

**CHAPTER 649a. THREE CARD POKER**

- Sec.  
649a.1. Definitions.  
649a.2. Three Card Poker table physical characteristics.  
649a.3. Cards; number of decks.  
649a.4. Opening of the table for gaming.  
649a.5. Shuffle and cut of the cards.  
649a.6. Three Card Poker rankings.  
649a.7. Wagers.  
649a.8. Procedures for dealing the cards from a manual dealing shoe.  
649a.9. Procedures for dealing the cards from the hand.  
649a.10. Procedures for dealing the cards from an automated dealing shoe.  
649a.11. Procedures for completion of each round of play.  
649a.12. Payout odds; Envy Bonus; rate of progression.  
649a.13. Irregularities.

**Authority**

The provisions of this Chapter 649a issued under 4 Pa.C.S. § 13A02(1)—(4), unless otherwise noted.

**Source**

The provisions of this Chapter 649a adopted July 6, 2012, effective July 7, 2012, 42 Pa.B. 4333, unless otherwise noted.

**Cross References**

This chapter cited in 58 Pa. Code § 649b.1 (relating to Must-Hit-By Mystery Bonus).

**§ 649a.1. Definitions.**

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

*5 of 6 Envy Bonus*—An additional fixed sum payout made to a player who placed a 5 of 6 Progressive Payout Wager when another player at the Three Card Poker table is the holder of a 5 of 6 Envy Bonus Qualifying Hand.

*5 of 6 Envy Bonus Qualifying Hand*—A player's five-card Poker hand with a rank of a royal flush, as defined in § 649a.6(d) (relating to Three Card 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 Three 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 accordance with § 649a.6(d).

*Five-Card Progressive Payout Hand*—A player's five-card Poker hand with a rank of a three-of-a-kind or better as defined in § 649a.6(d).

*Hand*—The Three Card Poker hand that is held by each player and the dealer after the cards are dealt.

*Lucky Bonus*—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if the player is seated in the position that is randomly selected by the table game system.

(ii) The dealer's hand if the dealer position is randomly selected by the table game system.

*Magic Card Bonus*—An additional payout to a player who placed a Five Card Hand Bonus Wager on:

(i) The player's hand if one of the cards in the player's hand or the two additional community cards matches the card randomly selected by the table game system.

(ii) The dealer's hand if one of the cards in the dealer's hand or the two additional community cards matches the card randomly selected by the table game system.

*Pair Plus Wager*—The wager that a player is required to make prior to any cards being dealt to compete against a posted paytable, regardless of the outcome of the player's hand against the dealer's hand.

*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.

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

*Three-Card Envy Bonus Qualifying Hand*—A player's Three Card Poker hand of an ace, king and queen of the same suit.

*Three-Card Progressive Payout Hand*—A player's Three Card Poker hand with a rank of a three-of-a-kind or better, as defined in § 649a.6 or a straight or better depending on the paytable selected by the certificate holder.

#### Authority

The provisions of this § 649a.1 amended under 4 Pa.C.S. §§ 1202(b)(30), 1322, 13A02(1) and (2), 13A27, 1602, 1604 and 1608.

#### Source

The provisions of this § 649a.1 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683; amended November 1, 2019, effective November 2, 2019, 49 Pa.B. 6676. Immediately preceding text appears at serial pages (375911) to (375912).

### § 649a.2. Three Card Poker table physical characteristics.

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

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

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

(2) Three separate betting areas designed for the placement of Ante, Play and Pair Plus Wagers for each player.

(3) If the certificate holder offers the optional Three-Card Progressive Payout Wager authorized under § 649a.7(d)(4) (relating to wagers) or the Five-

Card Progressive Payout Wager authorized under § 649a.7(d)(6), a separate area designated for the placement of the Progressive Payout Wager for each player.

(4) If the certificate holder offers the optional Six Card Bonus Wager authorized under § 649a.7(d)(5), a separate area designated for the placement of the Six Card Bonus Wager for each player.

(5) If a certificate holder offers the Five Card Hand Bonus Wager authorized under § 649a.7(d)(7), each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager.

(6) If the certificate holder offers the 5 of 6 Progressive Payout Wager authorized under § 649a.7(d)(8), a separate area designated for the placement of the 5 of 6 Progressive Payout Wager.

(7) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder and the phrase “Dealer Plays with Queen High or Better.” If payout odds or amounts are not inscribed on the layout, a sign indicating the payout odds or amounts for all permissible wagers shall be posted at each Three Card Poker table.

(c) If a certificate holder offers a Progressive Payout Wager in accordance with § 649a.7(d)(4), (6) or (8), the Three Card Poker table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager 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:

(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) If the certificate holder offers the Five Card Hand Bonus Wager authorized under § 649a.7(d)(7), the Three Card Poker table must have a table game system, in accordance with § 605a.7 and an electronic wagering system in accordance with §§ 605a.2 and 605a.3 (relating to electronic wagering systems; and procedures for buying in to and cashing out of a table game using an electronic wagering system). Each betting position must contain an electronic wagering system for the placement of the Five Card Hand Bonus Wager. The system must include a mechanism, such as a lockout button, that prevents the placement of any Five Card Hand Bonus Wagers that a player attempts to place after the dealer has begun dealing the cards. If the certificate holder is offering a Five Card Hand Bonus Wager on multiple linked tables or games in the same licensed facility, the progressive table game must comply with § 605a.8.

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

(f) Each Three Card Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

**Authority**

The provisions of this § 649a.2 amended under 4 Pa.C.S. §§ 1202(b)(30), 1322, 13A02(1) and (2), 13A27, 1602, 1604 and 1608.

**Source**

The provisions of this § 649a.2 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683; amended November 1, 2019, effective November 2, 2019, 49 Pa.B. 6676. Immediately preceding text appears at serial pages (375912) to (375914).

**§ 649a.3. Cards; number of decks.**

(a) Except as provided in subsection (b), Three Card 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, Three Card 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 Three Card Poker shall be changed at least every:

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

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

**§ 649a.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 § 649a.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 preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

#### Cross References

This section cited in 58 Pa. Code § 649a.5 (relating to shuffle and cut of the cards).

### § 649a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each 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 § 649a.8, § 649a.9 or § 649a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with 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 flooperperson or above may require the cards to be recut if the flooperperson 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 Three Card 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 § 649a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

#### Cross References

This section cited in 58 Pa. Code § 649a.4 (relating to opening of the table for gaming); 58 Pa. Code § 649a.8 (relating to procedures for dealing the cards from a manual dealing shoe); and 58 Pa. Code § 649a.10 (relating to procedures for dealing the cards from an automated dealing shoe).

### § 649a.6. Three Card Poker rankings.

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

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

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

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

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

- (4) A flush, which is a hand consisting of three cards of the same suit, regardless of rank.
- (5) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 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 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) If a certificate holder offers a payout based on the rank of a five-card Poker hand, the rank of the hands 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.
  - (3) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit.
  - (4) A full house, which is a hand consisting of three-of-a-kind and a pair.
  - (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.
  - (7) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit.
  - (8) A Super Royal, if the certificate holder selects payable E in § 649a.12(f) (relating to payout odds; Envy Bonus; rate of progression), which is a six-card Poker hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.
- (e) If the payable selected by the certificate holder includes a mini-royal flush, which is a hand consisting of an ace, king and queen, a mini-royal flush outranks a straight flush in subsection (b).

#### Authority

The provisions of this § 649a.6 amended under 4 Pa.C.S. §§ 1202(b)(30), 1207(3) and (9) and 13A02(1), (2) and (4).

#### Source

The provisions of this § 649a.6 amended January 31, 2014, effective February 1, 2014, 44 Pa.B. 619; amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683. Immediately preceding text appears at serial pages (370581) to (370582).

#### Cross References

This section cited in 58 Pa. Code § 649a.1 (relating to definitions); 58 Pa. Code § 649a.7 (relating to wagers); and 58 Pa. Code § 649.11 (relating to procedures for completion of each round of play).



**§ 649a.7. Wagers.**

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

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

(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 § 649a.8, § 649a.9 or § 649a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 649a.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 Three Card Poker:

(1) A player may compete solely against the dealer’s Three Card Poker hand by placing an Ante Wager then a Play Wager, in accordance with § 649a.11(b), in an amount equal to the player’s Ante Wager.

(2) A player may compete solely against a posted payable by placing a Pair Plus Wager.

(3) A player may compete against both the dealer’s Three Card Poker hand and the posted payable by placing an Ante Wager and a Pair Plus Wager in accordance with paragraphs (1) and (2).

(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 Three Card Poker table the option to make an additional Progressive Payout Wager that the player will receive a Progressive Payout Hand. After placing an Ante Wager or a Pair Plus Wager, or both, 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.

(5) A certificate holder may, if specified in its Rules Submission under § 601a.2, offer to each player at a Three Card Poker table the option to make an additional Six Card Bonus Wager that the three cards dealt to the dealer and the three cards dealt to the player will form a five-card Poker hand with a rank of a three-of-a-kind or better. If the certificate holder has selected payable E in § 649a.12(f) (relating to payout odds; Envy Bonus; rate of progression), the three cards dealt to the dealer and the three cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout. After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Six Card Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing “no more bets.”



(6) If specified in its Rules Submission under § 601a.2, certificate holder may offer to each player at a Three 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 a Pair Plus 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.

(7) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Poker table the option to make an additional Five Card Hand Bonus Wager that the player's five-card Poker hand or the dealer's five-card Poker hand, or both, will contain a flush or better as defined in § 649a.6(d) (relating to Three Card Poker rankings). After placing an Ante Wager or a Pair Plus Wager, or both, a player may make the additional Five Card Hand Bonus Wager on the player's hand or the dealer's hand, or both, by using the electronic wagering device designated for that player. Each player shall be responsible for verifying that the player's Five Card Hand Bonus Wager has been accepted.

(8) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player who placed an Ante Wager or a Pair Plus Wager the option of placing a 5 of 6 Progressive Payout Wager which shall win if the player's three cards combined with the dealer's three cards forms a straight or better as described in § 649a.6(d). After placing an Ante Wager or a Pair Plus Wager, or both, a player making a 5 of 6 Progressive Payout Wager shall place a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective 5 of 6 Progressive Payout Wager has been accepted.

(e) Notwithstanding subsection (d)(1)—(3), a certificate holder may offer a version of Three Card Poker requiring:

(1) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to or greater than the Pair Plus Wager.

(2) As a precondition to the placement of a Pair Plus Wager, the placement of an Ante Wager in an amount equal to at least 1/2 the Pair Plus Wager.

(3) The compulsory placement of an Ante Wager and a Pair Plus Wager, provided that one wager may be placed in an amount up to a maximum of five times the amount of the other wager without regard to which wager is the greater of the two.

(f) 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.

#### Authority

The provisions of this § 649a.7 amended under 4 Pa.C.S. §§ 1202(b)(30), 1322, 13A02(1) and (2), 13A27, 1602, 1604 and 1608.

#### 649a-9

**Source**

The provisions of this § 649a.7 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683; amended November 1, 2019, effective November 2, 2019, 49 Pa.B. 6676. Immediately preceding text appears at serial pages (375917) to (375919).

**Cross References**

This section cited in 58 Pa. Code § 649a.2 (relating to Three Card Poker table physical characteristics); 58 Pa. Code § 649a.8 (relating to procedures for dealing the cards from a manual dealing shoe); 58 Pa. Code § 649a.9 (relating to procedures for dealing the cards from the hand); 58 Pa. Code § 649a.10 (relating to procedures for dealing the cards from an automated dealing shoe); 58 Pa. Code § 649a.12 (relating to payout odds; Envy Bonus; rate of progression); 58 Pa. Code § 649b.1 (relating to Must-Hit-By Mystery Bonus); and 58 Pa. Code § 651b.1 (relating to Must-Hit-By Mystery Bonus).

**§ 649a.8. Procedures for dealing the cards from a manual dealing shoe.**

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 649a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and, if a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus 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 on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed a wager in accordance with § 649a.7 (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. All cards shall be dealt face down. If a player has placed a Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, the dealer shall deal an additional two cards face down on the table to a dedicated area to the right of the dealer.

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

(f) If an automated card shuffling device, 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 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.

#### Authority

The provisions of this § 649a.8 amended under 4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2).

#### Source

The provisions of this § 649a.8 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683. Immediately preceding text appears at serial pages (362626) to (362627).

#### Cross References

This section cited in 58 Pa. Code § 649a.5 (relating to shuffle and cut of the cards); 58 Pa. Code § 649a.7 (relating to wagers); and 58 Pa. Code § 649a.11 (relating to procedures for completion of each round of play).

### § 649a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 649a.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 a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus 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 has placed a wager in accordance with § 649a.7 (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. All cards shall be dealt face

down. If a player has placed a Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, the dealer shall deal an additional two community cards face down on the table to a dedicated area to the right of the dealer.

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

(d) If an automated card shuffling device, 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 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.

#### Authority

The provisions of this § 649a.9 amended under 4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2).

#### Source

The provisions of this § 649a.9 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683. Immediately preceding text appears at serial pages (362627) to (362628).

#### Cross References

This section cited in 58 Pa. Code § 649a.5 (relating to shuffle and cut of the cards); 58 Pa. Code § 649a.7 (relating to wagers); and 58 Pa. Code § 649a.11 (relating to procedures for completion of each round of play).

### § 649a.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 § 649a.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 a Progressive Payout Wager or the Five Card Hand Bonus Wager is being offered, use the progressive table game system or the electronic wagering system to prevent the placement of any additional Progressive Payout or Five Card Hand Bonus 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 § 649a.7 (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with § 649a.7. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of three 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. If a player has placed a Five Card Hand Bonus Wager or a Five-Card Progressive Payout Wager, after removing the stub from the automated dealing shoe, the dealer shall deal an additional two community cards face down on the table to a dedicated area to the right of the dealer. Except as provided in subsection (d), the dealer shall then 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 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.

#### **Authority**

The provisions of this § 649a.10 amended under 4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2).

#### **Source**

The provisions of this § 649a.10 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683. Immediately preceding text appears at serial pages (362628) to (362629).

#### **Cross References**

This section cited in 58 Pa. Code § 649a.5 (relating to shuffle and cut of the cards); 58 Pa. Code § 649a.7 (relating to wagers); and 58 Pa. Code § 649a.11 (relating to procedures for completion of each round of play).

**§ 649a.11. Procedures for completion of each round of play.**

(a) After the dealing procedures required under § 649a.8, § 649a.9 or § 649a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Play Wager in an amount equal to the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player:

(1) Has placed an Ante Wager and a Pair Plus Wager but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager.

(2) Has placed an Ante Wager and a Three 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 § 649a.12(e) or (h) (relating to payout odds; Envy Bonus; rate of progression).

(3) Has placed an Ante Wager, a Pair Plus Wager and a Six Card Bonus, Five Card Hand Bonus or a 5 of 6 Progressive Payout Wager, but does not make a Play Wager, the player shall forfeit both the Ante Wager and the Pair Plus Wager but does not forfeit the Six Card Bonus, Five Card Hand Bonus or 5 of 6 Progressive Payout Wager.

(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, except for the cards of those players who placed a Six Card Bonus, Five Card Hand Bonus or a 5 of 6 Progressive Payout Wager, and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking Three 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 three 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 Three Card Poker hand for each player.

(3) If the dealer's highest ranking Three Card Poker hand:

(i) Is lower than a queen high, the dealer shall pay each player's Ante Wager and return the player's Play Wager.

(ii) Is a queen high or better, and the player's highest ranking Three Card Poker hand is ranked:

(A) Lower than the dealer's Three Card Poker hand, the dealer shall immediately collect the Ante and Play Wagers made by the player.

(B) Higher than the dealer's Three Card Poker hand, the dealer shall pay the Ante and Play Wagers and any Ante Bonus in accordance with the payout odds in § 649a.12(a) and (b).

(C) Equally with the dealer's Three Card Poker hand, the dealer shall return the player's Ante and Play Wagers.

(4) After settling the player's Ante and Play Wagers, the dealer shall settle any Pair Plus Wagers by determining whether the player's Three Card Poker hand qualifies for a payout in accordance with § 649a.12(d). A winning Pair Plus Wager shall be paid irrespective of whether the player's Three Card Poker hand outranks the dealer's hand.

(5) 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:

(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 the payout odds in § 649a.12(e). 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.

(v) Pay any Envy Bonus won in accordance with § 649a.12(e). Players making a Progressive Payout Wager shall receive an Envy Bonus when another player at the same Three Card 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.

(6) The dealer shall then settle the Six Card Bonus Wager, if offered by the certificate holder. A winning Six Card Bonus Wager shall be paid irrespective of the outcome of the player's Ante Wager or Pair Plus Wager. The dealer shall arrange the dealer's three cards and the player's three cards to form the highest ranking five-card Poker hand for each player. If a player has a three-of-a-kind or better, as described in § 649a.6(d) (relating to Three Card Poker rankings), the dealer shall pay the winning Six Card Bonus Wager in accordance with the payout odds in § 649a.12(f). If the certificate holder has selected payable E in



§ 649a.12(f), the three cards dealt to the dealer and the three cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout.

(7) If the certificate holder offers the Five-Card Progressive Payout Wager, after settling all other wagers, the dealer shall expose the two additional community cards dealt in accordance with §§ 649a.8(d), 649a.9(b) and 649a.10(c) and form the highest ranking five-card Poker hand of the player from the player's three cards and the two community cards. If a player has won a 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 Five-Card Progressive Payout Wager in accordance with the payout odds in § 649a.12(h)(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.

(v) Pay any Five-Card Envy Bonus won in accordance with § 643a.12(h)(5). Players making a Progressive Payout Wager shall receive a Five-Card Envy Bonus when another player at the same Three Card 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.

(8) If the certificate holder offers the Five Card Hand Bonus Wager, after settling all other wagers, the dealer shall then settle the Five Card Hand Bonus Wager and any Magic Card or Lucky Bonus payouts. The dealer shall expose the two additional community cards dealt in accordance with §§ 649a.8(d), 649a.9(b) and 649a.10(c) and form the highest ranking five-card Poker hand of the player and the dealer from the player's or dealer's three cards and the two community cards. A winning Five Card Hand Bonus Wager shall be paid irrespective of whether the player's hand outranks the dealer's hand. If a player has won a Five Card Hand Bonus or any Magic Card or Lucky Bonus payout, the dealer shall:

- (i) Verify that the hand is a winning hand.
- (ii) Have a floorperson or above verify any Five Card Hand Bonus payout with odds of 500 for 1 or a payout that is a percentage of the jackpot amount on the progressive meter in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).
- (iii) Credit the player's game account for the winning Five Card Hand Bonus Wager or the Magic Card or Lucky Bonus payout in accordance with

§ 649a.12(i). If a player has won a Five Card Hand Bonus payout that is a percentage of the jackpot amount on the progressive meter, the payout may not be paid to the player's game account. If a player has won a payout that is not being paid to the player's game account, the winning hand must remain on the table until the necessary documentation has been completed.

(9) If the certificate holder offers the 5 of 6 Progressive Payout Wager, after settling all other wagers, the dealer shall combine the player's three cards and the dealer's three cards to form the highest ranking five-card Poker hand of the player. If a player has won a 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 5 of 6 Progressive Payout Wager in accordance with the payout odds in § 649a.12(j)(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.

(v) Pay any Envy Bonus won in accordance with § 643a.12(j)(5). Players making a 5 of 6 Progressive Payout Wager shall receive an Envy Bonus when another player at the same Three Card Poker table is the holder of a 5 of 6 Envy Bonus Qualifying Hand. Players are entitled to multiple Envy Bonuses if more than one player is the holder of a 5 of 6 Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own 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.

#### Authority

The provisions of this § 649a.11 amended under 4 Pa.C.S. §§ 1202(b)(30), 1322, 13A02(1) and (2), 13A27, 1602, 1604 and 1608.

#### Source

The provisions of this § 649a.11 amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683; amended November 1, 2019, effective November 2, 2019, 49 Pa.B. 6676. Immediately preceding text appears at serial pages (375923) to (375926).

#### Cross References

This section cited in 58 Pa. Code § 649a.7 (relating to wagers); 58 Pa. Code § 649a.12 (relating to payout odds; Envy Bonus; rate of progression); and 58 Pa. Code § 649a.13 (relating to irregularities).

### § 649a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

(b) A player placing an Ante Wager and a Play Wager shall be paid a bonus on the Ante Wager, 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), regardless of whether the player's Three Card Poker hand outranks the dealer's hand:

| <i>Hand</i>     | <i>Paytable A</i> | <i>Paytable B</i> | <i>Paytable C</i> |
|-----------------|-------------------|-------------------|-------------------|
| Straight flush  | 5 to 1            | 5 to 1            | 4 to 1            |
| Three-of-a-kind | 4 to 1            | 3 to 1            | 3 to 1            |
| Straight        | 1 to 1            | 1 to 1            | 1 to 1            |

(c) If a certificate holder offers the version of Three Card Poker as described in § 649a.7(e) (relating to wagers), a player placing an Ante Wager and Play Wager shall be paid an Ante Bonus at the odds 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> | <i>Paytable C</i> |
|---|-------------------|-------------------|-------------------|
| Ace, king, queen of spades                    | 50 to 1           | 50 to 1           | 50 to 1           |
| Ace, king, queen of hearts, diamonds or clubs | 5 to 1            | 50 to 1           | 10 to 1           |
| Straight flush                                | 4 to 1            | 8 to 1            | 6 to 1            |
| Three-of-a-kind                               | 3 to 1            | 6 to 1            | 3 to 1            |
| Straight                                      | 1 to 1            |                   |                   |

(d) A player placing a Pair Plus 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:

| <i>Hand</i>     | <i>Paytable A</i> | <i>Paytable B</i> | <i>Paytable C</i> |
|-----------------|-------------------|-------------------|-------------------|
| Straight flush  | 35 to 1           | 40 to 1           | 40 to 1           |
| Three-of-a-kind | 25 to 1           | 30 to 1           | 30 to 1           |
| Straight        | 6 to 1            | 5 to 1            | 6 to 1            |
| Flush           | 4 to 1            | 4 to 1            | 3 to 1            |
| Pair            | 1 to 1            | 1 to 1            | 1 to 1            |

  

| <i>Hand</i>     | <i>Paytable D</i> | <i>Paytable E</i> |
|-----------------|-------------------|-------------------|
| Straight flush  | 40 to 1           | 40 to 1           |
| Three-of-a-kind | 30 to 1           | 25 to 1           |
| Straight        | 6 to 1            | 6 to 1            |
| Flush           | 4 to 1            | 4 to 1            |
| Pair            | 1 to 1            | 1 to 1            |

(e) If a certificate holder offers a Progressive Payout Wager:

(1) A player placing a 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:

| <i>Hand</i>                                      | <i>Paytable A</i> | <i>Paytable B</i> |
|--|-------------------|-------------------|
| Ace, king and queen of spades                    | 100% of meter     | 100% of meter     |
| Ace, king and queen of hearts, diamonds or clubs | 500 for 1         | 500 for 1         |
| Straight flush                                   | 70 for 1          | 100 for 1         |
| Three-of-a-kind                                  | 60 for 1          | 90 for 1          |
| Straight   | 6 for 1           | N/A               |

(2) A player shall receive the payout for only the highest ranking Three Card Poker hand formed.

(3) The rate of progression (incrementation rate) and the seed and reseed amounts for the meter used for the progressive payouts in paragraph (1) must be based upon the amount of the Progressive Payout Wager being offered and must be as follows:

|                     | <i>Paytable A</i> | <i>Paytable B</i> |
|---------------------|-------------------|-------------------|
| Seed/reseed         | \$1,000 for 1     | \$1,000 for 1     |
| Incrementation rate |                   |                   |
| Primary             | 14%               | 20%               |

(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 § 649a.11(c) (relating to procedures 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> |
|--|-------------------|
| Ace, king and queen of spades                    | \$100             |
| Ace, king and queen of hearts, diamonds or clubs | \$25              |

*\$5 Progressive Payout Wager*

| <i>Hand</i>                                      | <i>Envy Bonus</i> |
|--|-------------------|
| Ace, king and queen of spades                    | \$500             |
| Ace, king and queen of hearts, diamonds or clubs | \$125             |

(f) If a certificate holder offers the Six Card Bonus Wager, the certificate holder shall pay out winning Six Card Bonus 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> | <i>Paytable C</i> |
|-----------------|-------------------|-------------------|-------------------|
| Royal flush     | 1,000 to 1        | 1,000 to 1        | 1,000 to 1        |
| Straight flush  | 200 to 1          | 200 to 1          | 200 to 1          |
| Four-of-a-kind  | 50 to 1           | 100 to 1          | 100 to 1          |
| Full house      | 25 to 1           | 20 to 1           | 20 to 1           |
| Flush           | 20 to 1           | 15 to 1           | 15 to 1           |
| Straight        | 10 to 1           | 9 to 1            | 10 to 1           |
| Three-of-a-kind | 5 to 1            | 8 to 1            | 7 to 1            |

  

| <i>Hand</i>                               | <i>Paytable D</i> | <i>Paytable E</i> |
|---|-------------------|-------------------|
| Super Royal of diamonds                   |                   | \$1,000,000       |
| Super Royal of hearts, spades<br>or clubs |                   | \$100,000         |
| Royal flush                               | 1,000 to 1        | 1,000 to 1        |
| Straight flush                            | 200 to 1          | 200 to 1          |
| Four-of-a-kind                            | 50 to 1           | 50 to 1           |
| Full house                                | 25 to 1           | 20 to 1           |
| Flush                                     | 15 to 1           | 15 to 1           |
| Straight                                  | 10 to 1           | 10 to 1           |
| Three-of-a-kind                           | 5 to 1            | 5 to 1            |

(g) If selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2, the paytables in subsections (b) and (d) may include a payout for a mini-royal flush in accordance with the following:

(1) In subsection (b), a mini-royal flush shall pay out at odds of no less than 5 to 1.

(2) In subsection (d), a mini-royal flush shall pay out at odds of no less than 40 to 1.

(h) 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 (incrementation rate) and the seed and reseed amounts for the meter used for the progressive payout in paragraph (1) must be based upon the amount of the Five-Card Progressive Payout Wager being offered and must be as follows:

|                     |                |
|---------------------|----------------|
| Seed/reseed         | \$10,000 for 1 |
| Incrementation rate |                |
| Primary             | 21%            |

(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 § 649a.11(c)(7).

(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           |

(i) If a certificate holder offers the Five Card Hand Bonus Wager:

(1) The certificate holder shall pay out winning Five Card Hand Bonus Wagers at the odds in the following payable:

| <i>Hand</i>    | <i>Payout</i> |
|----------------|---------------|
| Royal flush    | 100% of meter |
| Straight flush | 10% of meter  |
| Four-of-a-kind | 500 for 1     |
| Full house     | 100 for 1     |
| Flush          | 50 for 1      |

(2) A player shall receive the payout for only the highest ranking five-card Poker hand formed. If a player placed a Five Card Bonus Wager on both the dealer's hand and the player's hand, the player shall receive a payout in accordance with paragraph (1) for both the highest ranking five-card Poker hand of the dealer and the highest ranking five-card Poker hand of the player. If the dealer's hand qualifies for a payout that is a percentage of the jackpot amount on the progressive meter and if more than one player wagered on the dealer's hand, the jackpot will be divided equally amongst the number of players who wagered on the dealer's hand.

(3) The certificate holder may pay a Magic Card or Lucky Bonus in accordance with the odds in the following payable:

| <i>Hand</i> | <i>Payout</i> |
|-------------|---------------|
| Magic Card  | 20 for 1      |
| Lucky Bonus | 5 for 1       |

(4) The rate of progression (incrementation rate) and the seed and reseed amounts for the meter used for the progressive payout in paragraph (1) must be based upon the amount of the Five Card Hand Bonus Wager being offered and must be as follows:

|                     |                |
|---------------------|----------------|
| Seed                | \$10,000 for 1 |
| Reseed              | \$0            |
| Incrementation rate |                |
| Primary             | 21%            |
| Reserve             | 8%             |

(j) If a certificate holder offers the 5 of 6 Progressive Payout Wager:

(1) The certificate holder shall pay out winning 5 of 6 Progressive Payout Wagers at the odds in the following payable:

| <i>Hand</i>                              | <i>Paytable</i> |
|--|-----------------|
| Royal flush of spades                    | 100% of meter   |
| Royal flush of clubs, diamonds or hearts | 25% of meter    |
| Straight flush                           | 250 for 1       |
| Four-of-a-kind                           | 100 for 1       |
| Full house                               | 20 for 1        |
| Flush                                    | 10 for 1        |
| Straight                                 | 5 for 1         |

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

(3) The rate of progression (incrementation rate) and the seed and reseed amounts for the meter used for the progressive payout in paragraph (1) must be based upon the amount of the 5 of 6 Progressive Payout Wager being offered and must be as follows:

|                     |                |
|---------------------|----------------|
| Seed/reseed         | \$10,000 for 1 |
| Incrementation rate |                |
| Primary             | 28%            |

(4) Winning 5 of 6 Progressive Payout Wagers shall be paid in accordance with the amount on the meter when it is the player's turn to be paid.

(5) Envy Bonus payouts shall be made according to the following payouts for 5 of 6 Envy Bonus Qualifying Hands based upon the amount of the 5 of 6 Progressive Payout Wager placed by the player receiving the Envy Bonus:



*\$1 Progressive Payout Wager**Hand**Envy Bonus*

|  |       |
|--|-------|
| Royal flush of spades                    | \$100 |
| Royal flush of clubs, diamonds or hearts | \$50  |

*\$5 Progressive Payout Wager**Hand**Envy Bonus*

|  |       |
|--|-------|
| Royal flush of spades                    | \$500 |
| Royal flush of clubs, diamonds or hearts | \$250 |

**Authority**

The provisions of this § 649a.12 amended under 4 Pa.C.S. §§ 1202(b)(30), 1207(3) and (9), 1322, 13A02(1), (2) and (4), 13A27, 1602, 1604 and 1608.

**Source**

The provisions of this § 649a.12 amended January 31, 2014, effective February 1, 2014, 44 Pa.B. 619; amended December 12, 2014, effective December 13, 2014, 44 Pa.B. 7683; amended November 1, 2019, effective November 2, 2019, 49 Pa.B. 6676. Immediately preceding text appears at serial pages (375926) to (375931).

**Cross References**

This section cited in 58 Pa. Code § 649a.6 (relating to Three Card Poker rankings); 58 Pa. Code § 649a.7 (relating to wagers); and 58 Pa. Code § 649a.11 (relating to procedures for completion of each round of play).

**§ 649a.13. Irregularities.**

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

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

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

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accordance with § 649a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuf-

fling 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.

[Next page is 649b-1.]

649a-24