

PROPOSED RULEMAKINGS

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 605a, 639a, 641a,
643a, 647a, 653a, 655a AND 657a]

Electronic Gaming Tables and Table Games Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to amend Chapters 605a, 639a, 641a, 643a, 647a, 653a, 655a and 657a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking will add requirements for progressive table game systems that are linked between multiple tables within the same licensed facility, add the Progressive Payout Wager to Crazy 4 Poker, Caribbean Stud Poker, Four Card Poker, Let It Ride Poker and Texas Hold 'Em Bonus Poker and the Bad Beat Wager to Four Card Poker.

Explanation

Progressive table games

Section 605a.7(a)(1) (relating to progressive table games) is proposed to be amended to require the progressive meter on tables to increase in value based on the wagers. Unlike slot machine progressives, progressive jackpots on table games are player funded (with the exception of the seed amount). Therefore, the meter should be incrementing every time a player places a progressive wager. For the same reasons, the option in subsection (b)(4) to place caps or limits on the progressive jackpot amounts is proposed to be deleted.

Proposed amendments to subsection (b)(4) require that if an operator is going to fund a reserve pool with a portion of the patron's wager on a progressive, the proposed incrimination rate must be included in the operator's submission to the Bureau of Gaming Laboratory Operations.

For clarity, subsection (d)(1) and (2) is proposed to be consolidated. Specificity is proposed to be added in renumbered subsection (d)(3) regarding what is to happen to a progressive jackpot amount if a meter malfunctions.

Proposed subsection (e) prohibits operators from capping a meter or offering more than one progressive on the same table game (for example, a Five-Card and Four-Card Progressive). The Board believes that having multiple progressives on the same table game will create problems with administering the progressives and will lead to confusion. Proposed subsection (e)(3) requires that if operators were to offer progressives, the required wager amount would have to be a set amount to ensure fairness to all players vying for the progressive jackpot (a percentage of the jackpot meter).

Linked progressive tables

A local area progressive (LAP) controller links different games within the same licensed facility together for the purpose of offering a shared progressive jackpot. A definition of "local area progressive controller" is proposed to be

added to § 605a.1 (relating to definitions). Proposed § 605a.8 (relating to linked progressive table games) includes key control and general system specifications for LAP controllers.

Additionally, to ensure fairness to players, if a certificate holder is offering a linked progressive, the linked games must have the same probability of hitting the jackpot and the same amount shall be wagered by the players participating in the side bet. See § 605a.8(g).

Progressive payout wager

The Progressive Payout Wager (referred to in several of the chapters as the Five-Card Progressive Payout Wager for games that already include a Three or Four-Card Progressive Wager) is an optional side wager that the player's five-card hand will contain a three-of-a-kind or better. This side wager may be offered on a single table (such as one Four Card Poker table), on multiple tables (a bank of Four Card Poker tables) or across multiple games within the same licensed facility (Four Card Poker, Crazy 4 Poker and Let It Ride Poker tables, for example). The purpose of linking multiple tables and games together is to increase the number of individuals contributing to and playing for the progressive jackpot amount.

Under this proposed rulemaking, the Progressive Payout Wager (Five-Card Progressive Payout Wager) may be played on any of the following games: Caribbean Stud Poker; Four Card Poker; Let It Ride Poker; Texas Hold 'Em Bonus Poker; Ultimate Texas Hold 'Em Poker; Mississippi Stud; and Crazy 4 Poker. For these games, language is proposed to be added specifying that if a facility were to offer a linked progressive, the table game system must comply with § 605a.8. For games that did not previously include a payout based on a five-card Poker hand, hand rankings are proposed to be added. A description of the Progressive Payout Wager, how the wager is to be settled and when it is to be settled, and the payout odds and amounts are proposed to be added.

In addition, several chapters are proposed to be amended to ensure that players wagering on a progressive have the same probability of winning the jackpot.

In Caribbean Stud Poker, the Progressive Payout Wager based on a five-card hand is already included as an optional side wager. However, the Progressive Payouts previously approved in paytables A—C may be utilized only on single table progressives but may not be used for linked table progressives. Therefore, proposed amendments to §§ 639a.11 and 639a.12 (relating to procedure for completion of each round of play; and payout odds; rate of progression) specify that if operators were to offer linked progressives, only proposed payable D, which includes an Envy Bonus, could be utilized.

Proposed amendments to § 647a.2(c) (relating to Texas Hold 'Em Bonus Poker table physical characteristics) specify that if an operator were to offer the Progressive Payout Wager, the table must be equipped with a progressive table game system. This language is proposed to be added because other progressive wagers were not previously authorized for Texas Hold 'Em. As this is the first progressive side wager authorized, additional requirements regarding the use of the progressive table game system are proposed to be added in §§ 647a.8, 647a.9 and 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

Proposed amendments to § 653a.11 (relating to procedures for completion of each round of play) ensure that only the player's two cards and the first three community cards (the Flop) may be used to form the best five-card Poker hand for purposes of the Progressive Payout Wager. This clarifying language is proposed to be included because allowing players to create the best five-card Poker hand from the seven cards dealt (the player's two cards and five community cards) would create an advantage to players at Ultimate Texas Hold 'Em Poker if those players were vying for the linked progressive jackpot against players at tables in which only the player's first five cards were used to create the best possible hand.

In Mississippi Stud, language is proposed to be amended in § 655a.11(i)(4)(i)(D) (relating to procedures for completion of each round of play) for consistency with the other chapters that offer progressive jackpot payouts.

Proposed amendments to § 657a.11 (relating to procedures for completion of each round of play) specify that for the Five-Card Progressive Payout Wager, the dealer shall consider all five cards dealt to the player to determine a winning hand. This clarifying language is proposed to be included because other wagers in Crazy 4 Poker are based on the best four-card hand a player can make from the five cards dealt.

Bad Beat Bonus Wager

The Bad Beat Bonus Wager is proposed to be added to Four Card Poker. The layout requirements are proposed to be added in § 641a.2(b)(4) (relating to Four Card Poker table physical characteristics), the wager description is proposed to be added to § 641a.7(d)(6) (relating to wagers), the procedure for payment of winning wagers and the collection of losing wagers is proposed to be added in § 641a.11(c)(6) (relating to procedures for completion of each round of play) and the payout odds are proposed to be added in § 641a.12(f) (relating to payout odds; Envy Bonus; rate of progression).

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Testing of LAP controllers and progressives and updates to Rules Submissions and internal control procedures will be reviewed by existing Board staff.

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

Private sector. This proposed rulemaking will provide certificate holders with additional operational options. If a certificate holder decides to offer the Progressive Payout Wager, the Bad Beat Bonus Wager or linked progressive jackpots within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment which will allow for the placement of progressive wagers. Costs incurred to train employees or purchase or lease equipment should be offset by the proceeds of gaming.

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

Paperwork Requirements

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

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Attention: Regulation #125-169 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is 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 April 15, 2013, 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 Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

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

WILLIAM H. RYAN, Jr.,
Chairperson

Fiscal Note: 125-169. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 605a. ELECTRONIC GAMING TABLES

§ 605a.1. Definitions.

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

Electronic wagering system—A computer or server and any related hardware, software or other device that permits wagering to be conducted at a gaming table.

Game account—The funds that are available to a player for use at an electronic gaming table.

Local area progressive controller—The hardware and software used to configure, maintain and operate a shared link between progressive table games within a licensed facility.

§ 605a.7. Progressive table [**game systems**] games.

(a) Each progressive **on a** fully automated electronic gaming table, electronic gaming table or live table game must have:

(1) A progressive meter visible from the front of the gaming table, which **[may] must** increase in value based upon wagers, that advises the players of the amount which can be won if the player receives the corresponding outcome.

* * * * *

(b) A table game that offers a progressive jackpot may not be placed on the gaming floor until the certificate holder or, if applicable, the progressive system operator, has submitted the following to the Bureau of Gaming Laboratory Operations for review and approval, in accordance with § 461a.4 (relating to submission for testing and approval):

* * * * *

(4) **[The proposed limit for the progressive jackpot, if any.] The proposed incrimination rate for a reserve pool, if any, to fund the next reset amount.**

(c) A table game that offers either a new progressive jackpot or a modification of an existing progressive jackpot may not be made available for play by the public until the table game has been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 and § 461a.26 (relating to testing and software installation on the live gaming floor).

(d) Progressive meters may not be turned back to a lesser amount unless one of the following occurs:

(1) The amount indicated has been **[actually]** paid to a winning patron **and the amount won has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(2) **[The progressive jackpot amount won by the patron has been recorded in accordance with a system of internal controls approved under § 465a.2 (relating to internal control systems and audit protocols).**

(3) **] The progressive jackpot has, upon written approval in accordance with § 461a.4, been transferred to another progressive table game.**

[(4) The change is necessitated by a] (3) A table game or [meter malfunction] progressive meter malfunctions, in which case, a written explanation shall be sent to the Bureau of Gaming Laboratory Operations and the entire progressive jackpot amount shall be placed back onto the progressive jackpot meter.

(e) **A certificate holder that offers progressive jackpots:**

(1) **May not place a limit or cap on the progressive jackpot amount.**

(2) **May not offer more than one progressive jackpot on the same table game.**

(3) **Shall require that the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. The progressive wager amount required may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).**

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

§ 605a.8. Linked progressive table games.

(a) Two or more table games that are located within the same licensed facility and offer a shared progressive jackpot must be linked using an approved local area progressive (LAP) controller.

(b) The LAP controller:

(1) Must be capable of uniquely identifying each linked progressive table game.

(2) Must become inoperable if any of the following errors occur:

(i) RAM failures

(ii) Power failures.

(iii) Self-check errors.

(iv) Incorrect configurations.

(v) Lost jackpot configurations.

(3) Must be designed to:

(i) Recover from an error or communication failure and, when recovered, to return to the state it was in prior to the error or communication failure.

(ii) Automatically and accurately calculate the progressive jackpot amount based on a configured rate of progression and to continuously update the required displays and meters.

(iii) Accurately identify and record the order of winning progressive jackpots when two or more linked progressive table games achieve the same winning game outcome at nearly the same time.

(iv) Complete a self-check when powered-up. A LAP controller must be designed so that it becomes operational only if it has successfully passed a self-check. A self-check must include an authentication of the LAP controller software by means of, at a minimum, a 16 bit Cyclical Redundancy Check.

(4) May not allow progressive parameter changes while a progressive link is in operation.

(c) Progressives connected to a LAP controller must become unplayable when the LAP controller is disabled or inoperable or if the progressive loses communication with the LAP controller.

(d) The certificate holder shall specify in its internal controls required under § 465a.2 (relating to internal control systems and audit protocols):

(1) The mechanism by which the certificate holder and the patrons will be notified if the LAP controller or the linked progressive on a table game becomes inoperable.

(2) The secure location within the licensed facility where the LAP controller will be stored.

(3) An access matrix containing a list of users and a description of their access rights to the LAP controller software.

(4) Key controls over the cabinet or rack which houses the LAP controller.

(e) A certificate holder is required to physically house an entry authorization log that documents each time a LAP controller is accessed in each location where a LAP controller is stored. The log must:

(1) Contain the date, time, purpose for accessing the LAP controller and the signature and license or permit number of the person accessing the LAP controller.

(2) Be maintained in the location where the LAP controller unit is housed.

(3) Have recorded a sequence number and the manufacturer's serial number of the LAP controller.

(f) A certificate holder seeking to utilize a linked progressive on a table game shall submit for approval the location and manner of installing a progressive meter display mechanism.

(g) Two or more table games within the same licensed facility that are linked to a common progressive meter for the purpose of offering a shared progressive jackpot must:

(1) Have the same probability of hitting the combination that will award the progressive jackpot as every other table game linked to the common progressive meter.

(2) Require that the same progressive wager amount be invested to entitle the player a chance at winning the progressive jackpot. Progressive wager amounts may not be changed unless the certificate holder updates its Rules Submission in accordance with § 601a.2 (relating to table games Rules Submissions).

(h) Table games that offer a linked progressive jackpot may not be made available for play by the public until the LAP controller and the linked progressive table games have been tested by the Bureau of Gaming Laboratory Operations and approved in accordance with §§ 461a.4 and 461a.26 (relating to submission for testing and approval; and testing and software installation on the live gaming floor).

CHAPTER 639a. CARIBBEAN STUD POKER

§ 639a.1. Definitions.

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

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

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

Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 639a.6(b) (relating to Caribbean Stud Poker rankings).

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

* * * * *

§ 639a.2. Caribbean Stud Poker table physical characteristics.

* * * * *

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 639a.7(d)(2), the Caribbean Stud Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [game systems] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply**

with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

* * * * *

§ 639a.11. Procedure for completion of each round of play.

* * * * *

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to make a Bet Wager in an amount equal to two times the amount of the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and a Caribbean Stud Bonus Wager or Progressive Payout Wager but does not make a Bet Wager, the player shall forfeit all wagers **but does not forfeit the right to receive an Envy Bonus Payout, if applicable.**

(c) After each player who has placed an Ante Wager has either placed a Bet Wager on the designated area of the layout or forfeited his wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's four hole cards and place the cards so as to form the highest possible ranking five-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:

* * * * *

(5) After settling a player's Ante, Bet and Caribbean Stud Bonus 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 five-card Poker hand outranks the dealer's hand. If a player has won a progressive payout, the dealer shall:

* * * * *

(iv) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 639a.12(d). If a player has won a progressive payout that is a percentage 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 § 639a.12(d)(6) if Paytable D in § 639a.12(d)(1) is selected by the certificate holder. Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Caribbean Stud 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.**

(d) After all wagers of the player 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.

§ 639a.12. Payout odds; rate of progression.

* * * * *

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

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Royal flush	100% of meter	100% of meter	100% of meter	100% of meter
Straight flush	5,000 for 1	10% of meter	10% of meter	10% of meter
Four-of-a-kind	500 for 1	500 for 1	200 for 1	300 for 1
Full house	100 for 1	100 for 1	50 for 1	50 for 1
Flush	50 for 1	50 for 1	40 for 1	40 for 1
Straight	10 for 1	10 for 1	30 for 1	30 for 1
Three-of-a-kind	3 for 1	3 for 1	9 for 1	9 for 1
Two pair	2 for 1	2 for 1	N/A	

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed.

(3) Paytables A, B and C may not be selected by the certificate holder if the Progressive Payout Wager is offered on multiple linked games with a shared progressive jackpot.

(4) 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 may not be less than \$10,000.

[(4)] (5) 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 § 639a.11(c)(5) (relating to procedure for completion of each round of play).

(6) If the certificate holder selects Paytable D, Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands based upon the amount of the Progressive Payout Wager placed by the player receiving the Envy Bonus:

\$1 Progressive Payout Wager

Hand	Envy Bonus
Royal flush	\$1,000
Straight flush	\$300

\$5 Progressive Payout Wager

Hand	Envy Bonus
Royal flush	\$5,000
Straight flush	\$1,500

CHAPTER 641a. FOUR CARD POKER

§ 641a.1. Definitions.

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

Aces Up Wager—The wager that a player is required to make prior to any cards being dealt to compete against a posted payable, regardless of whether the player's hand outranks the dealer's hand.

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

(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:

Envy Bonus Qualifying Hand—A player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, as defined in § 641a.6(b) (relating to Four Card Poker rankings), depending on the payable selected by the certificate holder.]

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

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 641a.6(d) (relating to Four Card Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(d).

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

Four-Card Envy Bonus Qualifying Hand—A player's Four Card Poker hand with a rank of four-of-a-kind or better or a straight flush or better, as defined in § 641a.6(b), depending on the payable selected by the certificate holder.

Four-Card Progressive Payout Hand—A player's Four Card Poker hand with a rank of three-of-a-kind or better as defined in § 641a.6(b).

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 § 641a.6(b).]

§ 641a.2. Four Card Poker table physical characteristics.

* * * * *

(b) The layout for a Four Card Poker table shall be submitted to the Bureau of Gaming Operations and

approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

* * * * *

(3) If the certificate holder offers either the [optional] Four or Five-Card Progressive Payout Wager authorized under § 641a.7(d)(4) or (5) (relating to wagers), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Bad Beat Bonus Wager authorized under § 641a.7(d)(6), a separate area designated for the placement of the Bad Beat Bonus Wager for each player.

(5) 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 Four Card Poker table.

(c) If a certificate holder offers [a] either the Four or Five-Card Progressive Payout Wager in accordance with § 641a.7(d)(4) or (5), the Four Card Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [game systems] games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

* * * * *

§ 641a.6. Four Card Poker rankings.

* * * * *

(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 contained in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) When the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands 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.

§ 641a.7. Wagers.

* * * * *

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

* * * * *

(4) 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 Four Card Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Four-Card 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 Four-Card Progressive Payout Wager has been accepted.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Five-Card 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 Five-Card Progressive Payout Wager has been accepted.

(6) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Poker table the option to make an additional Bad Beat Bonus Wager that either the player's hand contains a two pair or better and the dealer's hand outranks the player's hand, or the dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand. After placing an Ante Wager or an Aces Up Wager, or both, a player may make the additional Bad Beat Bonus Wager by placing a value chip onto the designated area of the layout for that player. Winning wagers shall be paid out based on the rank of the losing hand.

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 641a.11. Procedures for completion of each round of play.

* * * * *

(b) After each player has examined his cards and placed the cards 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 make a Play Wager in an amount from one to three times the amount of the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player:

* * * * *

(2) Has placed an Ante Wager and a Four or Five-Card Progressive Payout Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Progressive Payout Wager but may not forfeit the

eligibility to receive an Envy Bonus under § 641a.12(d) or (e) (relating to payout odds; Envy Bonus; rate of progression).

(c) After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager and hand, the dealer shall collect all forfeited wagers and associated cards and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and select the four cards that 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:

* * * * *

(5) The dealer shall then settle the player's **Four or Five-Card Progressive Payout Wager**, if offered by the certificate holder. **For the Five-Card Progressive Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player.** 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:

* * * * *

(iv) Pay the winning **Four-Card Progressive Payout Wager** in accordance with the payout odds in § 641a.12(d) or the winning **Five-Card Progressive Payout Wager** in accordance with the payout odds in § 641a.12(e). If a player has won a progressive payout that is [100%] a percentage 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 must remain on the table until the necessary documentation has been completed.

(v) Pay any Envy Bonus [won in accordance with § 641a.12(d).] as follows:

(A) A player making a **Four-Card Progressive Payout Wager** shall receive [an] a **Four-Card Envy Bonus** when another player at the same Four Card Poker table is the holder of [an] a **Four-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple **Four-Card Envy Bonuses** if more than one other player is the holder of [an] a **Four-Card Envy Bonus Qualifying Hand**. A player is not entitled to [an] a **Four-Card Envy Bonus** for his own hand or the hand of the dealer. **Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(d)(5).**

(B) A player making a **Five-Card Progressive Payout Wager** shall receive a **Five-Card Envy Bonus** when another player at the same Four Card Poker table is the holder of a **Five-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple **Five-Card Envy Bonuses** if more than one other player is the holder of a **Five-Card Envy Bonus Qualifying Hand**. A player is not entitled to a **Five-Card Envy Bonus** for his own hand or the hand of the dealer. **Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 641a.12(e)(5).**

(6) After settling any Aces Up Wagers, the dealer shall settle a player's **Bad Beat Bonus Wager**. A

player shall win a **Bad Beat Bonus** payout, in accordance with § 641a.12(f), based on the rank of the losing hand if:

(i) The player's hand contains a two pair or better and the dealer's hand outranks the player's hand.

(ii) The dealer's hand contains a two pair or better and the player's hand outranks the dealer's hand.

(d) After all wagers of the player 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.

§ 641a.12. Payout odds; Envy Bonus; rate of progression.

* * * * *

(d) If a certificate holder offers a **Four-Card Progressive Payout Wager**:

(1) A player placing a **Four-Card Progressive Payout Wager** shall be paid at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

* * * * *

(4) Winning **Four-Card Progressive Payout Hands** shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 641a.11(c)(5) (relating to procedures for completion of each round of play).

(5) **Four-Card Envy Bonus** payouts shall be made according to one of the following payouts, selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2, for **Four-Card Envy Bonus Qualifying Hands** based upon the amount of the **Four-Card Progressive Payout Wager** placed by the player receiving the Envy Bonus:

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Paytable A Envy Bonus</i>	<i>Paytable B Envy Bonus</i>
Four aces	\$100	\$100
Four-of-a-kind	\$10	\$25
Straight flush	\$5	N/A

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Paytable A Envy Bonus</i>	<i>Paytable B Envy Bonus</i>
Four aces	\$500	\$500
Four-of-a-kind	\$50	\$125
Straight Flush	\$25	N/A

(e) If a certificate holder offers the **Five-Card Progressive Payout Wager**:

(1) A player placing a **Five-Card Progressive Payout Wager** shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</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 five-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 be at least \$10,000.

(4) Winning Five-Card 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 § 641a.11(c)(5).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card 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

(f) If a certificate holder offers the Bad Beat Bonus Wager, the certificate holder shall pay out winning Bad Beat Wagers at the amounts in one of the following paytables 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-of-a-kind	25,000 to 1	10,000 to 1
Straight flush	10,000 to 1	5,000 to 1
Three-of-a-kind	100 to 1	100 to 1
Flush	25 to 1	25 to 1
Straight	15 to 1	15 to 1
Two pair	4 to 1	4 to 1

CHAPTER 643a. LET IT RIDE POKER

§ 643a.1. Definitions.

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

Community card—A card which is used by all players to form a five-card Poker hand.

[*Envy Bonus*—An additional fixed sum payout made to a player who placed a Progressive Wager when another player at the Let It Ride Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A mini-royal, as defined in § 643a.6(d) (relating to Let It Ride Poker rankings), formed using the three cards dealt to a player.]

Five-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Five-Card Progressive Payout Wager when another player at the Let It Ride Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand.

Five-Card Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better, as defined in § 643a.6(b) (relating to Let It Ride Poker rankings).

Five-Card Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 643a.6(b).

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

Let It Ride—When a player does not withdraw a wager as permitted under § 643a.11(b) and (d) (relating to procedures for completion of each round of play).

[*Progressive Payout Hand*—A player's three cards with a rank of a three-of-a-kind or better or a straight or better, as defined in § 643a.6(d), depending on the payable selected by the certificate holder.]

Three-Card Envy Bonus—An additional fixed sum payout made to a player who placed a Three-Card Progressive Wager when another player at the Let It Ride Poker table is the holder of a Three Card Envy Bonus Qualifying Hand.

Three-Card Envy Bonus Qualifying Hand—A mini-royal, as defined in § 643a.6(d), formed using the three cards dealt to a player.

Three-Card Progressive Payout Hand—A player's three cards with a rank of a three-of-a-kind or better or a straight or better, as defined in § 643a.6(d), depending on the payable selected by the certificate holder.

§ 643a.2. Let It Ride Poker table physical characteristics.

* * * * *

(b) The layout for a Let It Ride Poker table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

* * * * *

(7) If the certificate holder offers **either** the [**optional**] **Three or Five-Card** Progressive Payout Wager authorized under § 643a.7(g) **or** (h), a separate area designated for the placement of the Progressive Payout Wager for each player.

* * * * *

(d) If a certificate holder offers **either** the **Three or Five-Card** Progressive Payout Wager in accordance with § 643a.7(g) **or** (h), the Let It Ride Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [**game systems**] games), for the placement of Progressive Payout Wagers. **If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table**

game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

* * * * *

§ 643a.6. Let It Ride Poker rankings.

* * * * *

(d) If the certificate holder offers the **Three-Card Progressive Payout Wager** under § 643a.7(g), the following hands eligible for a payout are:

* * * * *

§ 643a.7. Wagers.

* * * * *

(g) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional **Three-Card Progressive Payout Wager** that the player will receive a **Three-Card Progressive Payout Hand**. After placing the Let It Ride Poker Wagers, a player may make an additional **Three-Card Progressive Payout Wager** by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective **Three-Card Progressive Payout Wager** has been accepted.

(h) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player the option to make an additional **Five-Card Progressive Payout Wager** that the player will receive a **Five-Card Progressive Payout Hand**. After placing the Let It Ride Poker Wagers, a player may make an additional **Five-Card Progressive Payout Wager** by placing a value chip into the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective **Five-Card Progressive Payout Wager** has been accepted.

(i) A Five Card Bonus Wager, Three Card Bonus Wager and Progressive Payout Wager do not have a bearing on any other wagers made by the player.

[(i)] (j) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 643a.11. Procedures for completion of each round of play.

* * * * *

(f) After the second community card is turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

* * * * *

(3) The dealer shall first settle all Let It Ride Poker Wagers of that player by collecting losing wagers and paying winning wagers in accordance with § 643a.12(a) (relating to payout odds; payout limitation). After settling the player's Let It Ride Poker Wagers, the dealer shall settle any Five Card Bonus Wagers, Three Card Bonus Wagers or Progressive Payout Wagers as follows:

* * * * *

(iii) If a player placed a **Three-Card Progressive Payout Wager** and the three cards dealt to the player form a three-of-a-kind or better, as defined in [§ 643a.6(c)]

§ 643a.6(d), or a straight or better, depending on the payable selected by the certificate holder, the dealer shall:

* * * * *

(D) Pay the winning **Three-Card Progressive Payout Wager** in accordance with the payout odds in § 643a.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 must remain on the table until the necessary documentation has been completed.

(E) Pay any **Three-Card Envy Bonus** won in accordance with § 643a.12(d)(5). Players making a **Three-Card Progressive Payout Wager** shall receive [an] a **Three-Card Envy Bonus** when another player at the same Let It Ride Poker table is the holder of [an] a **Three-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple Envy Bonuses if more than one player is the holder of [an] a **Three-Card Envy Bonus Qualifying Hand**. A player is not entitled to [an] a **Three-Card Envy Bonus** for his own hand.

(iv) If a player placed a **Five-Card Progressive Payout Wager** and the player's three cards and the two community cards form a three-of-a-kind or better, as defined in § 643a.6(b), the dealer shall:

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

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

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

(D) Pay the winning **Five-Card Progressive Payout Wager** in accordance with the payout odds in § 643a.12(e)(1). If a player has won a progressive payout that is a percentage 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 must remain on the table until the necessary documentation has been completed.

(E) Pay any **Five-Card Envy Bonus** won in accordance with § 643a.12(e)(5). Players making a **Progressive Payout Wager** shall receive a **Five-Card Envy Bonus** when another player at the same Let It Ride Poker table is the holder of a **Five-Card Envy Bonus Qualifying Hand**. Players are entitled to multiple Envy Bonuses if more than one player is the holder of a **Five-Card Envy Bonus Qualifying Hand**. A player is not entitled to a **Five-Card Envy Bonus** for his own hand.

(g) After all wagers of the player 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.

§ 643a.12. Payout odds; payout limitation.

(a) Subject to the payout limitation in subsection [(d)] (f), a certificate holder shall pay out winning Let It Ride Poker Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules

Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

* * * * *

(d) If a certificate holder offers the **Three-Card Progressive Payout Wager**:

(1) The certificate holder shall pay out winning **Three-Card Progressive Payout Wagers** at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

* * * * *

(4) Winning **Three-Card Progressive Payout Wagers** shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 643a.11(f)(3)(iii) (relating to procedures for completion of each round of play).

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

\$1 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Mini-royal, spades	\$100
Mini-royal, hearts, diamonds, clubs	\$25

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Mini-royal, spades	\$500
Mini-royal, hearts, diamonds, clubs	\$125

(e) If a certificate holder offers the **Five-Card Progressive Payout Wager**:

(1) A player placing a **Five-Card Progressive Payout Wager** shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</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 five-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 be at least \$10,000.

(4) Winning **Five-Card 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 § 643a.11(f)(3)(iv).

(5) **Five-Card Envy Bonus** payouts shall be made according to the following payouts for **Five-Card Envy Bonus Qualifying Hands** based upon the amount of the **Five-Card 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

(f) Notwithstanding the payout odds in subsection (a), a certificate holder may establish in its Rules Submission under § 601a.2 a maximum amount that is payable to a player on a single hand. The maximum amount shall be at least \$50,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. Any maximum payout limit established by a certificate holder shall apply only to payouts of Let It Ride Poker Wagers placed under § 643a.7(d) (relating to wagers) but may not apply to payouts of Five Card Bonus Wagers placed under § 643a.7(e), Three Card Bonus Wagers placed under § 643a.7(f) or Progressive Payout Wagers placed under § 643a.7(g) or (h).

CHAPTER 647a. TEXAS HOLD 'EM BONUS POKER

§ 647a.1. Definitions.

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

* * * * *

Community card—A card which may be used by each player and the dealer 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 **Texas Hold 'Em Bonus Poker** table is the holder of an **Envy Bonus Qualifying Hand**.

Envy Bonus Qualifying Hand—A player's five-card Poker hand with a rank of a straight flush or better as defined in § 647a.6(b) (relating to **Texas Hold 'Em Bonus Poker** rankings).

Flop—The first three community cards dealt during a round of play.

* * * * *

Hand—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

Progressive Payout Hand—A player's five-card Poker hand with a rank of three-of-a-kind or better as defined in § 647a.6(b).

River card—The fifth and final community card dealt during a round of play.

* * * * *

§ 647a.2. Texas Hold 'Em Bonus Poker table physical characteristics.

* * * * *

(b) The layout for a **Texas Hold 'Em Bonus Poker** table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to

approval of table game layouts, signage and equipment) and contain, at a minimum:

* * * * *

(5) If the certificate holder offers the optional Texas Hold 'Em Bonus Wager authorized under § 647a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Texas Hold 'Em Bonus Wager for each player.

(6) If a certificate holder offers the optional Progressive Payout Wager authorized under § 647a.7(d)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(7) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Texas Hold 'Em Bonus Poker table.

[(7)] (8) Inscriptions indicating the following:

* * * * *

[(8)] (9) If the information required under paragraph [(7)] (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Texas Hold 'Em Bonus Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 647a.7(d)(3), the Texas Hold 'Em Bonus Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

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

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

(d) Each Texas Hold 'Em Bonus Poker table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

[(d)] (e) Each Texas Hold 'Em Bonus Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 647a.7. Wagers.

* * * * *

(c) All Ante [and], Texas Hold 'Em Bonus and Progressive Payout Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 647a.8, § 647a.9 or § 647a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 647a.11(b), (d) and (f) (relating to procedure 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 Texas Hold 'Em Bonus Poker:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager then a Flop, Turn and River Wager in accordance with § 647a.11(b), (d) and (f).

(2) 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 Texas Hold 'Em Bonus Poker table the option to make an additional Texas Hold 'Em Bonus Wager that the player's first two cards will qualify for a payout in accordance with § 647a.12(b) (relating to payout odds; payout limitation). A Texas Hold 'Em Bonus Wager shall have no bearing on any other wager made by the player.

(3) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Texas Hold 'Em Bonus Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing the Ante Wager, 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 Texas Hold 'Em Bonus Poker table.

§ 647a.8. Procedure for dealing the cards from a manual dealing shoe.

* * * * *

(b) Prior to dealing the cards and after all Ante and Texas Hold 'Em Bonus Wagers have been placed, 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 additional Progressive Payout Wagers. If 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.

* * * * *

§ 647a.9. Procedure for dealing the cards from the hand.

* * * * *

(b) 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. The dealer shall then 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 an Ante Wager in accordance with § 647a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have two cards.

* * * * *

§ 647a.10. Procedure for dealing the cards from an automated dealing shoe.

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

* * * * *

(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 additional Progressive Payout Wagers. If 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.

* * * * *

§ 647a.11. Procedure for completion of each round of play.

* * * * *

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Flop Wager prior to the dealing of the Flop. The player may either fold or place a Flop Wager equal to twice the amount of the player's Ante Wager. If a player:

* * * * *

(2) Folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed [a]:

(A) A Texas Hold 'Em Bonus Wager, the dealer shall place the cards of the player face down underneath the Texas Hold 'Em Bonus Wager pending its resolution at the conclusion of the round of play.

(B) A Progressive Payout Wager, the player is not eligible to receive a Progressive Payout. The player's cards shall remain face down on the table

pending resolution of the Envy Bonus in accordance with subsection (i)(5).

(ii) Has not placed a Texas Hold 'Em Bonus Wager or a Progressive Payout Wager, the dealer shall immediately collect the player's cards and place them in the discard rack provided that if another player at the table placed a Progressive Payout Wager, the player's cards shall remain on the table pending the resolution of the Progressive Payout Wager in accordance with subsection (i).

* * * * *

(i) 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 and be based on the rank of the player's two cards and the three-card Flop. 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 § 647a.12(d). If a player has won a progressive payout that is a percentage 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 must remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus won in accordance with § 647a.12(d). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Ultimate Texas Hold 'Em 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.

(j) After all wagers of the player 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.

§ 647a.12. Payout odds; payout limitation.

* * * * *

(c) Notwithstanding the payout odds in subsections (a) and (b), the maximum aggregate payout limit on all winning Ante, Flop, Turn, River and Texas Hold 'Em Bonus Wagers for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

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

(1) A player placing a Progressive Payout Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</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 five-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 be at least \$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 § 647a.11(i) (relating to procedure for completion of each round of play).

(5) Envy Bonus payouts shall be made according to the following payouts for Envy Bonus Qualifying Hands 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

CHAPTER 653a. ULTIMATE TEXAS HOLD 'EM POKER

§ 653a.2. Ultimate Texas Hold 'Em Poker table physical characteristics.

* * * * *

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 653a.7(d)(3), the Ultimate Texas Hold 'Em Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [**game systems**] **games**), for the placement of Progressive Payout Wagers. **If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games).** The progressive table game system must include:

* * * * *

§ 653a.11. Procedures for completion of each round of play.

* * * * *

(j) 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 **and be based on the rank of the player's two cards**

and the three-card Flop. If a player has won a progressive payout, the dealer shall:

* * * * *

§ 653a.12. Payout odds; Envy Bonus; rate of progression; payout limitation.

* * * * *

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

* * * * *

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed **from the player's two cards and the three-card Flop.**

* * * * *

CHAPTER 655a. MISSISSIPPI STUD

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

* * * * *

(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**] **games**), for the placement of Progressive Payout Wagers. **If the certificate holder is offering the Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games).** The progressive table game system must include:

* * * * *

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

* * * * *

(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:

* * * * *

(4) After settling the player's Mississippi Stud Wager, the dealer shall settle the Progressive Payout or Three Card Bonus Wager, if offered by the certificate holder, as follows:

(i) If a player has won the progressive payout, the dealer shall:

* * * * *

(D) Pay the winning Progressive Payout Wager in accordance with § 655a.12(c)(1). If a player has won a progressive payout that is [**100%**] **a percentage** 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.

* * * * *

CHAPTER 657a. CRAZY 4 POKER

§ 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).]

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

Five-Card Envy Bonus Qualifying Hand—A player’s five-card Poker hand with a rank of a straight flush or better, as defined in § 657a.6(d) (relating to Crazy 4 Poker rankings).

Five-Card Progressive Payout Hand—A player’s five-card Poker hand with a rank of three-of-a-kind or better as defined in § 657a.6(d).

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

Four-Card 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).

Four-Card 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).

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

* * * * *

[*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).]

* * * * *

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

* * * * *

(b) The layout for a Crazy 4 Poker table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

* * * * *

(3) If the certificate holder offers either the [optional] Four or Five-Card Progressive Payout Wager authorized under § 657a.7(d)(3) or (4) (relating to wa-

gers), a separate area designated for the placement of the Progressive Payout Wager for each player.

* * * * *

(c) If a certificate holder offers [a] either a Four or Five-Card Progressive Payout Wager in accordance with § 657a.7(d)(3) or (4), the Crazy 4 Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table [game systems] games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

* * * * *

§ 657a.6. Crazy 4 Poker rankings.

* * * * *

(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.

(d) If the certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands 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.

§ 657a.7. Wagers.

* * * * *

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

* * * * *

(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 Crazy 4 Poker table the option to make an additional Four-Card Progressive Payout Wager that the player will receive a Four-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Four-Card 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.

(4) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Crazy 4 Poker table the option to make an additional Five-Card Progressive Payout Wager that the player will receive a Five-Card Progressive Payout Hand. After placing the Ante and Super Bonus Wagers, a player may make the additional Five-Card 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 Five-Card 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.11. Procedures for completion of each round of play.

* * * * *

(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. 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:

* * * * *

(2) Has placed Ante, Super Bonus and [a] Four or Five-Card 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)(5) or (e)(5) (relating to payout odds; Envy Bonus; rate of progression).

* * * * *

(e) After settling a player's Ante, Play, Super Bonus and Queens Up Wagers, the dealer shall then settle the Four-Card or Five-Card Progressive Payout Wager, if offered by the certificate holder. For the Five-Card Progressive Payout Wager, the dealer shall form the highest ranking five-card Poker hand from the five cards dealt to each player. 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:

* * * * *

(4) Pay the winning Four-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(d)(1) or the winning Five-Card Progressive Payout Wager in accordance with the payout odds in § 657a.12(e)(1). If a player has won a progressive payout that is [100%] a percentage 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).] as follows:

(A) Players making a Four-Card Progressive Payout Wager shall receive [an] a Four-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of [an] a Four-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Four-Card Envy Bonuses if more than one other player is the holder of [an] a Four-Card Envy Bonus Qualifying Hand. A player is not entitled to [an] a Four-Card Envy Bonus for his own hand or the hand of the dealer. Four-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(d)(5).

(B) Players making a Five-Card Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Crazy 4 Poker table is the holder of a Five-Card Envy Bonus Qualifying Hand. Players are entitled to multiple Five-Card Envy Bonuses if more than one other player is the holder of a Five-Card Envy Bonus Qualifying Hand. A player is not entitled to a Five-Card Envy Bonus for his own hand or the hand of the dealer. Five-Card Envy Bonus payouts shall be made in accordance with the payouts in § 657a.12(e)(5).

(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.

* * * * *

(d) If a certificate holder offers the Four-Card Progressive Payout Wager:

(1) A player placing a Four-Card 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:

* * * * *

(4) Winning Four-Card 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) Four-Card Envy Bonus payouts shall be made according to the following payout schedules for Four-Card Envy Bonus Qualifying Hands based upon the amount of the Four-Card 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:

<i>\$1 Progressive Payout Wager</i>	
<i>Hand</i>	<i>Envy Bonus</i>
Four aces	\$100
Four-of-a-kind	\$10
Straight flush	\$5
<i>\$5 Progressive Payout Wager</i>	
<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

(e) If a certificate holder offers the Five-Card Progressive Payout Wager:

(1) A player placing a Five-Card Progressive Payout Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable</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 five-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 \$10,000.

(4) Winning Five-Card 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).

(5) Five-Card Envy Bonus payouts shall be made according to the following payouts for Five-Card Envy Bonus Qualifying Hands based upon the amount of the Five-Card 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

[Pa.B. Doc. No. 13-769. Filed for public inspection April 26, 2013, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On April 16, 2013, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Brodhead Watershed Association, requests the amendment of 25 Pa. Code § 93.9c (relating to Drainage List C) to redesignate Cranberry Creek in Monroe County from High Quality-Cold Water Fishes, Migratory Fishes (HQ-CWF, MF) to Exceptional Value (EV) designation.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. The petition is also accessible on the Department's web site at http://www.portal.state.pa.us/portal/server.pt/community/environmental_quality_board/14005/eqb_meeting_schedule_2013/1339599 (see April 16, 2013, meeting).

E. CHRISTOPHER ABRUZZO,
Acting Chairperson

[Pa.B. Doc. No. 13-770. Filed for public inspection April 26, 2013, 9:00 a.m.]