven cards dealt at the game of Pai Gow Poker so as to rank equal to or higher than the two-card Low hand.

Low hand—The two-card hand which is formed from the seven cards dealt at the game of Pai Gow Poker so as to rank equal to or lower than the five-card High hand.

Rank or ranking—The relative position of a card or group of cards as set forth in § 561.6 (relating to Pai Gow Poker rankings; cards; poker hands)

Set or setting the hands—The process of forming a High hand and Low hand from the seven cards dealt.

§ 561.2. Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics.

(a) Pai Gow Poker shall be played at a table having on one side places for six players and on the opposite side a place for the dealer.

(b) The layout for a Pai Gow Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum, the following:

(1) Six separate designated betting areas for the players at the table with each area being numbered one through six.

(2) Two separate areas located below each betting area which shall be designated for the placement of the High and Low hands of that player.

(3) Two separate areas designated for the placement of the High and Low hands of the dealer.

(4) The name or logo of the certificate holder offering the game.

(c) Each Pai Gow Poker table must have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, and in locations approved by the Bureau of Gaming Operations.

(d) Each Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

(e) Under § 561.8 (relating to Pai Gow Poker shaker and dice; computerized random number generator; button), Pai Gow Poker may be played with a container, to be known as a Pai Gow shaker, which shall be used to shake three dice before each hand of Pai Gow Poker is dealt to determine the starting position for the dealing or delivery of the cards. The Pai Gow shaker shall be designed and constructed to contain any feature the Bureau of Gaming Operations may require to maintain the integrity of the game and must, at a minimum, adhere to the following specifications:

(1) The Pai Gow Poker shaker must be capable of housing three dice and be designed to prevent the dice from being seen while the dealer is shaking it.

(2) The Pai Gow Poker shaker must have the name or identifying logo of the certificate holder imprinted or impressed thereon.

(f) If a certificate holder elects to use a computerized random number generator as permitted under § 561.8, the random number generator shall be approved by the Bureau of Gaming Laboratory Operations prior to its use.

§ 561.3. Cards; number of decks.

(a) Except as provided in subsection (b), Pai Gow Poker shall be played with one deck of cards with backs of the same color and design and two cover cards. The deck of cards used to play Pai Gow Poker must include one joker. Nothing in this section prohibits a certificate holder from using decks which are manufactured with two jokers provided that only one joker is used for gaming at Pai Gow Poker.

(b) If an automated card shuffling device is used for Pai Gow Poker, a certificate holder may use a second deck of cards to play the game, provided that:

(1) Each deck of cards complies with the requirements of subsection (a).

(2) The backs of the cards of the two decks are of a different color.

(3) One deck is being shuffled by the automated card shuffling device while the other deck is being used to play the game.

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

(5) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in Pai Gow Ride 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.

§ 561.4. Opening of the table for gaming.

(a) After receiving a deck of cards at the table, the dealer shall inspect the cards for any defects.

(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. Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence and include the one joker.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with § 561.5 (relating to shuffle and cut of the cards).

(d) If a certificate holder uses an automated card shuffling device to play the game of Pai Gow Poker and two decks of cards are received at the table as permitted under § 561.3(b) (relating to cards; number of decks), each deck of cards shall be separately spread, inspected, verified, spread, mixed, stacked and shuffled in accordance with subsections (a)—(c).

§ 561.5. Shuffle and cut of the cards.

(a) Immediately prior to the commencement of play, unless the cards were reshuffled, and after each round of play has been completed, the dealer shall shuffle the cards either manually or by use of an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing herein prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the cards directly into an automated or manual 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, deal or deliver the cards in accordance with § 561.9, § 561.10 or § 561.11 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards by hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, 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 up, 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 10 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 deal the cards in accordance with in § 561.9, § 561.10 or § 561.11.

(f) After the cards have been cut and before any cards have been dealt, a floorperson or higher may require the cards to be recut if he 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) Whenever there is no gaming activity at a Pai Gow Poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, the cards shall be turned face up once a player arrives at the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the table may be opened and the cards shuffled and cut in accordance with § 561.4 (relating to opening of the table for gaming) and this section.

§ 561.6. Pai Gow Poker rankings; cards; poker hands.

(a) The rank of the cards used in Pai Gow Poker, in order of highest to lowest, are 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. Except as otherwise provided in subsection (c), the joker shall be used and ranked as an ace.

(b) The permissible poker hands at the game of Pai Gow Poker, in order of highest to lowest rank, are:

(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 6, 5, 4, 3 and 2 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 2's 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 2's and two 3's 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 contained 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 6, 5, 4, 3 and 2 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 2's being the lowest ranking three-of-a-kind.

(9) Two pair, which is a High hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3's and two 2's being the lowest ranking two pair hand.

(10) A pair, which is either a High hand or a Low hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2's being the lowest ranking pair.

(c) For purposes of setting the hands, a joker may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(d) When comparing two High hands or two Low hands which are of identical poker hand rank under this section, or which contain none of the poker hands authorized in this section, the hand which contains the highest ranking card as provided in subsection (a) which is not contained in the other hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this subsection, the hands shall be considered a tie hand.

§ 561.7. Wagers.

(a) All wagers at Pai Gow Poker shall be made by placing gaming chips or plaques on the appropriate betting area of the Pai Gow Poker layout. Verbal wagers accompanied by cash may not be accepted at the game of Pai Gow Poker.

(b) Only players who are seated at the Pai Gow Poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers at Pai Gow Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 561.9, § 561.10 or § 561.11 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards by hand; and procedures for dealing the cards from an automated dealing shoe). No wager at Pai Gow Poker

may be made, increased or withdrawn after the dealer has announced "no more bets."

(d) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), permit a player to simultaneously play and wager on two adjacent betting areas at a Pai Gow Poker table.

(e) If a certificate holder permits a player to simultaneously play and wager on two adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall be required to 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 and set and placed face down on the appropriate area of the layout, the hand may not be changed.

§ 561.8. Pai Gow Poker shaker and dice; computerized random number generator; button.

(a) The starting position for the deal of cards in Pai Gow Poker shall be determined by using one of the following methods:

(1) Three dice and a Pai Gow Poker shaker, which shall be used in accordance with § 561.12 (relating to procedure for determining the starting position for dealing cards or delivering stacks of cards). When dice and a Pai Gow Poker shaker are used, the following apply:

(i) The three dice, when not being rolled, shall be maintained at all times within the Pai Gow Poker shaker.

(ii) The Pai Gow Poker shaker and the dice contained therein shall be the responsibility of the dealer and may never be left unattended while at the table.

(iii) No dice that have been placed in a Pai Gow Poker shaker for use in gaming may remain on a table for more than 24 hours.

(2) A computerized random number generator that, in accordance with § 561.12(c) automatically selects and displays a number from 1—7 inclusive.

(3) If an automated card shuffling device and dealing shoe is used under § 561.11 (relating to procedures for dealing the cards from an automated dealing shoe) and § 561.12(d), a button that is moved by the dealer clockwise around the table after each round of play is completed.

§ 561.9. Procedures for dealing the cards from a manual dealing shoe.

(a) If a certificate holder chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall be located on the table in a location approved by the Bureau of Gaming Operations. Once the procedures required under § 561.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the manual dealing shoe either by the dealer or by an automated card shuffling device. The dealer shall then announce "no more bets."

(b) The dealer shall then, using one of the procedures authorized under § 561.12 (relating to procedure for determining the starting position for dealing cards or delivering stacks of cards), determine the starting position for dealing the cards.

(c) After the starting position for dealing the cards has been determined, each card shall be removed from the dealing shoe with the left hand of the dealer and placed face down on the appropriate area of the layout with the right hand of the dealer. The dealer shall deal the first card to the starting position as determined in subsection (b) and, moving clockwise around the table, deal a card to all other positions, including the dealer, regardless of whether there is a wager at the position. The dealer shall then return to the starting position and deal a second card and continue dealing in a clockwise rotation until each position, including the dealer, has seven cards.

(d) After seven cards have been dealt to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left by spreading them face down on the layout.

(e) If four cards remain, the four cards may not be exposed to anyone and shall be placed in the discard rack. The dealer shall then collect any cards dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

(f) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a player or the dealer has more or less than seven cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

§ 561.10. Procedures for dealing the cards by 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 § 561.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the deck of cards in either hand.

(i) Once the dealer has chosen the hand in which he will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall then announce "no more bets" prior to dealing seven stacks of seven cards each to the area in front of the table inventory container. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(b) The dealer shall then, using one of the procedures authorized under § 561.12 (relating to procedure for determining the starting position for dealing cards or delivering stacks of cards), determine the starting position for dealing the cards.

(c) After the starting position for dealing the cards has been determined, the dealer shall deal the first of the seven cards moving from left to right and the second of

the seven cards moving from right to left and continue alternating in this manner until there are seven stacks of seven cards.

(d) After seven stacks of seven cards have been dealt, the dealer shall determine whether exactly four cards are left by spreading the remaining cards face down on the layout.

(e) If four cards remain, the four cards shall be placed in the discard rack without being exposed to anyone at the table.

(f) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void, all wagers shall be returned to the players and the cards shall be reshuffled. If the cards have not been misdealt, the round of play shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

§ 561.11. Procedures for dealing the cards from an automated dealing shoe.

(a) If a certificate holder chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures under § 561.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) The dealer shall announce “no more bets” prior to the shoe dispensing any stacks of cards.

(b) The dealer shall then, using one of the procedures under § 561.12 (relating to procedure for determining the starting position for dealing cards or delivering stacks of cards), determine the starting position for delivering the stacks of cards.

(c) Once the starting position has been determined in accordance with subsection (b), the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall deliver a stack in turn to each of the other positions, including the dealer, moving clockwise around the table, whether or not there is a wager at the position. The dealer shall deliver each stack face down.

(d) After the seven stacks of seven cards have been dispensed and delivered to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left by spreading them face down on the layout.

(e) If four cards remain, the cards shall be placed in the discard rack without being exposed to anyone at the table.

(f) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void, all wagers shall be returned to the players and the cards shall be reshuffled. If the cards have not been misdealt, the round of play shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

§ 561.12. Procedure for determining the starting position for dealing cards or delivering stacks of cards.

(a) To determine the starting position for the dealing of cards or the delivery of stacks of cards for the game of Pai Gow Poker, a certificate holder shall use one of the procedures authorized in subsection (b), (c) or (d).

(b) The dealer shall shake the shaker and dice described in § 561.8 (relating to Pai Gow Poker shaker and dice; computerized random number generator; button) at least three times so as to cause a random mixture of the dice. The dealer shall then remove the lid covering the Pai Gow Poker shaker, total the dice and announce the total. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the total of the three dice. After the dealing or delivery of the cards has 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.

(c) The dealer may use a computerized random number generator to select and display a number from 1—7 inclusive, and verbally announce the number. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the number displayed by the random number generator.

(d) If an automated card shuffling device and dealing shoe is used under § 561.11 (relating to procedures for dealing the cards from an automated dealing shoe), the dealer may use a flat button approved by the Bureau of Gaming Operations to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(e) After the starting position for a round of play has been determined, a certificate holder may mark that position by the use of an additional cut card or similar object approved by the Bureau of Gaming Operations.

§ 561.13. Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.

(a) After the cards have been dealt, 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.

(b) Each player at the table shall be responsible for setting his own hands and no other person except the dealer 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 its Rules of the Games Submission under § 521.2 (relating to table games Rules Submissions). Each player shall be required to keep the seven cards in full view of the dealer at all times. 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) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his hands by arranging the cards into a High and Low hand. The dealer shall then place the two hands face up on the appropriate area of the layout.

(d) Each certificate holder shall submit to the Bureau of Gaming Operations in its Rules Submission under § 521.2, the manner in which it will require the hands of the dealer to be set.

(e) A player may announce that he wishes to surrender his wager prior to the dealer exposing either of the two hands of that player as required under subsection (f). Once the player has announced his intention to surrender, the dealer shall immediately collect the wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. 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.

(f) After the dealer has set a High hand and a Low hand, the dealer shall expose both hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the High and Low hand of each player to the High and Low hand of the dealer and shall announce if the Pai Gow Poker wager of that player wins, loses or is a tie.

(g) A Pai Gow Poker wager loses if:

(1) 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.

(2) 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.

(3) The High hand of the player was not set so as to rank equal to or higher than the Low hand of that player.

(4) The two hands of the player were not otherwise set correctly in accordance with this chapter.

(h) All losing Pai Gow Poker wagers shall be immediately collected by the dealer and put in the table inventory container. All losing Pai Gow Poker hands shall also be collected.

(i) A Pai Gow Poker wager is a tie if:

(1) The High hand of the player is higher in rank than the High hand of the dealer, but the Low hand of the player is identical in rank to the Low hand of the dealer or lower in rank than the Low hand of the dealer.

(2) The High hand of the player is identical in rank to the High hand of the dealer or lower in rank than the High hand of the dealer, but the Low hand of the player is higher in rank than the Low hand of the dealer.

(j) If a Pai Gow Poker wager is a tie the dealer shall return the Pai Gow Poker wager to the player. All tie Pai Gow Poker hands shall also be collected.

(k) A Pai Gow Poker wager wins 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.

(l) All hands that resulted in a winning Pai Gow Poker wager shall remain face up on the layout. Winning wagers shall be paid after all hands are exposed. The dealer shall pay winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table.

(m) A winning Pai Gow Poker wager shall be paid off by a certificate holder at odds of 1 to 1, except that the certificate holder shall extract a vigorish, from the winning player in an amount equal to 5% of the amount won; provided, however, that when collecting the vigorish, the certificate holder may round off the vigorish to 25 cents or the next highest multiple of 25 cents. A certificate holder shall collect the vigorish from a player at the time the winning payout is made. The dealer shall then collect the cards from that player.

(n) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

§ 561.14. Irregularities; invalid roll of dice.

(a) If the dealer uncovers the Pai Gow Poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a "no roll" and reshake the dice.

(b) If the dealer uncovers the Pai Gow Poker shaker and a die or dice fall out of the shaker, the dealer shall call a "no roll" and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card or delivers the first stack to the wrong position, all hands shall be void, all wagers shall be returned to the players and the dealer shall reshuffle the cards.

(d) If the dealer exposes any of the cards dealt to a player, the player shall have the option of voiding the hand. Without looking at the unexposed cards, the player shall make the decision either to play out the hand or to void the hand.

(e) If a card or cards in the hand of the dealer are exposed, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(f) A card found turned face up in the deck or the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found turned face up in a deck or the shoe, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(i) If the dealer does not set his hands in the manner submitted to the Bureau of Gaming Operations under § 521.2 (relating to table games Rules Submissions), the hands shall be reset in accordance with the Rules Submission and the round of play completed.

(j) If a card is exposed while the dealer is dealing the seven stacks in accordance with § 561.10 (relating to

procedures for dealing the cards by hand), all wagers shall be returned to the players and the cards shall be reshuffled and redealt.

(k) If cards are being dealt by hand and the dealer fails to deal the seven stacks in accordance with § 561.10(c), all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(n) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 563. Texas Hold 'Em Bonus Poker

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§ 563.1. Definitions.

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

Bonus wager—An optional, supplemental wager on the two cards dealt to a player.

Burn—To remove the top or next card from the deck and place it face down in the discard rack without revealing it to anyone.

Community cards—Any of the five cards dealt face up in the center of the table that are used by each player and the dealer with their own two cards to form the best possible five-card poker hand.

Flop—The first three community cards dealt face up to the area designated for the placement of the community cards.

Flop wager—The second wager that is required to be made prior to the Flop being dealt in order to continue participation in the round of play.

Fold—The withdrawal of a player from a round of play by discarding his two cards prior to placing a Flop wager.

Hand—The highest ranking five-card hand that can be formed from the five community cards and the two cards dealt to the dealer or a player.

Rank or ranking—The relative position of a card or group of cards as set forth in § 563.6 (relating to Texas Hold 'Em Bonus Poker hand rankings).

River or River card—The fifth and final community card dealt face up to the designated area of the layout.

River wager—The fourth wager that the player may place prior to the River card being dealt.

Round of play or round—One complete cycle of play during which all players playing at the table have been dealt a hand, have folded or wagered upon their hand, and have had their wagers paid or collected in accordance with the rules of this chapter.

Turn or Turn card—The fourth community card dealt face up to the designated area of the layout.

Turn wager—The third wager that a player may place prior to the Turn card being dealt.

§ 563.2 Texas Hold 'Em Bonus Poker table physical characteristics.

(a) Texas Hold 'Em Bonus Poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a Texas Hold 'Em Bonus Poker table shall be approved by the Bureau of Gaming Operations and must contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate designated betting area at each player position for the placement of Ante Wagers.
- (3) Three separate designated areas at each player position for the placement of Flop, Turn and River Wagers, located immediately above the Ante Wager betting area as viewed by a player.
- (4) A separate designated area at each player position for the placement of an optional Bonus Wager, located immediately above and to the right of the Flop wager betting area as viewed by a player.
- (5) A separate designated area for the placement of the five community cards, located in the center of the table between the table inventory container and the player betting areas.
- (6) A separate designated area for the placement of the dealer's two cards, located between the table inventory container and the designated area for the community cards described in paragraph (5).
- (7) An inscription indicating that an Ante Wager shall receive a payout if a winning hand has a qualifying rank, preselected by the certificate holder in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), of straight or higher or flush or higher.

(c) Each Texas Hold 'Em Bonus Poker table must have a sign that lists the payout odds for all authorized wagers.

(d) Each Texas Hold 'Em Bonus Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer, in locations approved by the Bureau of Gaming Operations.

(e) Each Texas Hold 'Em Bonus Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

(f) Each Texas Hold 'Em Bonus Poker table must have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer, in locations approved by the Bureau of Gaming Operations.

(g) Each Texas Hold 'Em Bonus Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

§ 563.3 Cards; number of decks.

(a) Except as provided in subsection (b), the game of Texas Hold 'Em Bonus Poker shall be played with one deck of cards and two additional cover cards.

(b) If an automated card shuffling device is used, a certificate holder may use a second deck of cards to play the game, provided that:

- (1) Each deck of cards complies with subsection (a).
 - (2) The backs of the cards in the two decks are different colors.
 - (3) One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game.
 - (4) Both decks are continually alternated in and out of play, with each deck being used for every other round of play.
 - (5) The cards from only one deck shall be placed in the discard rack at any given time.
- (c) The decks of cards used in Texas Hold 'Em Bonus Poker shall be changed:
- (1) At least every 4 hours if the cards are dealt by hand.
 - (2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 563.4. Opening of the table for gaming.

- (a) After receiving the cards at the table, the dealer shall inspect the cards for any defects.
- (b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out by deck according to suit and in sequence.
- (c) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with § 563.5 (relating to shuffle and cut of the cards).
- (d) If a certificate holder uses an automated card shuffling device to play the game and two decks of cards are received at the table as permitted under § 563.3(b) (relating to cards; number of decks), each deck of cards shall be separately spread, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with subsections (a), (b) and (c).

§ 563.5. Shuffle and cut of the cards.

- (a) Immediately prior to commencement of play, unless the cards were preshuffled, and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.
- (b) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used and reveals that an incorrect number of cards are present, the deck shall be removed from the table.
- (c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures in § 563.8, § 563.9 or § 563.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

- (2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with subsection (d).
- (d) If a cut of the cards is required, the dealer shall:
- (1) Cut the deck, using one hand, by:
 - (i) Placing a cover card on the table in front of the deck of cards.
 - (ii) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.
 - (iii) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card.
 - (2) Deal the cards in accordance with § 563.8, § 563.9 or § 563.10.

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

(f) Whenever there is no gaming activity at a Texas Hold 'Em Bonus Poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, the cards shall be turned face up once a player arrives at the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 563.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 563.6. Texas Hold 'Em Bonus Poker hand rankings.

- (a) The rank of the cards used in Texas Hold 'Em Bonus Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or straight formed with a 2, 3, 4 and 5.
- (b) The permissible five-card poker hands at the game of Texas Hold 'Em Bonus Poker, in order of highest to lowest rank, shall be:
- (1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.
 - (2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.
 - (3) A four-of-a-kind, which is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2's being the lowest ranking four-of-a-kind.
 - (4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2's and two 3's being the lowest ranking full house.
 - (5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king,

queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight; provided however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, 2 and 3).

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

(8) Two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3's and two 2's being the lowest ranking two pair.

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

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

§ 563.7. Wagers.

(a) All wagers at Texas Hold 'Em Bonus Poker shall be made by placing gaming chips or plaques on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may not be accepted.

(b) All Ante and Bonus Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 563.8, § 563.9 or § 563.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 563.11 (relating to procedure for completion of each round of play; collection and payment of wagers), no wager may be made, increased or withdrawn after the dealer has announced "no more bets."

(c) After placing an Ante Wager, a player may also place a Bonus wager by placing, at a minimum, a \$1 gaming chip on the designated betting area of the layout. The outcome of the Bonus wager shall have no bearing on any other wager made by the player at the game of Texas Hold 'Em Bonus Poker.

(d) Flop, Turn and River Wagers shall be made in accordance with § 563.11.

(e) Only players who are seated at the Texas Hold 'Em Bonus Poker table may place a wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of player, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(f) A player may not be permitted to simultaneously play and wager on more than one player position at a Texas Hold 'Em Bonus Poker table.

§ 563.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location as approved by the Bureau of Gaming Operations. Once the procedures required under § 563.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante and Bonus Wagers are placed, the dealer shall announce "no more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his left who has placed an Ante Wager and continuing around the table in a clockwise manner, deal the cards as follows:

- (1) One card face down to each player.
- (2) One card face down to the area designated for the dealer's hand under a cover card.
- (3) A second card face down to each player.
- (4) A second card face down to the area designated for the dealer's hand under a cover card.

(e) After two cards have been dealt to each player and to the area designated for the hand of the dealer, and after all community cards have been dealt in accordance with § 563.11 (relating to procedure for completion of each round of play; collection and payment of wagers), 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 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

§ 563.9. Procedure for dealing the cards from the hand.

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

- (1) An automated shuffling device shall be used to shuffle the cards.
- (2) After the procedures required under § 563.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand.

(i) After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall announce "no more bets" and then deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(b) The dealer shall, starting with the player farthest to his left who has placed an Ante Wager and continuing around the table in a clockwise manner, deal the cards as follows:

- (1) One card face down to each player.
- (2) One card face down to the area designated for the dealer's hand under a cover card.
- (3) A second card face down to each player.
- (4) A second card face down to the area designated for the dealer's hand under a cover card.

(c) After two cards have been dealt to each player and to the area designated for the hand of the dealer and after all community cards have been dealt in accordance with § 563.11 (relating to procedure for completion of each round of play; collection and payment of wagers), the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

§ 563.10. Procedure for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 563.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) The dealer shall then announce "no more bets" prior to dispensing any stacks of cards.

(b) The dealer shall deal the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall,

moving clockwise around the table, deliver a stack of two cards face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of two cards face down under a cover card to the area designated for the dealer's hand.

(c) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 563.9(a)(2) and (3) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards in accordance with § 563.11 (relating to procedure for completion of each round of play; collection and payment of wagers). After all community cards have been dealt, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

§ 563.11. Procedure for completion of each round of play; collection and payment of wagers.

(a) After the dealing procedures required under § 563.8, § 563.9 or § 563.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards without exposing them to any person, replace the cards face down on the layout and either place a Flop Wager equal to twice the amount of the player's Ante Wager or fold and forfeit the Ante Wager.

(1) If a player chooses to place a Flop Wager, the wager shall be placed in the designated Flop betting area.

(2) If a player folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container.

(i) If the player has also placed a Bonus Wager, the player's cards shall remain on the table pending resolution of the Bonus Wager at the conclusion of the round of play.

(ii) If the player has not placed a Bonus wager, the dealer shall immediately spread the cards of the folded hand face down, collect the cards and place them in the discard rack.

(b) Once all players have either placed a Flop Wager or folded, the dealer shall burn the next card face down. The

dealer shall then turn face up the next three cards in the deck (the Flop) and place them in the designated area for the community cards.

(c) Prior to dealing and revealing the Turn card, the dealer shall, starting with the player farthest to the dealer's left who has placed a Flop Wager and proceeding around the table in a clockwise manner, ask each player who has placed a Flop Wager if he wishes to place a Turn Wager equal to the amount of the player's Ante Wager or check (not place a Turn wager). If a player wishes to place a Turn Wager, the wager shall be placed in the designated Turn betting area.

(d) Once all remaining players have either placed a Turn wager or checked, the dealer shall burn the next card face down. The dealer shall then turn face up the next card in the deck (the Turn) and place it in the designated area for the community cards.

(e) Prior to dealing and revealing the River card, the dealer shall, starting with the player farthest to the dealer's left who has placed a Flop Wager and proceeding around the table in a clockwise manner, ask each player if he desires to place a River Wager equal to the amount of the player's Ante Wager or check (not place a River wager). If a player wishes to place a River Wager, the wager shall be placed in the designated River betting area.

(f) Once all remaining players have either placed a River Wager or checked, the dealer shall burn the next card face down. The dealer shall then turn the next card in the deck (the River) face up and place it in the designated area for the community cards.

(g) The dealer shall remove the cover card on top of the dealer's cards and place it on the table layout. The dealer shall then turn the dealer's two cards face up, and announce and place the cards to indicate the best possible five-card poker hand that can be formed using the dealer's two cards and the five community cards.

(h) Starting with the player farthest to the dealer's right who has placed a Flop wager and proceeding in a counterclockwise manner around the table, the dealer shall turn face up the two cards of each player who has placed a Flop wager and announce the best possible five-card poker hand that can be formed using the two player cards and the five community cards. The wagers of each player shall be resolved one player at a time regardless of outcome. Unless a player has placed a Bonus Wager, after each player's other wagers have been resolved, the hand of the player shall then be collected by the dealer and placed in the discard rack.

(1) If the player's five-card poker hand has a lower rank than the dealer's five-card poker hand, the player shall lose and the dealer shall immediately collect any Ante, Flop, Turn and River Wagers made by the player and place the wagers in the table inventory container.

(2) If the player's five-card poker hand has a higher rank than the dealer's five-card poker hand, the player shall win and the dealer shall pay any Ante, Flop, Turn and River Wagers made by the player in accordance with the payout odds in § 563.12 (relating to payout odds), provided, however, that the Ante Wager may not be paid unless the player's winning hand has a rank of straight or higher or flush or higher as specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions).

(3) If the player's five-card poker hand and the dealer's five-card poker hand are of equal rank, the player's hand

shall be a tie and the dealer shall return any Ante, Flop, Turn and River Wagers placed by the player.

(4) After settling a player's Ante, Flop, Turn and River Wagers, the dealer shall settle any Bonus Wager made by the player by determining whether the player's two cards qualify for a payout in accordance with § 563.12(c). A winning Bonus wager shall be paid without regard to the outcome of any other wager made by the player. After the Bonus wager of the player is settled, the dealer shall immediately collect the cards of that player and place them in the discard rack.

(i) All cards collected by the dealer shall be picked up in order and placed in the discard rack in a way that the cards can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 563.12. Payout odds.

(a) The payout odds for winning wagers at Texas Hold 'Em Bonus Poker printed on the table layout, on any sign or in any brochure or other publication distributed by a certificate holder shall be stated through the use of the word "to" and no odds may be stated through the use of the word "for."

(b) A certificate holder shall pay each winning Ante, Flop, Turn and River Wager at odds of 1 to 1.

(c) A certificate holder shall pay each winning Bonus Wager at the game of Texas Hold 'Em Bonus Poker at the odds preselected by the certificate holder in its Rules Submission under § 521.2 (relating to table games Rules Submissions), which shall be no less than the following odds:

<i>Player's Two Cards</i>	<i>Payout Odds</i>
Ace-ace	30 to 1
Ace-king (same suit)	25 to 1
Ace-queen or ace-jack (same suit)	20 to 1
Ace-king (different suits)	15 to 1
King-king, queen-queen or jack-jack	10 to 1
Ace-queen or ace-jack (different suits)	5 to 1
A pair of 10-10 through two-two	3 to 1

(d) A certificate holder may, in the certificate holder's Rules Submission under § 521.2, supplement the pay table in subsection (c) to include a payout for when both a player and the dealer have a pair of aces. If the certificate holder elects to offer this bonus, the player shall be paid at the odds specified in the certificate holder's Rules Submission under § 521.2 which shall be of no less than 1000 to 1.

(e) Notwithstanding the payout odds in subsections (b)—(d), the maximum aggregate payout limit on all winning Ante, Flop, Turn, River and Bonus Wagers for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

§ 563.13. Irregularities.

(a) If any card dealt to the dealer in Texas Hold 'Em Bonus Poker is exposed prior to each player having either folded or placed a Flop, Turn or River Wager as provided for under § 563.11 (relating to procedure for completion of each round of play; collection and payment of wagers),

all hands shall be void and all Ante, Flop, Turn and River Wagers shall be returned to the players. If a player has placed a Bonus wager, the Bonus wager shall be settled in accordance with the payout odds in § 563.12(c) (relating to payout odds).

(b) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer have received their initial two cards, any Bonus Wager shall be settled in accordance with the payout odds in § 563.12(c).

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

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

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

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

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 565. THREE CARD POKER

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§ 565.1. Definitions.

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

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

Pair Plus Wager—The wager that a player is required to make prior to any cards being dealt in order to compete against a posted scale of payouts, regardless of the outcome of the player's hand against the dealer's hand.

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

Round of play—One complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with the rules of this chapter.

§ 565.2. Three Card Poker table physical characteristics.

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

(b) The layout for a Three Card Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

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

(2) A separate designated betting area at each betting position for the placement of an Ante Wager.

(3) A separate designated betting area located immediately in front of each Ante Wager betting area for the placement of a Play Wager.

(4) A separate designated betting area located immediately behind each Ante Wager betting area for the placement of a Pair Plus Wager.

(5) Inscriptions that advise patrons of the payout odds for Ante and Play Wagers, Pair Plus Wagers and Ante bonuses and the phrase "Dealer Plays with Queen High or Better."

(c) If payout odds are not inscribed on the layout as required under subsection (b)(5), a sign identifying the payout odds for all authorized wagers shall be posted at each Four Card Poker table.

(d) Each Three Card Poker table must have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, in locations approved by the Bureau of Gaming Operations.

(e) Each Three Card Poker table must have a discard rack securely attached to the top of the dealer's side of the table in a location approved by the Bureau of Gaming Operations.

§ 565.3. Cards; number of decks.

(a) Except as provided in subsection (b), Three Card Poker shall be played with one deck of cards with backs of the same color and design and one cover card to used in accordance with §§ 565.5 and 565.10(b) (relating to shuffle and cut of the cards; and procedures for dealing the cards from an automated dealing shoe).

(b) If an automated card shuffling device is used, a certificate holder may use a second deck of cards to play the game, provided that:

(1) Each deck of cards complies with the requirements of subsection (a).

(2) The backs of the cards in the two decks are different colors.

(3) One deck is being shuffled by the automated card shuffling device while the other deck is being used to play the game.

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

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

(c) The decks of cards used in Three Card Poker shall be changed:

(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.

§ 565.4. 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.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out 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, they shall be shuffled in accordance with § 565.5 (relating to shuffle and cut of the cards).

(d) If a certificate holder uses an automated card shuffling device to play the game and two decks of cards are received at the table as permitted under § 565.3(b) (relating to cards; number of decks), each deck of cards shall be separately spread, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the subsections (a), (b) and (c).

§ 565.5. Shuffle and cut of the cards.

(a) Immediately prior to the commencement of play, unless the cards were reshuffled and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section prohibits the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is being used and 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 § 565.8, § 565.9 or § 565.10 (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 reshuffled, cut the cards in accordance with the procedures in subsection (d).

(d) If a cut of the cards is required, the dealer shall:

(1) Cut the deck, using one hand, by:

(i) Placing the cover card on the table in front of the deck of cards.

(ii) Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card.

(iii) Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card.

(2) Deal the cards in accordance with § 565.8, § 565.9 or § 565.10.

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

(f) Whenever there is no gaming activity at a Three Card Poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, the cards shall be turned face up once a player arrives at the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 565.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 565.6. Three Card Poker rankings.

(a) The rank of the cards used in Three Card Poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. All suits shall be equal in rank. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a two and three.

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

(1) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, with an ace, king and queen being the highest ranking straight flush and a three, two and ace being the lowest ranking straight flush.

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

(3) A straight, which is a hand consisting of three cards of more than one suit and of consecutive rank, with an ace, king and queen being the highest ranking straight and a three, two and ace being the lowest ranking straight; provided however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, king, ace and 2).

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

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

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

§ 565.7. Wagers.

(a) The following wagers may be placed in the game of Three Card Poker:

(1) A player may compete solely against the dealer by placing an Ante Wager in an amount within the minimum and maximum wagers posted at the table and then placing a Play Wager in an equal amount.

(2) A player may compete solely against a posted payout table by placing a Pair Plus Wager, which wager may be in any amount within the minimum and maximum wagers posted at the table.

(3) A player may compete against both the dealer and the posted payout table by placing wagers in accordance with paragraphs (1) and (2).

(b) All wagers at Three Card Poker shall be made by placing gaming chips or plaques on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may not be accepted.

(c) Only players who are seated at a Three Card Poker table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(d) Ante Wagers and Pair Plus Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 565.8, § 565.9 or § 565.10 (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 for Play Wagers, no wager shall be made, increased or withdrawn after the dealer has announced "no more bets." All Play Wagers shall be placed in accordance with § 565.11(b) (relating to procedures for completion of each round of play).

(e) A certificate holder may, if specified in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), permit a player to simultaneously play and place wagers at two adjacent betting positions during a round of play.

(f) Notwithstanding subsection (a), a certificate holder may offer a version of the game of Three Card Poker requiring:

(1) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount at least equal to the Pair Plus Wager.

(2) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount at least equal to one-half the Pair Plus Wager.

(3) The compulsory placement of an Ante Wager and a Pair Plus Wager, provided that one wager may be placed in an amount up to a maximum of five times the amount of the other wager without regard to which wager is the greater of the two.

§ 565.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe shall be located on the table in a location approved by the Bureau of Gaming Operations. Once the procedures required under § 565.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing the cards and after all Ante and Pair Plus Wagers are placed, the dealer shall announce "no more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed a wager in accordance with § 565.7 (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. All cards shall be dealt face down.

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

(f) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than three cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 565.9. 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 § 565.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand.

(i) After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.

(ii) The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(3) The dealer shall then announce "no more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(b) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed a wager in accordance with § 565.7 (relating to wagers) and to the dealer until each player

who placed a wager and the dealer have three cards. All cards shall be dealt face down.

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

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than three cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 565.10. 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 § 565.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) The dealer shall then announce “no more bets” prior to the shoe dispensing any stacks of cards.

(b) The dealer shall deal the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed a wager in accordance with § 565.7 (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deal a stack face down to each of the other players who has placed a wager in accordance with § 565.7. The dealer shall then place a cover card on top of the dealer’s stack of three cards in the automated dealing shoe and deal the stack face down with the cover card on top to the area designated for the placement of the dealer’s cards.

(c) After each stack of three cards has been dispensed and dealt in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every five rounds of play to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than three cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards have not been misdealt, all hands shall be considered void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 565.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 565.8, § 565.9 or § 565.10 (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. Each player who wagers at Three Card Poker shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(b) After examination of his cards, each player who has placed an Ante Wager shall have the option to either make a Play Wager in an amount equal to the player’s Ante Wager or forfeit the Ante Wager and end his participation in the round of play. The dealer shall offer this option to each player, starting with the player farthest to the left of the dealer and moving clockwise around the table in order. If a player has placed an Ante Wager and a Pair Plus Wager as required under § 565.7(f) (relating to wagers) but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager.

(c) After each player has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer’s cards and place the cards so as to form the highest possible ranking hand. If an automated dealing shoe is used to deal the cards, the cover card shall be removed from the dealer’s hand and placed on the table layout immediately next to the automated dealing shoe.

(d) The dealer shall then settle the wagers remaining on the table, starting with the player farthest to the dealer’s right and continuing counterclockwise around the table until the following procedure has been completed for all of the remaining players:

(1) Reveal the three card hand of all of the remaining players.

(2) Collect all losing wagers.

(3) Pay all winning wagers in accordance with the payout odds listed in § 565.12 (relating to payout odds).

(e) After all wagers have been settled, the cards shall be collected by the dealer and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 565.12. Payout odds.

(a) If the dealer does not hold a hand with a queen high or better rank, the Ante Wager shall automatically be paid 1 to 1 and the Play Wager shall be returned to the player.

(b) If the dealer holds a hand with a queen high or better rank, a player in competition against the dealer shall be paid 1 to 1 on both the Ante Wager and the Play Wager if the player's hand is ranked higher than the dealer's hand.

(c) If the dealer holds a hand with a queen high or better rank and a player holds a hand with a rank equal to the dealer's hand, the hand will be a tie and the player's Ante Wager and Play Wager shall be returned to the player.

(d) A player placing a Pair Plus Wager, shall be paid in accordance with a posted pay table, regardless of whether the player's hand outranks the dealer's hand, which contains the odds preselected by the certificate holder in the certificate holder's Rules Submission under § 521.2 (relating to table games Rules Submissions), which are no less than the following:

Pair	1 to 1
Flush	3 to 1
Straight	5 to 1
Three-of-a-kind	25 to 1
Straight flush	35 to 1
Mini royal flush (ace, king, queen)	35 to 1

(e) A player placing an Ante Wager and a Play Wager shall be paid a bonus, regardless of whether the player's hand outranks the dealer's hand, if the player's hand consists of the following:

Straight	Pays 1 to 1
Three-of-a-kind	Pays 4 to 1
Straight flush	Pays 5 to 1

(f) If a certificate holder offers a version of Three Card Poker under § 565.7(f), a player placing an Ante Wager and Play Wager shall be paid an Ante Bonus, regardless of whether the player's hand outranks the dealer's hand, in accordance with one of the following pay tables preselected by the certificate holder in its Rules Submission under § 521.2:

	A	B	C
Straight	1 to 1		
Three-of-a-kind	3 to 1	6 to 1	3 to 1
Straight flush	4 to 1	8 to 1	4 to 1
Mini royal flush (ace, king, queen)	5 to 1	50 to 1	10 to 1
Mini royal flush of spades (ace, king, queen)	50 to 1		50 to 1

§ 565.13. 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 dealt in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

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

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards as prescribed in § 565.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(g) An automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

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