

PROPOSED RULEMAKINGS

BOARD OF COAL MINE SAFETY

[25 PA. CODE CH. 208]

Requirements for Automated External Defibrillators

The Board of Coal Mine Safety (Board) proposes to amend the Department of Environmental Protection's (Department) regulations in Chapter 208 (relating to underground coal mine safety) to read as set forth in Annex A. This proposed rulemaking establishes safety standards relating to automated external defibrillators (AED).

This proposal was adopted by the Board at its meeting on October 26, 2010.

A. *Effective Date*

This proposed rulemaking will go into effect 90 days after final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Persons*

For further information, contact Joseph Sbaffoni, Director, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469; or Richard Morrison, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available through the Department's web site: <http://www.depweb.state.pa.us>.

C. *Statutory Authority*

The rulemaking is proposed under the authority of sections 106, 106.1 and 106.2 of the Bituminous Coal Mine Safety Act (BCMSA) (52 P. S. §§ 690-106, 106.1 and 106.2), which authorizes the adoption of regulations implementing the BCMSA including additional safety standards. The Board is directed to consider adopting regulations implementing the Mine Improvement and New Emergency Response Act of 2006 (MINER Act) (Pub. L. No. 109-236) from the United States Department of Labor, Mine Safety and Health Administration (MSHA). This rulemaking is also proposed under section 1917-A of The Administrative Code of 1929 (71 P. S. § 510-17), which authorizes the Department to prevent the occurrence of a nuisance.

D. *Background and Purpose*

At the National level, MSHA regulates mine safety under the Federal Mine Safety and Health Act of 1977 (Mine Safety Act) (30 U.S.C.A. §§ 801—965). The MSHA regulations are in 30 CFR Parts 1—199. The operating requirements for underground coal mines are in 30 CFR Part 75 (relating to mandatory safety standards—underground coal mines).

The Mine Safety Act only preempts state laws or regulations that are less stringent than or that conflict with MSHA standards. See section 955 of the Mine Safety Act (30 U.S.C.A. § 955), regarding state laws. Unlike a state's ability under other Federal statutes to obtain

primacy (primary enforcement authority), a state cannot obtain authority to enforce the Mine Safety Act in that state's jurisdiction. As a result, a number of states maintain an independent underground coal mine safety program with the mine operator being subject to two mine safety programs.

On June 15, 2006, the United States Congress amended the Mine Safety Act by enacting the MINER Act. The MINER Act addresses safety issues raised by fatal mine accidents at the Sago and Alma Mines in West Virginia and the Darby Mine in Kentucky. In addition, Congress adopted the Consolidated Appropriations Act of 2008 (Pub. L. No. 110-161) directing the MSHA to adopt new belt conveyor flame-resistance standards. In accordance with these congressional mandates, the MSHA has promulgated regulations addressing the flammability of belt conveyors, the strength of seals for abandoned areas, escapeways, refuge alternatives, post-accident breathable air, communications, tracking and mine rescue teams.

The Commonwealth has been regulating safety at underground bituminous coal mines since 1889. See the act of May 9, 1889 (P. L. 154, No. 171), regarding the recovery of the bodies of workmen. On July 7, 2008, the General Assembly enacted the BCMSA. The BCMSA is the first significant update of the Commonwealth's underground bituminous coal mine safety laws since 1961. See section 103(a) of the BCMSA (52 P. S. § 690-103(a)).

One of the significant changes made by the BCMSA is authority to promulgate regulations for mine safety. The General Assembly established the Board to promulgate regulations. The seven-member Board consists of the Department's Secretary as chairperson and three members representing the viewpoint of mine workers and the viewpoint of underground bituminous coal mine operators respectively. See section 106 of the BCMSA.

A significant problem with the pre-existing law is that its safety standards were becoming outdated. See section 103 of the BCMSA. There was not an effective mechanism to modify existing standards or to adopt new safety standards to address changes in technology or other hazards.

To rectify this problem, the BCMSA contains broad rulemaking authority to adopt regulations to either modernize safety standards in the BCMSA or adopt new safety standards not in the BCMSA. See section 106 of the BCMSA. The Board was directed to start considering whether to adopt Federal mine safety standards not in the BCMSA. See section 106.1 of the BCMSA. Of particular concern is the adoption of regulations implementing safety standards established by the MINER Act regulations. See section 106.1(h) of the BCMSA.

E. *Summary of Regulatory Requirements*

§ 208.70. *Automated external defibrillators*

The Board is responding to a letter from a citizen, Karen J. Hampton of Fairview, who requested that AEDs be placed at coal mines for miners' safety. An AED is a portable device that uses electric shock to restore a stable heart rhythm. The Board agreed that placing AEDs at coal mines would be in the best interests of the miners' safety.

This regulation requires mine operators to place one AED at a surface location of each mine as well as one AED at each coal producing section of each mine. Emergency medical personnel shall be trained in the proper use of an AED.

F. *Benefits, Costs and Compliance*

Benefits

The intent of this proposed rulemaking is to ensure that an AED is available should a miner have a heart attack while on the job. Trained emergency management personnel may be able to save a miner's life with the use of an AED at the mine rather than waiting for an ambulance to arrive. Since the 38 underground bituminous coal mines in this Commonwealth employ approximately 4,420 people, this proposed rulemaking protects all mine workers.

Compliance costs

Each mine owner will be required to purchase the requisite number of AEDs.

G. *Sunset Review*

This proposed regulation will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the proposed regulation effectively fulfills the goals for which it was intended.

H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 26, 2011, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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

I. *Public Comments*

Written comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Board of Coal Mine Safety, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by December 5, 2011. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by December 5, 2011. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final-form rulemaking will be considered.

Electronic comments—Comments may be submitted electronically to the Board at RegComments@pa.gov and must also be received by the Board by December 5, 2011. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

MICHAEL L. KRANER,
Chairperson

Fiscal Note: 7-463. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE IV. OCCUPATIONAL HEALTH AND SAFETY

CHAPTER 208. UNDERGROUND COAL MINE SAFETY

GENERAL PROVISIONS

§ 208.1. Definitions.

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

AED—Automated external defibrillator—A portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.

* * * * *

(*Editor's Note:* The following section is new and printed in regular type to enhance readability.)

AUTOMATED EXTERNAL DEFIBRILLATORS

§ 208.70. Automated external defibrillators.

(a) *Location.* A mine operator shall provide for use in an emergency one AED at the following locations, consistent with the Equipment Approval Task Force guidelines:

- (1) A location on the surface of the mine.
- (2) On or near each coal producing section.

(b) *Training.*

(1) Emergency medical personnel at the mine shall complete training in the use of an AED. The mine operator may include the required AED training in its continuing education plan for emergency medical personnel. Training in the use of the AED for emergency medical personnel shall be provided in accordance with the standards of the American Heart Association, the American National Red Cross or through an equivalent course of instruction approved by the Department of Health.

(2) Mine personnel, other than emergency medical personnel, shall receive yearly training in the operation of the AED. Training may be provided as part of the annual refresher training provided under 30 CFR 48.8(c) (relating to annual refresher training of miners; minimum courses of instruction; hours of instruction).

(c) *Maintenance and inspection.* AEDs shall be maintained and inspected according to manufacturer's operational guidelines.

(d) *Good Samaritans.* Section 8331.2 of 42 Pa.C.S. (relating to Good Samaritan civil immunity for use of automated external defibrillators) applies to miners who render care with an AED.

[Pa.B. Doc. No. 11-1874. Filed for public inspection November 4, 2011, 9:00 a.m.]

COMMISSION ON CRIME AND DELINQUENCY

[37 PA. CODE CH. 431]

Constables' Education and Training Board Amendments

The Constables Education and Training Board (Board) of the Commission on Crime and Delinquency (Commission) proposes to amend §§ 431.14, 431.15, 431.22, 431.32 and 431.42 and rescind §§ 431.45 and 431.46 (relating to eligibility for waiver; and scope of waiver) to read as set forth in Annex A.

Statutory Authority

The proposed rulemaking is authorized under 44 Pa.C.S. § 7144(10) (relating to program established).

Purpose

This proposed rulemaking will amend regulations to coincide with current Board policy and practices regarding certification, training attendance policies and financial responsibility. This proposed rulemaking will also eliminate waiver of the firearms qualification course for law enforcement officers, add the 21 years of age requirement for the firearm qualification and eliminate 10MM caliber firearm.

Effective Date

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

Contact Person

For further information on the proposed rulemaking, contact John Pfau, Manager, Bureau of Training Services, Commission on Crime and Delinquency, P. O. Box 1167, Harrisburg, PA 17108-1167, (717) 265-8546. This proposed rulemaking is available on the Commission's web site at www.pccd.state.pa.us.

Summary of Amendments

Proposed amendments to § 431.14(d) (relating to lapse of certification) allow the Board to reactivate a constable's lapsed certification if the constable has successfully completed the basic training course.

Proposed amendments to § 431.15 (relating to certification numbers) allow the Board to reactivate the original certification of a constable who has been re-elected or reappointed after the constable has completed a basic training course. Subsection (b) is proposed to be deleted because it is not necessary.

Proposed amendments to § 431.22 (relating to requirements) require that a constable who fails a first and second examination in basic training bear the financial responsibility for a second and third basic training. Additionally, amendments are proposed for language consistency.

Proposed amendments to §§ 431.25 and 431.35 (relating to attendance policies) discourage "no-shows," thereby saving the Board money for reserving a place in class. Proposed amendments also place financial responsibility for subsequent class enrollments on the constable.

Proposed amendments to § 431.42 (related to eligibility for firearms qualification) allow only certified constables who are 21 years of age or older to enroll in a firearms qualification course.

Proposed amendments to § 431.43 (related to firearm and ammunition) eliminate the 10MM caliber from the list of firearms in subsection (b).

Sections 431.45 and 431.46 are proposed to be rescinded to eliminate waivers of firearms training for law enforcement officers to ensure that constables have the same level of training as provided by the Board.

Proposed amendments to § 431.47 (relating to attendance policies) discourage "no shows" and place financial responsibility for subsequent enrollments on the constable. Proposed subsections (c)—(e) reflect current existing policies.

Proposed amendments to § 431.48 (relating to lapse of qualification) address language consistency and add subsection (b) to address reactivation of firearms qualification.

Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements. Paperwork will be decreased with the process of reactivating lapsed, rather than issuing new certifications.

Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. Constables who fail to achieve a passing score in a second examination following basic training will be adversely affected because they will be required to bear financial responsibility for a second training. If the constable fails the second basic training examination, he will bear the responsibility for a third basic training course.

Because waiver of firearms training is proposed to be eliminated, additional costs will be incurred for training. However, the Constables' Education and Training Account is the only fund affected by this proposed rulemaking. This account is funded by the \$5 surcharge collected for services that constables perform for the minor judiciary. Presuming that 11 law enforcement officers apply for training in a given year (an average of past years), the cost would be \$516 per law enforcement officer or \$5,676. The on-going costs of retraining those 11 constables every year would be \$3,333. These costs can be supported by the Constable's Education and Training Account.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 26, 2011, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Local Government Committees. A copy of this material is available to the public upon request.

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

Public Comments

Interested persons are invited to submit written comments about the proposed rulemaking to John Pfau, Manager, Bureau of Training Services, Commission on

Crime and Delinquency, P. O. Box 1167, Harrisburg, PA 17108-1167 within 30 days after this publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments will be posted on IRRC's web site. Personal information will be redacted from the public comments received.

HONORABLE RICHARD OPIELA,
Chairperson
Constables' Education and Training Board

Fiscal Note: 35-32. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 37. LAW

PART VI. COMMISSION ON CRIME AND DELINQUENCY

CHAPTER 431. CONSTABLES' EDUCATION AND TRAINING BOARD

CERTIFICATION

§ 431.14. Lapse of certification.

* * * * *

(d) The Board will [**not**] reactivate a certification 5 years or more after the lapse of a constable's certification[. **The Board will issue a new certification**] upon the constable's successful completion of a basic training course.

§ 431.15. Certification numbers.

* * * * *

(b) [**If a person who successfully completes basic training has not been elected or appointed as constable, the Board will issue a certification number upon the individual's election or appointment and the notification to the Board by the constable of the election or appointment.**

(c) [The Board will reissue the original certification number to a constable who successfully completes continuing education.

[(d)] (c) A person is required to notify the Board by telephone, facsimile transmission or electronic mail within 48 hours after the person has vacated the office of constable or deputy constable. The Board will place the person's certification number into inactive status upon notification.

[(e)] (d) A person who is reelected or reappointed to the office of constable after vacating it shall notify the Board. Based upon the timing of reelection or reappointment, the Board will do one of the following:

* * * * *

(3) If the reelection or reappointment occurs 5 years or more after the date on which the office was vacated, the Board will [**issue a new certification number**] reactivate the original certification upon the constable's successful completion of a basic training course.

BASIC TRAINING

§ 431.22. Requirements.

(a) A constable [**or other person shall**] will be required to attain the following to complete a basic training course:

* * * * *

(b) A constable [**or other person**] who fails to achieve a passing score on a written examination may undergo a second **written** examination.

(c) A constable [**or other person**] who fails to achieve a passing score [**in**] on a second **written** examination may attend and complete a second basic training course in its entirety. **The constable shall bear financial responsibility for the cost of the additional basic training course.**

(d) A constable [**or other person**] may attend a third basic training course upon failing to complete the second **basic training** course, but [**shall**] **will not** be given [**no**] additional opportunities upon failing to complete the third course. **The constable shall bear financial responsibility for the cost of the additional basic training course.**

§ 431.25. Attendance policies.

(a) [**A person who is not a constable but who intends to seek election or appointment as a constable may register and attend basic training if an opening is available and the person bears financial responsibility for the cost.**

(b) [**A constable [or other person who registers for] who enrolls in a basic training course may withdraw from the course without penalty upon timely notification to [the director of] the school conducting the basic training course. A notification shall be deemed timely if it is delivered to the director of the school or a designee no later than 7 calendar days prior to the start of classes. The school may assess a failing grade for [all or part of] the basic training course if the constable [or other person] fails to provide timely notification [and the Board finds that substantial mitigating circumstances do not exist] or to show good cause.**

(b) **If notification to withdraw is not given or is deemed untimely and good cause is not shown and the constable wishes to attend another basic training course in the same training year or in the next training year, the constable shall bear financial responsibility for the cost of the additional basic training course. Payment must be received by the Commission within 2 weeks of class start date in the form of a certified check or money order.**

(c) **A constable who successfully completes a basic training course may not attend another basic training course in the same training year.**

CONTINUING EDUCATION

§ 431.35. Attendance policies.

(a) A constable who [**registers for**] enrolls in a continuing education course may withdraw without penalty upon timely notification to [**the director of**] the school conducting the continuing education course. A notification [**will**] **shall** be deemed timely if it is delivered to the director of the school or a designee no later than 7 **calendar** days prior to the **class start [of classes] date**. The school may assess a failing grade for [**the entire course or applicable topic**] **all or part of the continuing education course** if the constable fails to provide timely notification [**and the Board**

finds that substantial mitigating circumstances do not exist] or to show good cause.

(b) If notification to withdraw is not given or is deemed untimely and good cause is not shown and the constable wishes to attend another continuing education course in the same training year or in the next training year, the constable shall bear financial responsibility for the cost of the additional continuing education course. Payment must be received by the Commission within 2 weeks of class start date in the form of a certified check or money order.

(c) A constable or deputy constable who successfully completes a continuing education course may not attend another continuing education course in the same training year.

FIREARMS QUALIFICATION

§ 431.42. Eligibility for firearms qualification.

A constable holding certification who is 21 years of age or older and who is not precluded under State or Federal law from possessing or using a firearm may enroll in a firearms qualification course.

§ 431.43. Firearm and ammunition.

* * * * *

(b) The firearm provided shall be of a design generally acceptable for law enforcement usage, and shall be in a condition for safe operation as designed and intended by the firearm manufacturer. The firearm provided shall be one of the following calibers:

* * * * *

[(7) 10MM.]

§ 431.45. [Eligibility for waiver] (Reserved).

[(a) A constable who is currently employed as a municipal police officer, deputy sheriff or officer of the Game Commission or the Fish and Boat Commission may apply to the Board for a full or partial waiver of a Board firearms qualification course if the constable demonstrates that training and certification required to carry and use a firearm in the other occupation are current.

(b) A constable shall apply to the Board for each separate firearms qualification course for which the constable is seeking waiver.]

§ 431.46. [Scope of waiver] (Reserved).

[The Board may grant a waiver relating to a Board firearms qualification course for those topics that also were covered in the firearms training for the other occupation.]

§ 431.47. Attendance policies.

(a) *Withdrawal.* A constable who enrolls in a firearms qualification course may withdraw from the course without penalty upon timely notification to the school conducting the **firearms qualification** course. A notification [will] shall be deemed timely if it is delivered to the director of the school [at least 7] or a designee no later than 7 calendar days prior to the start of classes. The school may assess a failing grade for all or part of the course if the constable fails to provide timely notice [and the Board finds that substantial mitigating circumstances do not exist].

(b) *Financial responsibility.* If notification to withdraw is not given or is deemed untimely and good cause is not shown and the constable wishes to attend another firearms qualification course in the same training year or in the next training year, the constable shall bear financial responsibility for the cost of the additional firearms qualification course. Payment must be received by the Commission within 2 weeks of class start date in the form of a certified check or money order.

(c) *New weapons.*

(1) A constable who successfully completes a firearms qualification course may not attend another firearms qualification course in the same training year.

(2) If a constable obtains a new weapon after having successfully completed the annual firearms qualification, the constable may attend, without penalty, another firearms training class and complete the qualification course-of-fire using the new weapon. Attendance at another firearms course is subject to course availability.

(d) *Advanced firearms failures.* If a constable attends an advanced firearms qualification course and fails to successfully complete the qualification course-of-fire, the constable may attend, without penalty, a basic or annual firearms qualification course in its entirety.

(e) *Weapons malfunctions.* If a constable fails to successfully complete the qualification course-of-fire during a firearms qualification course because of a weapon malfunction, the constable may attend, without penalty, another firearms qualification course in its entirety or may retake, without penalty, the portion of the firearms qualification course during and after which the malfunction occurred. Attendance at another firearms course is subject to course availability. A firearms instructor shall document weapons malfunctions.

§ 431.48. Lapse of qualification.

(a) A firearms qualification will lapse immediately if a [person] constable no longer meets all of the eligibility criteria [of] in § 431.42 (relating to eligibility for firearms qualification), or does not complete a firearms qualification course in the calendar year following the person's most recent completion of [such] a firearms qualification course.

(b) The Board will reactivate a firearms certification that is lapsed for 3 years or more upon the constable's successful completion of a basic firearms qualification course.

[Pa.B. Doc. No. 11-1875. Filed for public inspection November 4, 2011, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 551, 553, 571, 573, 635a, 637a, 655a AND 657a]

Table Game Rules for Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30)

(relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1)—(4) (relating to regulatory authority), proposes to rescind Chapters 551, 553, 571 and 573 and add Chapters 635a, 637a, 655a and 657a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

With this proposed rulemaking, the Board is proposing to replace the temporary regulations in Chapter 551 (relating to Spanish 21) with the permanent regulations in Chapter 635a (relating to Spanish 21), temporary regulations in Chapter 553 (relating to Poker) with the permanent regulations in Chapter 637a (relating to Poker), the temporary regulations in Chapter 571 (relating to Mississippi Stud) with the permanent regulations in 655a (relating to Mississippi Stud) and the temporary regulations in Chapter 573 (relating to Crazy 4 Poker) with the permanent regulations in Chapter 657a (relating to Crazy 4 Poker).

Explanation of Chapter 635a

Chapter 635a contains the rules governing the play of Spanish 21. Section 635a.1 (relating to definitions) contains the definitions of terms used throughout the chapter. In § 635a.2 (relating to Spanish 21 table; card reader device; physical characteristics; inspections), the physical characteristics of the table and card reader device are specified.

The remaining sections address the following: the number of decks of cards used for play of the game; the opening of the Spanish 21 table for play; the shuffling of cards; permissible wagers; dealing procedures; the payout odds for permissible wagers; and how irregularities in play are to be handled.

Explanation of Chapter 637a

Chapter 637a contains the rules governing the play of nonbanked Poker games. Section 637a.1 (relating to definitions) contains the definitions of terms used throughout the chapter. In § 637a.2 (relating to Poker table physical characteristics), the physical characteristics of the table are specified.

The remaining sections address the following: the number of decks of cards used for play of the game; the opening of the Poker table for play; the shuffling of cards; the value and rank of the cards; placement of bets; dealing procedures; how Poker revenue is calculated; the conduct of players at a Poker table; and how irregularities in play are to be handled.

Based on requests received from the operators on the temporary rulemaking, an additional Seven-card Stud Poker game, Seven-card Stud Low, also known as Razz, was added to the proposed rulemaking. Additionally, in Hold 'Em and Omaha Poker, the Straddle Bet was added as an optional bet if allowed by the certificate holder.

Explanation of Chapter 655a

Chapter 655a contains the rules governing the play of Mississippi Stud. Section 655a.1 (relating to definitions) contains the definitions of terms used throughout the chapter. In § 655a.2 (relating to Mississippi Stud table physical characteristics), the physical characteristics of the table are specified.

The remaining sections address the following: the number of decks of cards used for play of the game; the opening of the Mississippi Stud table for play; the shuffling of cards; the value and rank of the cards; permissible wagers; dealing procedures; the payout odds for all permissible wagers; and how irregularities in play are to be handled.

Explanation of Chapter 657a

Chapter 657a contains the rules governing the play of Crazy 4 Poker. Section 657a.1 (relating to definitions) contains the definitions of terms used throughout the chapter. In § 657a.2 (relating to Crazy 4 Poker table physical characteristics), the physical characteristics of the table are specified.

The remaining sections address the following: the number of decks of cards used for play of the game; the opening of the Crazy 4 Poker table for play; the shuffling of cards; the value and rank of the cards; permissible wagers; dealing procedures; the payout odds for all permissible wagers; and how irregularities in play are to be handled.

Implementation of Subpart K

To reduce confusion in the regulated community and to ensure that references are valid when printed as a final-form rulemaking, the Legislative Reference Bureau will hold all final-form rulemakings which contain references to other chapters that have not been printed as final-form rulemakings. Those approved final-form rulemakings will be published collectively.

Affected Parties

Certificate holders that elect to offer the games of Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker shall be required to comply with these requirements. The requirements for the games are standard throughout the industry, consistent with 4 Pa.C.S. Part II (relating to gaming) and necessary for the protection of the gaming public and the revenues generated from table games.

The Board has experienced increased regulatory demands resulting from the implementation of table games including the review of Rules Submissions, table layouts, signage and gaming guides.

Fiscal Impact

Commonwealth. The Board will have to review each certificate holder's table games Rules Submissions, table layouts, signage and gaming guides to ensure compliance with the regulatory requirements in this proposed rulemaking. These reviews will be conducted by existing Bureau of Gaming Operations and Bureau of Casino Compliance staff. The Board does not project that it will incur significant cost increases as a result of this proposed rulemaking.

Political subdivisions. This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth. Host municipalities and counties will benefit from the local share funding mandated by the act of January 7, 2010 (P. L. 1, No. 1).

Private sector. This proposed rulemaking will result in additional costs for certificate holders that elect to offer Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker. Certificate holders will be required to purchase the table games they elect to offer and to hire and train employees to operate the games. The costs for table game equipment do vary depending on the type and number of tables purchased. The costs are expected to be offset by the revenues generated from table game operations.

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

Paperwork Requirements

This proposed rulemaking will require certificate holders to post signs at gaming tables, have complete sets of rules for the games they offer available for public inspec-

tion, produce a gaming guide summarizing the rules of the games they offer and file Rules Submissions for each table game they elect to offer. The Rules Submissions are standardized checklists for each game, relatively simple to fill out and available on the Board's web site. Additionally, there is a link on the web site for submitting the forms directly to the Bureau of Gaming Operations for review and approval.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the *Pennsylvania Bulletin*, to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Table Games Rules, Regulation # 125-159.

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Assistant Chief Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 26, 2011, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.pgcb.state.pa.us.

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

WILLIAM H. RYAN, Jr.,
Chairperson

(Editor's Note: Proposed Chapters 635a, 637a, 655a and 657a reference proposed Chapters 601a, 603a and 605a, which will be adopted on or before the date of final adoption of this proposed rulemaking.)

Fiscal Note: 125-159. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 551. (Reserved)

(Editor's Note: As part of this proposed rulemaking, the Board is proposing to rescind Chapter 551 which appears in 58 Pa. Code pages 551-1—551-14, serial pages (352375), (352376), (350057), (350058) and (351013)—(351022).)

Sec.
551.1—551.16. (Reserved).

CHAPTER 553. (Reserved)

(Editor's Note: As part of this proposed rulemaking, the Board is proposing to rescind Chapter 553 which appears in 58 Pa. Code pages 553-1—553-28, serial pages (356603)—(356607), (350069)—(350072), (348539)—(348556) and (356609)—(356612).)

Sec.
553.1—553.21. (Reserved).

CHAPTER 571. (Reserved)

(Editor's Note: As part of this proposed rulemaking, the Board is proposing to rescind Chapter 571 which appears in 58 Pa. Code pages 571-1—571-16, serial pages (357211)—(357224), (357979) and (357980).)

Sec.
571.1—571.13. (Reserved).

CHAPTER 573. (Reserved)

(Editor's Note: As part of this proposed rulemaking, the Board is proposing to rescind Chapter 573 which appears in 58 Pa. Code pages 573-1—573-15, serial pages (357981)—(357995).)

Sec.
573.1—573.13. (Reserved).

CHAPTER 635a. SPANISH 21

- Sec.
- 635a.1. Definitions.
- 635a.2. Spanish 21 table; card reader device; physical characteristics; inspections.
- 635a.3. Cards; number of decks; value of cards.
- 635a.4. Opening of the table for gaming.
- 635a.5. Shuffle and cut of the cards.
- 635a.6. Wagers.
- 635a.7. Procedure for dealing the cards; completion of each round of play.
- 635a.8. Insurance Wager.
- 635a.9. Surrender.
- 635a.10. Double Down Wager; rescue.
- 635a.11. Splitting pairs.
- 635a.12. Payout odds.
- 635a.13. Irregularities.

§ 635a.1. Definitions.

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

Blackjack—An ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer.

Card reader device—A device which permits the dealer to determine if the hole card will give the dealer a Blackjack.

Hard total—The total point count of a hand which contains no aces or which contains an ace that is counted as 1 in value.

Hole card—The second card dealt face down to the dealer.

Soft total—The total point count of a hand containing an ace when the ace is counted as 11 in value.

§ 635a.2. Spanish 21 table; card reader device; physical characteristics; inspections.

(a) Spanish 21 shall be played at a table having betting positions for no more than seven players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Spanish 21 table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Spanish 21 Wager for each player.
- (3) The following inscriptions:
 - (i) Blackjack pays 3 to 2.
 - (ii) Insurance pays 2 to 1.
 - (iii) Dealer shall draw to 16 and stand on all 17s or similar language approved by the Bureau of Gaming Operations.
- (4) A sign, approved by the Bureau of Gaming Operations, at each Spanish 21 table which explains that the doubled down hands are not eligible for the additional payouts in § 635a.12(b) and (c) (relating to payout odds).
- (5) If the certificate holder offers the Match-the-Dealer Wager authorized under § 635a.6(e) (relating to wagers), a separate area designated for the placement of the Match-the-Dealer Wager for each player.
- (6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers must be posted at each Spanish 21 table.

(c) Each Spanish 21 table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance. The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Spanish 21 table must have a card reader device, approved by the Bureau of Gaming Operations, attached to the top of the dealer's side of the table. The floorperson assigned to the Spanish 21 table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Each Spanish 21 table must have a discard rack securely attached to the top of the dealer's side of the table. The height of the discard rack must either:

- (1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.
- (2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 635a.3. Cards; number of decks; value of cards.

(a) Spanish 21 shall be played with six or eight decks of cards that are identical in appearance and at least one cover card. The decks shall consist of 48 cards, with the 10 of each suit removed from each deck during the inspection required under § 635a.4 (relating to opening of the table for gaming).

(b) The decks of cards opened for use at a Spanish 21 table shall be changed at least once every 24 hours.

(c) The value of the cards shall be as follows:

- (1) Any card from 2 to 9 shall have its face value.
- (2) Any jack, queen or king shall have a value of 10.
- (3) An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21, in which case, the ace shall have a value of 1.

§ 635a.4. Opening of the table for gaming.

(a) After receiving the decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) If the decks contain the 10 of any suit, the dealer and a floorperson shall ensure that these cards are removed from the decks, torn in half and placed in the box, envelope or container that the decks came from.

(c) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(d) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 635a.5 (relating to shuffle and cut of the cards).

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

§ 635a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each shoe of cards is dealt or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the decks of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with backs facing up, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

- (1) The first player arriving at the table, if the game is just beginning.
- (2) The player on whose box the cover card appeared during the last round of play.

(3) The player at the farthest point to the right of the dealer if the cover card appeared on the dealer's hand during the last round of play. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) The player at the farthest position to the right of the dealer if the reshuffle was initiated at the discretion of a floorperson. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then take the entire stack of cards and align them along the side of the dealing shoe which has a mark that will allow the dealer to insert the cover card in the stack at a position at least 1/4 of the way in from the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be cut either by the player who last cut the cards or by the next player entitled to cut the cards, as determined by subsection (c).

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe as provided for in § 635a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a Spanish 21 table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table for inspection face down unless a player requests that the cards be spread face up on the table. After the first player at the table is afforded an opportunity to visually inspect the cards, the procedures in § 635a.4(d) (relating to opening of the table for gaming) and this section shall be completed.

(h) In lieu of the dealing and shuffling requirements in this section, a certificate holder may utilize a dealing shoe or other device designed to automatically reshuffle the cards, provided that the device and the procedures for dealing and shuffling the cards through the use of this device are approved by the Bureau of Gaming Laboratory Operations.

§ 635a.6. Wagers.

(a) Wagers at Spanish 21 shall be made by placing value chips or plaques on the appropriate areas of the Spanish 21 layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(b) After the cards have been shuffled as required under § 635a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent rounds of play at that gaming table until either:

- (1) The certificate holder chooses to permit the player to begin wagering again.
- (2) A reshuffle of the cards has occurred.

(c) All wagers, except an Insurance Wager under § 635a.8 (relating to Insurance Wager), a Double Down

Wager under § 635a.10 (relating to Double Down Wager; rescue) or a wager on split pairs under § 635a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect that that wager.

(d) To participate in a round of play and compete against the dealer's hand, a player shall place a Spanish 21 Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Spanish 21 Wager in accordance with subsection (d) the option of placing a Match-the-Dealer Wager that either of the player's initial two cards will match the rank of the dealer's up card.

(f) The certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a Spanish 21 Wager in one round of play.

§ 635a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards used to play Spanish 21 shall be dealt from a dealing located on the table in a location approved by the Bureau of Casino Compliance. Once the procedures under § 635a.5 (relating to shuffle and cut of the cards) has been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the first two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand shall be completed. The dealer shall then collect and reshuffle the cards in accordance with § 635a.5.

(e) At the commencement of each round of play, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

- (1) One card face up to each box on the layout in which a Spanish 21 Wager is contained.
- (2) One card face up to the dealer.
- (3) A second card face up to each box in which a wager is contained.
- (4) A second card face down to the dealer.

(f) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before a card reader device is utilized, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a

counterclockwise direction, settle all Match-the-Dealer Wagers by collecting all losing wagers and paying all winning wagers as follows:

(1) If either of the player's initial two cards match the rank of the dealer's up card, the dealer shall pay the winning Match-the-Dealer Wager in accordance with § 635a.12 (relating to payout odds). Any card with a point value of 10 (a jack, queen or king) must only match an identical card without regard to value.

(2) If both of the player's initial two cards match the rank of the dealer's up card, the player shall be paid for each matching card.

(g) After settling the player's optional wagers in accordance with subsection (f), if the dealer's first card is an ace, king, queen or a jack, the dealer shall, after offering the Insurance Wager in accordance with § 635a.8 (relating to Insurance Wager), determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, no additional cards shall be dealt and each player's Spanish 21 and Insurance Wagers, if applicable, shall be settled.

(h) After the procedures in subsection (g) have been completed, if necessary, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise direction, announce the point total of each player. Each player at the table shall be responsible for correctly computing the point count of his hand and no player shall rely on the point counts announced by the dealer.

(i) If the player:

(1) Has Blackjack and the dealer's up card is:

(i) A 2, 3, 4, 5, 6, 7, 8 or 9, the dealer shall announce and pay the Blackjack and remove the player's cards.

(ii) An ace, king, queen or jack but the dealer's hole card will not give the dealer a Blackjack, the dealer shall announce the player's Blackjack but make no payment nor remove any cards until all other cards are dealt to the player and the dealer reveals his second card.

(2) Does not have Blackjack, as each player's point total is announced, the player shall indicate whether he wishes to surrender, as permitted under § 635a.9 (relating to surrender), double down as permitted under § 635a.10 (relating to Double Down Wager; rescue), split pairs as permitted under § 635a.11 (relating to splitting pairs), stand or draw additional cards.

(j) As each player indicates his decision, the dealer shall deal face upwards whatever additional cards are necessary to effectuate the player's decision and announce the new point total of the player after each additional card is dealt.

(k) A player may elect to draw additional cards whenever his point count total is less than 21, except that the player:

(1) Having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) Electing to make a Double Down Wager may draw only one additional card.

(l) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall turn the hold card face up. Any additional cards required to be dealt to the hand of the dealer, in

accordance with subsection (m), shall be dealt face up. The dealer shall announce the dealer's total point count after each additional card is dealt.

(m) Except as provided in subsection (n), the dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(n) A dealer may not draw additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will not have an effect on the outcome of the round of play.

(o) A player shall win and be paid in accordance with the payout odds in § 635a.12(a)—(c) if:

(1) The total value of the player's hand is 21 or less and the total value of the dealer's hand is in excess of 21.

(2) The total value of the player's hand exceeds the total value of the dealer's hand without exceeding 21.

(3) The player has a Blackjack and the dealer's hand has a total value of 21 in two or more cards.

(4) The player has achieved a score of 21 in more than two cards and the dealer has achieved a score of 21 in more than two cards.

(p) Except as provided in subsection (o)(3) and (4), a Spanish 21 Wager shall tie and be returned to the player if the total value of the player's hand is the same as the dealer's. A player's Spanish 21 Wager shall be lost if the dealer has a Blackjack and the player's hand has a total value of 21 in more than two cards.

(q) The dealer shall collect all losing wagers and pay off all winning wagers in accordance with one of the following procedures designated in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions):

(1) Collect all losing wagers and then pay off all winning wagers.

(2) Pay off all winning wagers and collect all losing wagers beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall place any losing wagers directly into the table inventory and may not pay off any winning wagers by using value chips collected from a losing wager.

(r) After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

(s) Players and spectators may not handle, remove or alter any cards used to play Spanish 21.

§ 635a.8. Insurance Wager.

(a) If the first card dealt to the dealer is an ace, each player shall have the right to make an Insurance Wager which shall win if the dealer's hole card is a king, queen or jack.

(b) An Insurance Wager shall be made by placing a value chip on the insurance line of the layout in an amount not more than 1/2 the player's initial Spanish 21 Wager. A player may wager an amount in excess of 1/2 the initial Spanish 21 Wager to the next unit that can be wagered in chips when, because of the limitation of the value of chip denominations, half the initial Spanish 21

Wager cannot be bet. Insurance Wagers shall be placed prior to the dealer inserting his hole card into the card reader device.

(c) Winning Insurance Wagers shall be paid in accordance with the payout odds in § 635a.12(d) (relating to payout odds).

(d) Losing Insurance Wagers shall be collected by the dealer immediately after the dealer inserts his hole card into the card reader device and determines that he does not have a Blackjack and before he draws any additional cards.

§ 635a.9. Surrender.

(a) After the first two cards are dealt to the player and the player's point total is announced, the player may elect to discontinue play on his hand for that round by surrendering 1/2 of his Spanish 21 Wager. All decisions to surrender shall be made prior to the player indicating whether he wishes to double down as permitted under § 635a.10 (relating to Double Down Wager; rescue), split pairs as permitted under § 635a.11 (relating to splitting pairs), stand or draw. If the first card dealt to the dealer is:

(1) Not an ace or 10 card, the dealer shall immediately collect 1/2 of the wager and return 1/2 to the player.

(2) An ace or 10 card, the dealer shall place the player's wager on top of the player's cards. When the dealer's second card is revealed, the hand shall be settled by immediately collecting the entire wager if the dealer has Blackjack or collecting 1/2 of the wager and returning 1/2 of the wager to the player if the dealer does not have Blackjack.

(b) If the player has made an Insurance Wager and then elects to surrender, each wager will be settled separately in accordance with subsection (a) and § 635a.8 (relating to Insurance Wager).

§ 635a.10. Double Down Wager; rescue.

(a) Except when a player has Blackjack, a player may elect to make a Double Down Wager, which may not exceed the amount of his original Spanish 21 Wager, on the first two cards dealt to him or the first two cards of any split pair. Only one additional card shall be dealt to the hand on which the player has elected to double down. The one additional card shall be dealt face up and placed sideways on the layout.

(b) If a dealer obtains Blackjack after a player makes a Double Down Wager, the dealer shall collect only the amount of the original Spanish 21 Wager of the player and may not collect the additional Double Down Wager.

(c) A winning Double Down Wager shall be paid in accordance with § 635a.12(a) (relating to payout odds). The additional payouts in § 635a.12(b) and (c) are not applicable to winning Double Down Wagers.

(d) After the additional card required under subsection (a) has been dealt to the hand, a player may "rescue" (take back) the Double Down Wager and forfeit his original wager, as long as the additional card does not result in the hand having a point count in excess of 21.

§ 635a.11. Splitting pairs.

(a) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands, provided that he makes a wager on the second hand formed in an amount equal to his

original Spanish 21 Wager. For example, if a player has two 7s or a king and a jack, the player may elect to split the hand.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to a split pair hand, the dealer shall announce the point total of the hand and the player shall indicate his decision to stand, draw or double down with respect to that hand. A certificate holder shall specify in its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the number of additional times a patron may split pairs, including aces.

(d) If the dealer obtains Blackjack after a player splits pairs, the dealer shall only collect the amount of the original wager of the player and may not collect the additional amount wagered in splitting pairs.

(e) The additional payouts provided in § 635a.12(b) and (c) (relating to payout odds) are not applicable to a winning wager on a split hand.

§ 635a.12. Payout odds.

(a) Except as provided in subsections (b) and (c), the certificate holder shall pay each winning Spanish 21 Wager at odds of 1 to 1 with the exception of Blackjack which shall be paid at odds of 3 to 2.

(b) Except when a player has made a Double Down Wager under § 635a.10 (relating to Double Down Wager; rescue), in which case all of the following wagers shall be paid at odds of 1 to 1, a certificate holder shall pay the following payout odds for winning Spanish 21 Wagers:

(1) Three cards consisting of 6, 7 and 8 of mixed suits shall be paid at odds of 3 to 2.

(2) Three cards consisting of 6, 7 and 8 of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of the 6, 7 and 8 of spades shall be paid at odds of 3 to 1.

(3) Three cards consisting of three 7s of mixed suits shall be paid at odds of 3 to 2.

(4) Three cards consisting of three 7s of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of three 7s of spades shall be paid at odds of 3 to 1.

(5) Five cards totaling 21 shall be paid at odds of 3 to 2.

(6) Six cards totaling 21 shall be paid at odds of 2 to 1.

(7) Seven or more cards totaling 21 shall be paid at odds of 3 to 1.

(c) In addition to the payouts under subsection (b)(4), a winning hand that consists of three 7s of the same suit, when the dealer's exposed card is also a 7 of any suit, shall be paid an additional fixed payout in accordance with the following requirements:

(1) If the player's original wager was \$5 or more but less than \$25, the player shall receive an additional payout of \$1,000.

(2) If the player's original wager was \$25 or more, the player shall receive an additional payout of \$5,000.

(3) All other players at the table who placed a wager during that round of play shall also be paid an additional fixed payout of \$50.

(4) The additional fixed payouts are not be applicable if a Double Down Wager was made on a winning hand or the winning hand had been split under § 635a.11 (relating to splitting pairs).

(d) The certificate holder shall pay out winning Insurance Wagers at odds of 2 to 1.

(e) The certificate holder shall pay out winning Match-the-Dealer Wagers at the odds in the following paytables:

(1) If six decks of cards are being used:

<i>Hand</i>	<i>Payout</i>
Each matching card of a different suit	4 to 1
Each matching card of the same suit	9 to 1

(2) If eight decks of cards are being used:

<i>Hand</i>	<i>Payout</i>
Each matching card of a different suit	3 to 1
Each matching card of the same suit	12 to 1

§ 635a.13. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) If a 10 card of any suit is found in the shoe, it may not be used in the game and shall be removed from the shoe and torn in half by a floorperson and placed in the box, envelope or container that the decks came from. If more than one 10 card is found in the shoe during the dealing of the cards, the round of play shall be void and the decks of cards shall be removed from play.

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

(d) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, the card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept the card may not have any additional cards dealt to him during the round. If the card is refused by the players and the dealer cannot use the card, the card shall be placed in the discard rack.

(e) If the dealer has 17 and accidentally draws a card for himself, the card shall be placed in the discard rack.

(f) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player and then deal the appropriate number of cards to himself.

(g) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut in accordance with § 635a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(h) If no cards are dealt to the player's hand, the player's hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(i) If after receiving the first two cards, the dealer fails to deal an additional card to a player who has requested a card then, at the player's option, the dealer shall either

deal the additional card after all other players have received their additional cards but prior to the dealer revealing his hole card or call the player's hand dead and return the player's original Spanish 21 Wager.

(j) If the dealer inserts his hole card into a card reader device when the value of his first card is not an ace, king, queen or jack, the dealer, after notification to a floorperson or higher, shall, if the particular card reader device in use:

(1) Provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager.

(2) Does not provide any player with the opportunity to determine the value of the hole card, continue play.

(k) If a card reader device malfunctions, the dealer may not continue dealing the game of Spanish 21 at that table until the card reader device is repaired or replaced.

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

(m) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the device or shoe must be covered or have a sign indicating that it is out of order placed on the device or shoe before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 637a. POKER

Sec.

- 637a.1. Definitions.
- 637a.2. Poker table physical characteristics.
- 637a.3. Cards; number of decks.
- 637a.4. Opening of the table for gaming.
- 637a.5. Shuffle and cut of the cards.
- 637a.6. Poker rankings.
- 637a.7. Poker overview; general dealing procedures for all types of Poker.
- 637a.8. Placement of bets; minimum and maximum bets.
- 637a.9. Permissible Poker games; announcement of available games and seats.
- 637a.10. Seven-card Stud Poker; procedures for dealing the cards; completion of each round of play.
- 637a.11. Hold'em Poker; procedures for dealing the cards; completion of each round of play.
- 637a.12. Omaha Poker; procedures for dealing the cards; completion of each round of play.
- 637a.13. Five-card Draw Poker; procedures for dealing the cards; completion of each round of play.
- 637a.14. Five-card Stud Poker; procedures for dealing the cards; completion of each round of play.
- 637a.15. Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.
- 637a.16. High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.
- 637a.17. Poker revenue.
- 637a.18. Conduct of players; general operating rules for all types of Poker; irregularities.

§ 637a.1. Definitions.

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

All-in—When a player bets all of his funds remaining on the Poker table, does not have funds to continue betting in a round of play but still retains the right to contend for that portion of the pot in which the player has already placed a bet.

Bad Beat—One or more predesignated high value Poker hands which, when held by a player as a losing hand in a round of play, shall result in a Bad Beat payout if offered by the certificate holder in accordance with § 637a.15

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

Bad Beat payout—One or more payouts made to a player upon the occurrence of a Bad Beat.

Bet—When a player places value chips, tournament chips or plaques into the pot during a betting round.

Betting round—A complete betting cycle in which all players have called, folded or gone All-in.

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

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

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

Call—When a player places a bet in an amount equal to the immediately preceding bet.

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

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

Community card—A card that is dealt face up and can be used by all players to form the best possible poker hand.

Draw—In any game of Draw Poker, when a player exchanges the cards held in his hand for an equal number of new cards from the deck.

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

Forced Bet—A bet that is required to start the first betting round in Seven-card or Five-card Stud Poker.

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

Half-kill option—In the game of Omaha High-low Split Eight or Better Poker, when one player wins an entire qualifying pot, the betting limits are increased by 1/2 the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not equal or exceed the qualifying pot.

High hand—A game of Poker in which the highest ranking hand, in accordance with § 637a.6 (relating to Poker rankings), wins the pot.

High Hand Jackpot payout—The total of the contribution amounts collected during a qualifying period which are payable to one or more players upon the occurrence of a Qualifying High Hand.

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

High-low Split Eight or Better—A version of High-low Split Poker in which a winning low hand may not contain pairs or any card ranked above an 8.

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

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

Low hand—A game of Poker in which the lowest ranking hand, in accordance with § 637a.6, wins the pot.

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

Pot—The amount that is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount bet by the players during the round of play, less any rake extracted under § 637a.17 (relating to Poker revenue) and, if applicable, any amount contributed to a Bad Beat or High Hand Jackpot payout fund in accordance with § 637a.15 or § 637a.16 (relating to Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation; and High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation).

Protected hand—A hand of cards that a player is physically holding or has placed under one or more chips or plaques.

Qualifying High Hand—A high hand held by any player or players during a qualifying period which may result in a High Hand Jackpot payout if offered by the certificate holder in accordance with § 637a.16.

Qualifying period—A duration of time, as specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions), during which a certificate holder offers the High Hand Jackpot payout.

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

Raise—When a player bets an amount greater than the immediately preceding bet in that betting round.

Rake—The amount of value chips, tournament chips, plaques or currency collected by the dealer as Poker revenue in accordance with § 637a.17.

Round of play—Once complete cycle of play during which all cards have been dealt, all bets have been placed and the winner of the pot is determined and paid in accordance with this chapter.

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

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

Table stakes—A player's currency, value chips, tournament chips and plaques on the table that are available for betting during a round of play.

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

§ 637a.2. Poker table physical characteristics.

(a) Poker shall be played on an oval table which has places for up to ten players and a dealer. The design of each Poker table authorized under this chapter shall be approved by the Bureau of Gaming Operations.

(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.

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

(c) Decks of cards used for the play of Poker shall be kept on the Poker table in a location approved by the Bureau of Casino Compliance. 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 table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance. The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

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

§ 637a.3. Cards; number of decks.

(a) Poker shall be played with one deck of cards that are identical in appearance and one cover card. Two decks of cards with different color backs shall be maintained for use at each Poker table at all times. Each deck shall be continuously alternated in and out of play with each deck being used for every other round of play. Unless an automated card shuffling device is being used in accordance with subsection (b), while one deck of cards is in use, the other deck shall be stored in the area designated under § 637a.2(c) (relating to Poker table physical characteristics).

(b) If an automated card shuffling device is being used, one deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(c) The decks of cards used in Poker shall be changed at least every 6 hours.

§ 637a.4. Opening of the table for gaming.

(a) After receiving two decks of cards at the table, the dealer shall inspect each deck for any defects. The floorperson or above shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first two players seated at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first two players seated at the table are afforded an opportunity to visually inspect the cards, each deck shall separately be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Each deck of cards shall then be shuffled in accordance with § 637a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is not being used, one of the decks shall be shuffled and cut in accordance with § 637a.5 and the other deck shall be placed in the area designated under § 637a.2(c) (relating to Poker table physical characteristics). In the alternative, a certificate holder may mix, shuffle and cut only the

deck intended for immediate use and place the other deck in the area designated under § 637a.2(c). Upon rotation of the decks of cards as required under § 637a.3 (relating to cards; number of decks), the other deck shall be mixed, shuffled and cut in accordance with § 637a.5 and this section.

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

§ 637a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by the floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 637a.7(e) (relating to Poker overview; general dealing procedures for all types of Poker).

(2) If the cards were shuffled manually or were reshuffled, cut the deck by placing the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.

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

(d) If there is no gaming activity at the Poker table which is open for gaming, each deck of cards at the table shall be spread out on the table face up. After the first two players who arrive at the table are afforded an opportunity to visually inspect both of the decks, the procedures in § 637a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

§ 637a.6. Poker rankings.

(a) The rank of the cards used in all types of Poker other than Low hand Poker in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace, 2 and 3). All suits shall be considered equal in rank.

(b) The permissible five-card high hands, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest ranking straight flush.

(3) A four-of-a-kind, which is a hand containing four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

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

(6) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

(7) A three-of-a-kind, which is a hand containing three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(8) Two pairs, which is a hand containing two pairs, with two aces and two kings being the highest ranking two pairs and two 3s and two 2s being the lowest ranking two pairs.

(9) One pair, which is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

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

(d) The ranking of a five-card low hand shall be the inverse of the rankings for a five-card high hand as set forth in subsection (b). Straights and flushes will not be considered for purposes of determining a winning hand at low hand.

(e) When comparing two hands that are of identical rank under subsection (b) or (d), or which do not contain the hands authorized for that game, the hand that contains the highest ranking card as provided in subsection (a) or (c), whichever is applicable, which is not in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands will be considered tied and the pot shall be divided equally among the players with the tied hands.

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

§ 637a.7. Poker overview; general dealing procedures for all types of Poker.

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

(b) Poker shall be played with no less than two players. For all types of authorized Poker games in this chapter, the dealer may not participate in the playing or outcome of the game in any way except as otherwise authorized in this chapter.

(c) A player shall bet on the cards that the player holds in his hand. All bets by a player shall be placed by the dealer in the designated area of the table known as the

pot. A player may be required to place an Ante or Blind Bet prior to the receipt of any cards. After each round of cards is dealt, a betting round shall be conducted. Each player shall decide whether to continue contending for the pot by calling or raising the bet of the other players.

(d) The object of Poker is for a player to win the pot either by making a bet that no other player elects to call or, depending on the type of Poker being played, by having the highest ranking high hand, the highest ranking low hand or both the highest ranking high and low hands in accordance with § 637a.6 (relating to Poker rankings). If two or more players are still in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among those players to determine which player has the winning hand.

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

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

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

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

(4) The dealer shall either:

(i) Count the entire deck of cards at least once every 5 rounds of play to determine if 52 cards are present 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 Laboratory Operations, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present.

(5) If a count of the deck or stub indicates that the number of cards in the deck is incorrect, the deck shall be removed from the table.

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

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

(ii) Award all side pots.

(iii) Collect the rake in accordance with § 637a.17 (relating to Poker revenue).

(iv) Collect, if applicable, any amount required to be contributed to a Bad Beat or High Hand Jackpot payout fund in accordance with §§ 637a.15 and 637a.16 (relating to Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation; and High Hand Jackpot payout; posting

of rules; contributions; counting and displaying of payout amount; procedures for implementation).

§ 637a.8. Placement of bets; minimum and maximum bets.

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

(b) A player may participate in the betting during a round of play in accordance with the following requirements:

(1) A player may bet only with the table stakes that were already on the Poker table in front of the player when the round of play commenced.

(2) A player may add to his table stakes only between rounds of play and, except as provided in paragraph (6), may not remove any of his table stakes from the Poker table at any time during a round of play.

(3) Currency that is available for use by a player may be utilized in accordance with this section to initiate, call or raise a bet if the currency is expeditiously converted into value chips, tournament chips or plaques by the dealer.

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

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

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

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

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

(6) If a player indicates an intent to temporarily leave a Poker table during a round of play, without relinquishing his seat at the table, a floorperson or above shall do either of the following:

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

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

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

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

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

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

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

(3) Places currency into the pot to be exchanged for chips in accordance with subsection (b)(3).

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

(1) Indicates at the time the bet is being made that the bet is not yet complete.

(2) Puts the proper amount of value chips, tournament chips or plaques into the pot to call a bet and also indicates his intention to raise.

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

(h) The dealer shall ensure that no player touches any of the value chips, tournament chips or plaques once they are placed into the pot.

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

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

(k) The certificate holder shall post a sign specifying any restrictions with regard to the maximum number of raises that may be permitted for any round of betting and the minimum and maximum bets in effect at each Poker table. If all players at a Poker table agree to increase the minimum bet at the table, the minimum bet posted at the table need not be followed. The certificate holder shall include in its Rules Submission under § 601a.2 (relating to table games Rules Submissions) any restrictions with regard to the maximum number of raises that may be permitted for any round of betting, provisions specifying the maximum amount that the minimum bet may be increased and how the dealer will determine that all of the players have agreed to the increased minimum bet amount.

§ 637a.9. Permissible Poker games; announcement of available games and seats.

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

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

(2) Hold'em (High).

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

(4) Five-card Draw (High and Low).

(5) Five-card Stud (High).

(6) Other Poker games approved by the Board.

(b) A certificate holder may not offer or permit the playing of any Poker game which is not authorized by this chapter.

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

§ 637a.10. Seven-card Stud Poker; procedures for dealing the cards; completion of each round of play.

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

(b) No more than eight players may participate in a Seven-card Stud Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

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

(d) After each player has been dealt three cards in accordance with subsection (c), the first betting round shall commence with one player making a Forced Bet. The amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted at the Poker table. The player required to place the Forced Bet shall be determined by comparing the up card of each player. In the event that two or more up cards are of the same rank, the up cards shall then be ranked by suit with the highest to lowest ranked suits in the following order: spades, hearts, diamonds and clubs. The Forced Bet shall be made by the player with the:

(1) Lowest ranked up card for Seven-card Stud High Poker.

(2) Highest ranked up card for Seven-card Stud Low Poker.

(3) Highest ranked up card for Seven-card Stud High-low Split Poker. To determine the highest ranked up card, an ace shall be ranked below a two.

(4) Lowest ranked up-card for Stud High-low Split Eight or Better Poker. To determine the lowest ranked up-card, an ace shall be considered the highest ranking card.

(e) Following the placement of the Forced Bet, each subsequent player, starting with the player to the left of player who placed the Forced Bet and continuing around the table in a clockwise manner, may fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

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

(1) For Seven-card Stud High, Seven-card Stud High-low Split or Seven-card Stud High-low Split Eight or Better Poker, the player with the highest ranking high hand showing shall be required to bet or check.

(2) For Seven-card Stud Low, the player with the highest ranking low hand showing shall be required to bet or check.

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

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

(h) The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who made or called the last bet. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck. Notwithstanding the foregoing, if insufficient cards remain in the deck to give each remaining player either a sixth or seventh card, the top card of the deck shall be burned and a common card shall be dealt face up in the center of the table. If there is either one or no card remaining in the deck when a common card is to be dealt, the dealer shall shuffle the burn cards, burn a card and then deal the common card. The dealing of each round of cards or, if applicable, each common card under this subsection shall be followed by a betting round conducted in accordance with subsections (f) and (g).

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

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

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

(3) In Seven-card Stud High-low Split Poker or Seven-card Stud High-low Split Eight or Better Poker:

(i) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to subsection (j), shall divide the pot equally. If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

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

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

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

(j) In Seven-card Stud High-low Split Eight or Better Poker, a winning low-hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

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

(1) A hand consisting of a 2, 3, 4, 5 and 6 would qualify as a straight for purposes of the high hand and as a high ranking low hand.

(2) A hand consisting of five cards of the same suit, none higher than an 8, would qualify as a flush for purposes of the high hand and as a high ranking low hand.

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

§ 637a.11. Hold'em Poker; procedures for dealing the cards; completion of each round of play.

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

(b) No more than ten players may participate in a Hold'em Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

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

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

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

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

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificateholder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, shall be specified in the certificate holder's Rules Submis-

sion under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

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

(g) After each player has been dealt two cards in accordance with subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

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

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

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

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

§ 637a.12. Omaha Poker; procedures for dealing the cards; completion of each round of play.

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

(b) No more than ten players may participate in an Omaha Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, and the Kill or Half-kill option, if offered, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

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

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

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

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

(d) Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

(e) The player to the left of the player who placed a Blind Bet may place a Straddle Bet, if offered by the certificate holder. The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at each Poker table. No more than one Straddle Bet may be made during a round of play.

(f) Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down to each player. The player with the button shall be the last player to receive a card each time.

(g) After each player has been dealt four cards in accordance with subsection (e), each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, if offered, and continuing around the table in a clockwise manner, may fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet or Straddle Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

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

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

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

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

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

(2) In Omaha High-low Split Eight or Better Poker:

(i) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to subsection (l), shall divide the pot equally. If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

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

(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.

(l) In Omaha High-low Split Eight or Better Poker, the winning low hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen or king. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(m) In Omaha High-low Split Eight or Better Poker, the player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot. Each hand must consist of any three of the community cards and any two of four cards dealt to the player. A player may use the same five-card grouping to make a high hand and a low hand. An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high hand.

(n) In Omaha High-low Split Eight or Better Poker, the certificate holder may use either the Half-kill or Kill option. If the certificate holder elects to use either option, the certificate holder shall indicate which option is being used in the certificate holder's Rules Submission under § 601a.2 and post which option is being used and the minimum value of a qualifying pot on a sign at each Omaha Poker table.

§ 637a.13. Five-card Draw Poker; procedures for dealing the cards; completion of each round of play.

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

(b) No more than eight players may participate in a Five-card Draw Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

(c) A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

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

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

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

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

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

(e) After each player has been dealt five cards in accordance with subsection (d), the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet. A certificate holder may require additional Blind Bets to be made immediately after the initial Blind Bet. The amount and number of all Blind Bets required shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted on a sign at the table.

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

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

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

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

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

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

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

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

§ 637a.14. Five-card Stud Poker; procedures for dealing the cards; completion of each round of play.

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

(b) No more than eight players may participate in a Five-card Stud Poker game. Each player who elects to participate in a round of play may be required to place an Ante bet. The rules governing the placement of an Ante bet and the amount of the Ante bet, if any, shall be specified in the certificate holder's Rules Submission under § 601a.2 (relating to table games Rules Submissions) and posted on a sign at each Poker table.

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

(d) After each player has been dealt two cards in accordance with subsection (c), the first betting round shall commence with one player making a Forced Bet. The amount of the Forced Bet shall be specified in the certificate holder's Rules Submission under § 601a.2 and posted at the Poker table. The player required to place the Forced Bet shall be determined by comparing the up card of each player. The player with the lowest ranked up card shall be required to make a Forced Bet. In the event that two or more up cards are of the same rank, the up cards shall then be ranked by suit with the highest to lowest ranked suits in the following order: spades, hearts, diamonds and clubs.

(e) Following the placement of the Forced Bet, each subsequent player, starting with the player to the left of the player who placed the Forced Bet and continuing around the table in a clockwise manner, may bet, fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

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

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

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

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

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

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

§ 637a.15. Bad Beat payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer a Bad Beat payout for a payout for one or more Bad Beat hands. A Bad Beat payout shall be made from a separate fund created from pot contributions required at tables where a Bad Beat payout is offered and shall be paid in accordance with the procedures established under this section.

(b) A certificate holder shall post at each Poker table that offers a Bad Beat payout, notice advising patrons of eligibility for the Bad Beat payout. The certificate holder shall display the current amount of the Bad Beat payout and post in a conspicuous location within the Poker room the Bad Beat payout rules which shall include:

(1) The maximum contribution amount that will be collected from each pot to fund the Bad Beat payout and the method of calculation for any contribution amount.

(2) The minimum pot amount required before the contribution to the Bad Beat payout is collected.

(3) Qualifying Bad Beat requirements and payouts.

(c) A certificate holder shall extract from each pot at a Poker table designated for participation in a Bad Beat payout a prescribed contribution to the Bad Beat payout. The contribution amount shall be collected in accordance with the Bad Beat payout rules as specified in the certificate holder's Rules Submission under § 601a.2. After the dealer has extracted the rake, the amount from each pot to be contributed to a Bad Beat payout shall be determined, segregated from the pot and deposited into the Bad Beat payout box. Notwithstanding the foregoing, a certificate holder may, upon amending its Bad Beat payout rules, terminate collection of Bad Beat contributions at any time in accordance with subsection (i).

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

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

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

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

(f) The Poker shift supervisor shall verify each Bad Beat Poker hand prior to awarding the Bad Beat payout. Upon verification, the Poker shift supervisor shall:

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

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

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

(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) A Bad Beat payout may not 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 will be terminated or transferred to other Bad Beat payouts, or both, to ensure that all payout amounts are paid to Poker patrons.

§ 637a.16. High Hand Jackpot payout; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer a High Hand Jackpot payout for a Qualifying High Hand made during a qualifying period. A High Hand Jackpot payout shall be made from a separate fund created from pot contributions required at tables where a High Hand Jackpot payout is offered and shall be paid in accordance with the procedures established under this section.

(b) A certificate holder shall post at each Poker table that offers a High Hand Jackpot payout notice advising patrons of eligibility for the High Hand Jackpot payout. The certificate holder shall display the current amount of the High Hand Jackpot payout and post in a conspicuous location within the Poker room the High Hand Jackpot payout rules which must include:

(1) The collection and qualifying periods for the High Hand Jackpot payout.

(2) The maximum contribution amount that will be collected from each pot to fund the High Hand Jackpot payout.

(3) The minimum pot amount required before the contribution to the High Hand Jackpot is collected.

(4) The minimum number of players who shall be dealt into a hand to qualify for a High Hand Jackpot payout.

(5) The division of the High Hand Jackpot payout if two or more players have the same value Qualifying High Hand during a qualifying period.

(6) Any time limits on collecting High Hand Jackpot payouts including a statement notifying players that they do not need to be present at the end of the qualifying period to win the High Hand Jackpot payout.

(7) Any restrictions on collecting a High Hand Jackpot payout including a statement notifying players that valid identification shall be presented for a player's hand to qualify for a High Hand Jackpot payout.

(c) A certificate holder shall extract from each pot at a Poker table designated for participation in a High Hand Jackpot payout a prescribed contribution to the High Hand Jackpot payout. The contribution amount shall be collected in accordance with the High Hand Jackpot payout rules as specified in the certificate holder's Rules Submission under § 601a.2. After the dealer has extracted the rake, the amount from each pot to be contributed to a High Hand Jackpot payout shall be determined, segregated from the pot and deposited into the High Hand Jackpot payout box.

(d) At the end of each qualifying period, a certificate holder shall count the accumulated contents of each High Hand Jackpot payout box. The counting shall occur at a closed Poker table, the main cage or a satellite cage, in accordance with the certificate holder's approved internal controls, as follows.

(1) If the counting of the contents of a High Hand Jackpot payout box occurs at a closed Poker table, the counting shall be performed by a Poker dealer in the presence of a floorperson or above and recorded by the surveillance department. Documentation of the count shall be prepared and signed by both the dealer and the floorperson or above who witnessed the count. The contents of the High Hand Jackpot payout box shall then be placed in a locked container along with documentation of the count and transported to the main cage or satellite cage by a security department employee.

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

(e) Once each High Hand Jackpot payout box or locked container is delivered to the main cage or satellite cage, a cashier shall count the contents of each box or, if the contents of the boxes were previously counted by Poker room personnel and combined in a locked container for transport, verify the aggregate count. The finance department shall maintain the official record of the amount of contributions to the High Hand Jackpot payout.

(f) At the start of each qualifying period, dealers shall begin tracking hands. When a player has a full house, as defined in § 637a.6(b) (relating to Poker rankings), the dealer shall call a floorperson or above who shall verify the hand and record the value on the High Hand Tracking Slip. As the value of the hands increase during the qualifying period, the value of the next higher hand shall be announced and the floorperson or above shall

record on the High Hand Tracking Slip the next higher value hand. The High Hand Tracking Slip must contain:

(1) The name, phone number and seat number of the player with the higher value hand.

(2) The table number.

(3) The higher value hand.

(4) The dealer's name and Board-issued credential number.

(5) The signature and Board-issued credential number of the floorperson or above who verified the higher value hand.

(g) When the qualifying period has ended, the contribution amount collected during the qualifying period shall be counted, verified and taken to the main cage or satellite cage in accordance with subsections (d) and (e). The pooled contribution amounts from all Poker tables that participated in the qualifying period shall then be announced and displayed.

(h) The player or players with the highest Qualifying High Hand during the qualifying period shall be awarded the High Hand Jackpot payout. High Hand Jackpot payouts shall be paid from the main cage or satellite cage. If, however, a full house was not made by any player during the qualifying period, the High Hand Jackpot payout contribution amounts shall be added to the next High Hand Jackpot payout qualifying period.

(i) The certificate holder shall specify in its Rules Submission under § 601a.2 the procedure for distributing High Hand Jackpot payouts which have not been collected within the time period specified in subsection (b)(6).

§ 637a.17. Poker revenue.

(a) A certificate holder shall derive its Poker revenue at all Poker tables by extracting a rake. Each certificate holder shall submit as part of its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the following:

(1) The types of rake utilized.

(2) The methodology used for calculating the rake.

(3) The amount of maximum permissible rake per round of play.

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

(1) A percentage rake, not to exceed 10% which shall be calculated and extracted from the pot and any side pots:

(i) After the conclusion of a betting round and placed into the designated rake area required under § 637a.2(b)(2) (relating to Poker table physical characteristics) as play progresses.

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

(2) An incremental rake, as certain predetermined dollar levels have been achieved which:

(i) Upon collection shall be placed into the designated rake area required under § 637a.2(b)(2).

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

(3) A rake based on time charges which:

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

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

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

(iv) Once assessed shall be placed by the dealer into the designated rake area required under § 637a.2(b)(2).

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

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

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

(e) Once the dealer has extracted the rake and the pot and any side pots have been collected by the winning player or players, additional rake may not be taken.

§ 637a.18. Conduct of players; general operating rules for all types of Poker; irregularities.

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

(b) Each player in a Poker game shall play the game solely to improve the player's chance of winning and may not take action to improve another player's chance of winning. A player may not communicate any information to another player which could assist the other player in any manner respecting the outcome of a Poker game.

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

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

(e) At a showdown, a winning hand must be clearly displayed in its entirety and properly identified. The player initiating the final bet shall be the first player to show his hand at the showdown. All other players who have not folded shall then reveal their hands in a clockwise rotation. Any player holding a losing hand may concede his rights to the pot and discard the hand without revealing the player's cards unless the certificate holder, in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), requires the disclosure of all discarded hands.

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

(g) Cards that are misdealt shall be returned to the dealer for a reshuffle. The following errors shall be cause for a misdeal:

(1) Failure to shuffle and cut the cards in accordance with § 637a.5 (relating to shuffle and cut of the cards).

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

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

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

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

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

(j) A card found face up in the deck may not be used in that round of play and shall be placed with the pile of discarded cards.

(k) A player who fails to take reasonable means to protect his hand shall have no redress if his hand becomes a fouled hand or the dealer accidentally collects the hand, provided that:

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

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

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

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

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

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

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

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

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

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

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

(2) Continue to contend for the entire pot.

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

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

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

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

(r) If an automated card shuffling device malfunctions and cannot be used, the device must be covered or have a sign indicating that the automated card shuffling device is out of order placed on the device before any other method of shuffling may be utilized at that table.

(s) A certificate holder may clarify and supplement the procedures related to irregularities in this section in the certificate holder's Rules Submission under § 601a.2.

CHAPTER 655a. MISSISSIPPI STUD

Sec.

655a.1.	Definitions.
655a.2.	Mississippi Stud table physical characteristics.
655a.3.	Cards, number of decks.
655a.4.	Opening of the table for gaming.
655a.5.	Shuffle and cut of the cards.
655a.6.	Mississippi Stud hand rankings.
655a.7.	Wagers.
655a.8.	Procedure for dealing the cards from a manual dealing shoe.
655a.9.	Procedure for dealing the cards from the hand.
655a.10.	Procedures for dealing the cards from an automated dealing shoe.
655a.11.	Procedures for completion of each round of play.
655a.12.	Payout odds; Envy Bonus; rate of progression.
655a.13.	Irregularities.

§ 655a.1. Definitions.

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

Bet Wager—A 3rd Street, 4th Street or 5th Street Wager made by a player.

Community card—A card which is used by all players to form the best possible five-card poker hand.

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A Mississippi Stud hand with a rank of a royal flush or a straight flush as defined in § 655a.6(b) (relating to Mississippi Stud hand rankings).

5th Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the second community card is revealed by the dealer.

Fold—The withdrawal of a player from a round of play by not making a Bet Wager.

4th Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the first community card is revealed by the dealer.

Progressive Payout Hand—A Mississippi Stud hand formed using the two player cards and three community cards with a rank of a three-of-a-kind or better as defined in § 655a.6(b).

Push—A player's hand that results in neither payment on nor collection of the player's wagers.

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 this chapter.

3rd Street Wager—An additional wager made by a player, in an amount equal to one, two or three times the player's Ante Wager, after the player has been dealt the initial two cards.

§ 655a.2. Mississippi Stud table physical characteristics.

(a) Mississippi Stud shall be played on a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

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

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

(2) Four separate designed betting areas designated for the placement of the wagers required under § 655a.7(d)(1) and (2) (relating to wagers) for each player.

(3) Separate areas designated for the placement of the three community cards located directly in front of the table inventory container. One area shall be inscribed 3rd Street, a second area inscribed 4th Street and a third area inscribed 5th Street.

(4) If the certificate holder offers the optional Progressive Payout Wager authorized under § 655a.7(d)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(5) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers and the rules governing the required amount of the 3rd Street, 4th Street or 5th Street Wager as a multiple of the player's Ante Wager. If the information is not inscribed on the layout, a sign that sets forth the required information must be posted at each Mississippi Stud table.

(c) If a certificate holder offers the Progressive Payout Wager, in accordance with § 655a.7(d)(3), the Mississippi Stud table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games systems), for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

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

(d) Each Mississippi Stud table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite side of, the dealer, as approved by the Bureau of Casino Compliance. The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(e) Each Mississippi Stud table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 655a.3. Cards, number of decks.

(a) Except as provided in subsection (b), Mississippi Stud shall be played with one deck of cards and one cover card.

(b) If an automated card shuffling device is utilized, Mississippi Stud may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

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

(4) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in Mississippi Stud shall be changed at least:

(1) Every 4 hours if the cards are dealt by hand.

(2) Every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 655a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 655a.5 (relating to shuffle and cut of the cards).

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

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

§ 655a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated card shuffling device shall place the deck of cards in a single stack provided, however, that the certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall do the following:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with the procedures in subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for the commencement of play.

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

(f) If there is no gaming activity at a Mississippi Stud table that is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures in § 655a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) In lieu of the dealing and shuffling requirements in this section, a certificate holder may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that the device and procedures for dealing and shuffling the cards through the use of this device are approved by the Bureau of Gaming Laboratory Operations.

§ 655a.6. Mississippi Stud hand rankings.

(a) The rank of the cards used in Mississippi Stud, in order of highest to lowest rank, must be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush

or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: king, queen, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible five-card poker hands in the game of Mississippi Stud, in order of highest to lowest rank, must be:

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

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

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

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

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

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

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

(8) Two pairs, which is a hand consisting of two pairs.

(9) One pair, which is a hand consisting of two cards of the same rank.

§ 655a.7. Wagers.

(a) Wagers at Mississippi Stud shall be made by placing value chips or plaques on the appropriate betting areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at the Mississippi Stud table may place a wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All Ante and Progressive Payout Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 655a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer announces "no more bets" and begins dealing the cards.

(d) The following wagers may be placed in the game of Mississippi Stud:

(1) To participate in a round of play, a player shall place an Ante Wager.

(2) Third Street, 4th Street and 5th Street Wagers made in accordance with § 655a.11(b), (d) and (f).

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at a Mississippi Stud table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing an Ante Wager, a player may make an additional Progressive Payout Wager by placing a value chip into the progressive wagering device desig-

nated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a Mississippi Stud table.

§ 655a.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance. Once the procedures required under § 655a.5 (relating to the shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

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

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) Two cards face down to each player who placed an Ante Wager in accordance with § 655a.7(d)(1) (relating to wagers).

(2) Three cards face down to the area designated for the placement of the community cards.

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

(f) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 655a.9. Procedure for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 655a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing the cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall then collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal the cards as follows:

(1) Two cards face down to each player who placed an Ante Wager in accordance with § 655a.7(d)(1) (relating to wagers).

(2) Three cards face down to the area designated for the placement of the community cards.

(c) After two cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 655a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 655a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the dealing shoe dispensing any stacks, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. The dealer shall then collect any Progressive Payout Wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with § 655a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager.

(c) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 655a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the three community cards. After all three community cards have been dealt, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine that the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player has more or less than 2 cards or the area designated for the placement of the community cards has more or less than 3 cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe that automatically reshuffles the cards, the three community cards may be dispensed before the two cards are dispensed to each player.

§ 655a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 655a.8, § 655a.9 or § 655a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for

dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards, subject to the following limitations:

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

(2) Each player shall keep his cards in full view of the dealer at all times.

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

(b) After each player has examined his cards and replaced them face down on the layout, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to place a 3rd Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager or fold. If a player folds, the Ante Wager shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout Wager in which the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(c) Once all players have either placed a 3rd Street Wager or folded, the dealer shall turn over and reveal the first community card.

(d) Each player shall then either place a 4th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 4th Street betting area or fold. If a player folds, the Ante Wager and 3rd Street Wager shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout Wager in which the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(e) Once all remaining players have either placed a 4th Street Wager or folded, the dealer shall turn over and reveal the second community card.

(f) Each player shall then either place a 5th Street Wager in an amount equal to one, two or three times the amount of the player's Ante Wager in the designed 5th Street betting area or fold. If a player folds, the Ante Wager and the 3rd Street and 4th Street Wagers shall be immediately collected and placed in the table inventory container and the folded hand shall be collected and placed in the discard rack unless the player made a Progressive Payout Wager in which the cards shall be left on the table until all wagers are resolved in accordance with subsection (i).

(g) Once all remaining players have either placed a 5th Street Wager or folded, the dealer shall turn over and reveal the third community card.

(h) If a player has placed an Ante Wager and a Progressive Payout Wager but does not make a 3rd Street, 4th Street or 5th Street Wager, the player shall forfeit the Ante Wager, the Progressive Payout Wager and, if applicable, the 3rd Street and 4th Street Wagers but shall not forfeit the eligibility to receive an Envy Bonus under § 655a.12 (relating to payout odds; Envy Bonus; rate of progression).

(i) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the

player's cards. The dealer shall then evaluate and announce the best possible five-card poker hand that can be formed using the player's two cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All wagers shall be settled as follows:

(1) All losing wagers shall immediately be collected by the dealer and placed in the table inventory container and the player's cards shall be collected and placed in the discard rack.

(2) If the player's five-card hand is a pair of 6s, 7s, 8s, 9s or 10s, the player's hand is a push. The dealer may not collect or pay the wagers, but shall immediately collect the cards of that player.

(3) All winning Mississippi Stud wagers shall be paid in accordance with the payout odds in § 655a.12(a).

(4) After settling the player's Mississippi Stud Wager, the dealer shall settle the Progressive Payout Wager, if offered by the certificate holder. If a player has won the progressive payout, the dealer shall:

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

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Progressive Payout Wager in accordance with § 655a.12(c)(1). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus won in accordance with § 655a.12(c)(5). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Mississippi Stud table is the holder of an Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of an Envy Bonus Qualifying Hand provided, however, that a player is not entitled to an Envy Bonus for his own hand.

(j) After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 655a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Mississippi Stud wager in accordance with the following odds:

<i>Hand</i>	<i>Payout</i>
Royal flush	500 to 1
Straight flush	100 to 1
Four-of-a-kind	40 to 1
Full house	10 to 1
Flush	6 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two Pair	2 to 1
Pair of jacks or better	1 to 1
Pair of 6s to 10s	Push

(b) Notwithstanding the payout odds in subsection (a), the aggregate payout limit for any hand may not exceed \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

(c) If a certificate holder offers the Progressive Payout Wager:

(1) The certificate holder shall pay each winning Progressive Payout Wager in accordance with the following odds:

<i>Hand</i>	<i>Payout</i>
Royal flush	100% of meter
Straight flush	10% of meter
Four-of-a-kind	300 for 1
Full house	50 for 1
Flush	40 for 1
Straight	30 for 1
Three-of-a-kind	9 for 1

(2) A player shall receive the payout for only the highest ranking hand formed from the player's two cards and the three community cards.

(3) The rate of progression for the meter used for the progressive payouts in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions). The initial and reset amount must also be in the certificate holder's Rules Submission and may not be less than \$10,000.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 655a.11(i)(4)(iv) (related to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payout schedules for every Envy Bonus Qualifying Hand based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$1,000
Straight flush	\$300

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush	\$5,000
Straight flush	\$1,500

§ 655a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(d) If any of the community cards are exposed prior to the dealer revealing the community cards in accordance with § 655a.11(c), (e) and (g) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe shall be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 657a. CRAZY 4 POKER

- Sec.
- 657a.1. Definitions.
- 657a.2. Crazy 4 Poker table physical characteristics.
- 657a.3. Cards; number of decks.
- 657a.4. Opening of the table for gaming.
- 657a.5. Shuffle and cut of the cards.
- 657a.6. Crazy 4 Poker rankings.
- 657a.7. Wagers.
- 657a.8. Procedure for dealing the cards from a manual dealing shoe.
- 657a.9. Procedure for dealing the cards from the hand.
- 657a.10. Procedures for dealing the cards from an automated dealing shoe.
- 657a.11. Procedures for completion of each round of play.
- 657a.12. Payout odds; Envy Bonus; rate of progression.
- 657a.13. Irregularities.

§ 657a.1. Definitions.

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

Envy Bonus—An additional fixed sum payout made to a player who placed a Progressive Payout Wager when another player at the Crazy 4 Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's four-card poker hand with a rank of four-of-a-kind or, if included in the payable selected by the certificate holder, a straight flush, as defined in § 657a.6(b) (relating to Crazy 4 Poker rankings).

Hand—The four-card poker hand that is held by each player and the dealer after the cards are dealt.

Play Wager—An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

Progressive Payout Hand—A player's four-card poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(b).

Queens Up Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted payable, regardless of the outcome of the player's hand against the dealer's 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 settled in accordance with the rules of this chapter.

§ 657a.2. Crazy 4 Poker table physical characteristics.

(a) Crazy 4 Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Crazy 4 Poker table shall be approved by the Bureau of Gaming Operations and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) Four separate betting areas designated for the placement of the Ante, Play, Super Bonus and Queens Up Wagers for each player. The Super Bonus betting area must be located to the right of the Ante Wager betting area and be separated by an “=” symbol.

(3) If the certificate holder offers the optional Progressive Payout Wager authorized under § 657a.7(d)(3) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Crazy 4 Poker table.

(5) Inscriptions that advise patrons of the following:

- (i) The best four-card hand plays.
- (ii) The dealer qualifies with a king or better.
- (iii) A player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager.
- (iv) The player's Super Bonus Wager shall be returned if the player beats or ties the dealer with a hand that is not a straight or better.

(6) If the information in paragraph (5) is not on the layout, a sign which sets forth the required information must be posted at each Crazy 4 Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 657a.7(d)(3), the Crazy 4 Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table game systems), for the placement of Progressive Payout Wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Payout Wager that a player attempts to place after the dealer has announced “no more bets.”

(d) Each Crazy 4 Poker table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance. The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(e) Each Crazy 4 Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 657a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Crazy 4 Poker shall be played with one deck of cards that are identical in appearance and one cover card.

(b) If an automated card shuffling device is utilized, Crazy 4 Poker may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

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

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

(c) The decks of cards used in Crazy 4 Poker shall be changed at least:

- (1) Every 4 hours if the cards are dealt by hand.
- (2) Every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 657a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 657a.5 (relating to shuffle and cut of the cards).

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

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

§ 657a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack.

The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with the procedures in subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

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

(f) If there is no gaming activity at a Crazy 4 Poker table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 657a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) In lieu of the dealing and shuffling requirements in this section, a certificate holder may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that the device and the procedures for dealing and shuffling the cards through use of this device are approved by the Bureau of Gaming Laboratory Operations.

§ 657a.6. Crazy 4 Poker rankings.

(a) The rank of the cards used in Crazy 4 Poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2, 3 and 4 but may not be combined with any other sequence of cards (for example: king, ace, 2 and 3). All suits shall be equal in rank.

(b) The permissible poker hands in the game of Crazy 4 Poker, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an

ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3, 4 being the lowest ranking straight flush.

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

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

(5) A straight, which is a hand consisting of four cards of more than one suit and of consecutive rank, with ace, king, queen and jack being the highest ranking straight and an ace, 2, 3, 4 being the lowest ranking straight.

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

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

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

§ 657a.7. Wagers.

(a) Wagers at Crazy 4 Poker shall be made by placing value chips or plaques on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Crazy 4 Poker table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except the Play Wager, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 657a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Crazy 4 Poker:

(1) A player shall compete against the dealer's four-card Poker hand by placing both an Ante Wager and a Super Bonus Wager in equal amounts, then a Play Wager, in accordance with § 657a.11(b).

(2) In addition to the Ante and Super Bonus Wagers, a player may compete against a posted payable by placing a Queens Up Wager.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player at Crazy 4 Poker table the option to make an additional Progressive Payout

Wager that the player will receive a Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Progressive Payout Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a Crazy 4 Poker table.

§ 657a.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance. Once the procedures required under § 657a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

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

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed the required wagers in accordance with § 657a.7(d)(1) (relating to wagers) and to the dealer until each player and the dealer have five cards.

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

(f) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the dealer has more or less than 5 cards) but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 657a.9. Procedure for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 657a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed the required wagers in accordance with § 657a.7(d)(1) (relating to wagers) and to the dealer until each player and the dealer have five cards.

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

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the dealer has more or less than 5 cards), but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 657a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 657a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets" and, if the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed a wager in accordance with § 657a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with § 657a.7(d)(1). The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards.

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

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the dealer has more or less than 5 cards), but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 657a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 657a.8, § 657a.9 or § 657a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards, subject to the following limitations:

(1) Each player who wagers at Crazy 4 Poker shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his five cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed Ante and Super Bonus Wagers if he wishes to forfeit the Ante and Super Bonus Wagers and end his participation in the round of play or make a Play Wager in an amount equal to the player's Ante Wager provided, however, that a player who has a pair of aces or better may place a Play Wager in an amount up to three times the player's Ante Wager. If a player:

(1) Has placed Ante, Super Bonus and Queens Up Wagers but does not make a Play Wager, the player shall forfeit all three wagers.

(2) Has placed Ante, Super Bonus and a Progressive Payout Wagers but does not make a Play Wager, the player shall forfeit all three wagers and but may not forfeit the eligibility to receive an Envy Bonus under § 657a.12(d) (relating to payout odds; Envy Bonus; rate of progression).

(c) After each player who has placed an Ante and Super Bonus Wager has either placed a Play Wager on the designated area of the layout or forfeited his wagers and hand, the dealer shall collect all forfeited wagers and associated cards and shall place the cards in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking four-card poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the five cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and form the highest possible ranking four-card poker hand for each player.

(3) If the dealer's highest ranking four-card poker hand:

(i) Is ranked lower than a king, the dealer shall return each player's Ante Wager and pay out the Play and Super Bonus Wagers made by the player in accordance with the payout odds in § 657a.12(a) and (b) provided, however, that the player's Super Bonus Wager will be returned if the player's winning hand is not a straight or better.

(ii) Is a king or better, and the player's highest ranking four-card poker hand is ranked:

(A) Lower than the dealer's four-card poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player but shall pay out the Super Bonus Wager made by the player in accordance with the payout odds in § 657a.12(b).

(B) Higher than the dealer's four-card poker hand, the dealer shall pay the Ante, Play, and Super Bonus Wagers made by the player in accordance with the payout odds in § 657a.12(a) and (b). The player's Super Bonus Wager will be returned if the player's winning hand is not a straight or better.

(C) Is equal in rank to the dealer's four-card hand, the dealer shall return the Ante and Play Wagers and pay out the Super Bonus Wager in accordance with the payout odds in § 657a.12(b). The player's Super Bonus Wager will be returned if the player's winning hand is not a straight or better.

(d) After settling the player's Ante, Play and Super Bonus Wagers, the dealer shall settle any Queens Up Wager by determining whether the player's four-card poker hand qualifies for a payout in accordance with § 657a.12(c). A winning Queens Up Wager shall be paid irrespective of whether the player's four-card poker hand outranks the dealer's hand.

(e) After settling a player's Ante, Play, Super Bonus and Queens Up Wagers, the dealer shall then settle the Progressive Payout Wager, if offered by the certificate holder. A winning Progressive Payout Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

- (1) Verify that the hand is a winning hand.
- (2) Verify that the appropriate light on the progressive table game system has been illuminated.
- (3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(4) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 657a.12(d)(1). If a player has won a progressive payout that is 100% of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus won in accordance with § 657a.12(d)(5). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Crazy 4 Poker table is the holder of an Envy Bonus Qualifying hand. Players are entitled to multiple Envy Bonuses if more than one other player is the holder of an Envy Bonus Qualifying hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(f) After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 657a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Ante and Play Wager at odds of 1 to 1.

(b) A certificate holder shall pay the player's Super Bonus Wager in accordance with the following odds:

<i>Hand</i>	<i>Paytable</i>
Four aces	200 to 1
Four-of-a-kind	30 to 1
Straight flush	15 to 1
Three-of-a-kind	2 to 1
Flush	3 to 2
Straight	1 to 1

(c) A player placing a Queens Up Wager shall be paid at the odds in one of the following paytables, selected by the certificate holder in its rule submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Four-of-a-kind	50 to 1	50 to 1
Straight flush	30 to 1	40 to 1
Three-of-a-kind	9 to 1	9 to 1
Flush	4 to 1	4 to 1
Straight	3 to 1	3 to 1
Two Pair	2 to 1	2 to 1
Pair of queens or better	1 to 1	1 to 1

<i>Hand</i>	<i>Paytable C</i>	<i>Paytable D</i>
Four-of-a-kind	50 to 1	50 to 1
Straight flush	30 to 1	40 to 1
Three-of-a-kind	8 to 1	7 to 1
Flush	4 to 1	4 to 1
Straight	3 to 1	3 to 1
Two pair	2 to 1	2 to 1
Pair of queens or better	1 to 1	1 to 1

(d) If a certificate holder offers the Progressive Payout Wager:

(1) A player placing a Progressive Payout Wager shall be paid at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Four aces	100% of meter	100% of meter
Four-of-a-kind	300 for 1	300 for 1
Straight flush	100 for 1	100 for 1
Three-of-a-kind	9 for 1	15 for 1

(2) A player shall receive the payout for only the highest ranking four-card poker hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least \$5,000 for payable A and \$1,000 for payable B.

(4) Winning Progressive Payout Hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 657a.11(e) (relating to procedures for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payout schedules for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

(i) If the certificate holder selects payable A from paragraph (1), the payout shall be:

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Four Aces	\$100
Four-of-a-kind	\$10
Straight flush	\$5

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$500
Four-of-a-kind	\$50
Straight flush	\$25

(ii) If the certificate holder selects payable B from paragraph (1), the payout shall be:

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Four Aces	\$100
Four-of-a-kind	\$25

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Four Aces	\$500
Four-of-a-kind	\$125

§ 657a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(d) If any of the dealer's cards are inadvertently exposed prior to each player having either folded or placed a Play Wager as provided for under § 657a.11 (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe shall be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 11-1876. Filed for public inspection November 4, 2011, 9:00 a.m.]