

PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 423a, 429a, 437a, 439a, 440a, 461a, 465a, 601a, 609a, 621a, 635a, 649a, 659a, 669a, 670a, 674a, 675a, 678a AND 680a]

Junkets, Electronic Credit Systems and Table Game 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. §§ 1322, 13A02(1) and (2), 13A27, 1602, 1604 and 1608, proposes to amend Chapters 423a, 429a, 437a, 439a, 440a, 461a, 465a, 601a, 609a, 621a, 635a, 649a, 659a, 669a, 670a, 674a, 675a, 678a and 680a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking will make amendments to the regulations for clarity, to reduce the number of junket reports required and to incorporate new side wagers into the existing table games regulations.

Explanation

Chapter 423a. Applications; statement of conditions; wagering restrictions

Chapter 437a. Gaming service provider certification and registration

Proposed amendments to Chapters 423a and 437a (relating to applications; statement of conditions; wagering restrictions; and gaming service provider certification and registration) provide for the surrender of a person's license with prejudice. Currently persons who are licensed who may otherwise be subject to an upcoming revocation could technically surrender their licenses prior to the Office of Enforcement Counsel filing for revocation of that license thus avoiding the prohibition on reapplying for 5 years, which is currently applicable when a license or application is withdrawn with prejudice, denied or revoked. The proposed amendments will close that loophole.

Chapter 429a. Manufacturer designees

A technical amendment is proposed in § 429a.2(a)(5) (relating to manufacturer designee license applications and standards) for consistency with the prohibition on manufacturers holding a supplier license in 4 Pa.C.S. § 1317.1(e)(3) (relating to manufacturer licenses).

Chapter 439a. Junket enterprises

Proposed amendments to § 439a.5 (relating to gaming junket representative general requirements) codify a Board policy on the criteria it utilizes to determine whether an individual is a junket representative or if the individual is simply an employee of a slot machine licensee performing the job duties of a junket representative. This section is consistent with several criteria the Internal Revenue Service utilizes to determine if an individual is an employer's employee or an independent contractor.

Sections 439a.7—439a.9 (relating to gaming junket schedules; gaming junket arrival reports; and gaming junket final reports) are proposed to be rescinded. Some

of the relevant requirements in these sections are proposed to be added to § 439a.10 (relating to monthly gaming junket reports). Currently operators are required to provide four reports on junkets: a proposed schedule (§ 439a.7); an arrival report (§ 439a.8); a final report once the junket is concluded (§ 439a.9); and monthly report (§ 439a.10). The proposed amendments will reduce the number of reports submitted to Board staff from four to one by combining the relevant information into one report showing all junket information from the previous month.

Chapter 440a. Management companies

The criteria used to evaluate management agreements made between a licensee and proposed management company are proposed to be amended in § 440a.5 (relating to management contracts). The regulations contemplate that the Board will evaluate whether awarding a casino license will create an undue concentration of economic opportunities. See § 421a.5 (relating to undue concentration of economic opportunities and control). However, when the provision was applied to management companies, the regulation was not consistent and contemplates that the Board would evaluate whether the management contract created a monopoly. The proposed amendment will use the same standard between operators and their management companies.

Chapter 461a. Slot machine and table game device testing and control

Proposed amendments to § 461a.13 (relating to wide area progressive systems) codify a policy statement in Chapter 461b (relating to technical standards—statement of policy). Many of the requirements in § 461b.4 (relating to wide area progressive systems) are already in § 461a.13, making the policy provisions redundant. The provisions that were not already codified in § 461a.13 are proposed to be added in subsections (h)—(m) and address the submission and approval requirements for wide area progressive systems.

Proposed amendments to § 461a.19 (relating to remote system access) codifying a policy statement in § 461b.5 (relating to remote computer access). Remote access allows a user to electronically access a facility's systems, which may include an operator's back-of-house systems. Controls over who has access and the duration of that remote access are therefore necessary.

When this proposed rulemaking is published as a final-form rulemaking, the Board will rescind §§ 461b.4 and 461b.5.

Chapter 465a. Accounting and internal controls

Proposed amendments to § 465a.11 (relating to slot machine licensee's organization; jobs compendium) delete a provision in subsection (i). If a licensee is making changes to required departments, those changes must be approved prior to implementation. A requirement in subsection (k) that an up-to-date jobs compendium be submitted yearly is proposed to be deleted. Based on the Board's experience, this annual submission is not necessary.

Section 465a.23(d) (relating to customer deposits) is proposed to be added to recognize that a licensee may use an electronic crediting system for the processing of customer deposits.

Chapter 609a. Credit

Section 609a.19 (relating to use of an electronic credit system for the processing of Counter Checks and customer deposits) is proposed to be added. Currently, the processing of credit transactions and customer deposits is a paper-based system. This section addresses the requirements for the use of an electronic system to process those transactions. As the acceptance of credit does impact the calculation of table game revenue, operators electing to use the electronic system are required to update internal controls ensuring the proper counting and recording of those credit transactions.

Chapter 621a. Pai Gow

Several new side wagers are proposed to be added to Pai Gow. Definitions associated with those wagers are proposed to be added in § 621a.1 (relating to definitions). Table layout requirements for the new wagers and an amendment to the shaker requirements are proposed to be added in § 621a.2 (relating to Pai Gow table; Pai Gow shaker; physical characteristics). A description of the wagers is proposed to be added in § 621a.5 (relating to wagers). The procedure for dealing the tiles and the settling of wagers based on the value of the shake of the dice is proposed to be added in § 621a.6 (relating to procedures for dealing the tiles; settling of wagers based on value of dice). How the dealer is to complete the round of play when a player has placed an optional wager is proposed to be added in § 621a.8 (relating to procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish). Sections 621a.9 and 621a.10 (relating to player bank; co-banking; selection of bank; procedures for dealing; and irregularities; invalid roll of the dice) are proposed to be amended for clarity. For consistency among table game regulations, payout odds for all wagers are in proposed § 621a.11 (relating to payout odds; vigorish).

Chapter 635a. Spanish 21

Amendments are proposed to §§ 635a.3 and 635a.4 (relating to cards; number of decks; value of cards; and opening of the table for gaming) for consistency with other card-style table games.

Chapter 649a. Three Card Poker

A new side wager, the 5 of 6 Progressive Payout Wager, is proposed to be added to Three Card Poker. Definitions associated with the wager are proposed to be added in § 649a.1 (relating to definitions). Table layout requirements for the new wager are proposed to be added in § 649a.2 (relating to Three Card Poker table physical characteristics). A description of the wager is proposed to be added in § 649a.7 (relating to wagers). How the dealer is to complete the round of play when a player has placed the wager is proposed to be added in § 649a.11 (relating to procedures for completion of each round of play). The payout odds are proposed to be added in § 649a.12 (relating to payout odds; Envy Bonus; rate of progression). Additionally, in § 649a.12, the seed/reseed and incrementation rates are proposed for all progressives as these rates correspond with the rates submitted by the manufacturer that were tested/approved by the Board's Gaming Laboratory. The same amendments are proposed to be made in Chapters 659a, 669a, 670a and 678a.

Chapter 674a. Criss-Cross Poker

The payout limitation in § 674a.12(d) (relating to payout odds) is proposed to be amended to reflect that only required wagers should be subject to a payout limitation established by the certificate holder. Wagers that are

optional for players should not be included, as a cap on payouts alters the approved hold percentages. Proposed amendments to payout limitations to reflect that only required wagers may be subject to a cap are proposed to be made in Chapters 678a and 680a (relating to High Card Flush; and Saigon 5 Card). Payout limitations are proposed to be deleted from Chapter 675a (relating to High Roll Dice) as dice games should not be subject to a payout limitation. The same amendments were proposed to be made in the proposed rulemaking published at 47 Pa.B. 3182 (June 10, 2017).

Chapter 680a. Saigon 5 Card

The Pot Wager is proposed to be added to Saigon 5 Card. Definitions associated with the wager are proposed to be added in § 680a.1 (relating to definitions). Table layout requirements for the new wager are proposed to be added in § 680a.2 (relating to Saigon 5 Card table physical characteristics). A description of the wager is proposed to be added in § 680a.7 (relating to wagers). How the dealer is to complete the round of play when the Pot Wager is offered is proposed to be added in § 680a.11 (relating to procedures for completion of each round of play).

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have a fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

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

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

Additionally, this proposed rulemaking will reduce the number of reports from four to one that operators are required to submit when they offer a junket at their licensed facilities.

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

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically. Table game Rules Submission forms are available at <http://gamingcontrolboard.pa.gov/?p=187>.

Operators that offer electronic credit systems to process credit and customer deposit transactions will be required to submit updated internal controls. Additionally, operators that offer junkets will be required to submit a single report regarding the junkets that occurred at their licensed facilities. Reports and internal control updates are submitted to the agency electronically.

Effective Date

This 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 this proposed rulemaking within 30 days after the date of publication in the Pennsylvania Bulletin to R. Douglas Sherman, Chief Counsel, Attention: Regulation # 125-206 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 R. Douglas Sherman, Chief Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 13, 2017, 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.

Under section 5(g) of the Regulatory Review Act, IRRC may convey 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 in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly and the Governor.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-206. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart B. LICENSING, PERMITTING, CERTIFICATION AND REGISTRATION

CHAPTER 423a. APPLICATIONS; STATEMENT OF CONDITIONS; WAGERING RESTRICTIONS

§ 423a.5. Application withdrawal and surrender.

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(d) A request to surrender a license, permit, certification or registration may be made in accordance with the following requirements:

(1) An entity holding a license, certification or registration, an individual holding a principal license or a qualifier of an entity holding a license or certification that is requesting to surrender shall file a petition with the Board in accordance with § 493a.4.

(2) An individual holding a key employee license, permit or registration who is requesting to surrender the license, permit or registration shall file the request on a form supplied by the Bureau of Licensing. If Board staff objects to the request to surrender, the person filing the form will be notified and may be required to file a petition to surrender with the Board in accordance with § 493a.4.

(e) The petition or form must set forth the reasons for the surrender.

(f) When rendering a decision on a petition to surrender, the Board may grant the request with or without prejudice.

[(f)] (g) Unless the Board otherwise directs, fees or other payments relating to the application, license, permit, registration or certification will not be refundable by reason of the withdrawal or surrender. Additionally, fees and costs owed to the Board shall be paid prior to granting a withdrawal or surrender.

§ 423a.7. Restriction on application after denial, withdrawal or surrender with prejudice, [denial] or revocation.

(a) A person whose application has been denied, withdrawn or surrendered with prejudice, [denied] or whose license, permit, registration or certification has been revoked may not apply for a license, permit, certification or registration for 5 years from the date that the application was denied, withdrawn or surrendered with prejudice, [denied] or the license, permit, certification or registration was revoked.

(b) The 5-year restriction in subsection (a) will not apply:

(1) To applicants for a slot machine license if the denial was for reasons other than unsuitability.

(2) If the denial or revocation was based on pending charges for a disqualifying offense under section 1213 or 1518 of the act (relating to license or permit prohibition; and prohibited acts; penalties), 18 Pa.C.S. (relating to Crimes Code) or the criminal laws of any other jurisdiction and the pending charges did not result in conviction of the disqualifying offense.

(c) Two years from the date that the application was denied, withdrawn or surrendered with prejudice, [denied] or the license, permit, certification or registration was revoked, a person may file a petition for permission to apply for a license, permit, certification or registration before the expiration of the 5-year period.

(d) A petition filed under subsection (c) shall be filed in accordance with § 493a.4 (relating to petitions generally).

(e) Petitions filed under subsection (c) must contain:

(1) An explanation of how the conditions that were the basis for denial, withdrawal or surrender with prejudice, [denial] or revocation have been corrected or no longer exist.

(2) Supporting materials that demonstrate that the person meets the requirements for a license, permit, certification or registration.

(3) If the denial, withdrawal or surrender with prejudice, [denial] or revocation was the result of a conviction, the petition must include evidence of rehabilitation, such as:

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CHAPTER 429a. MANUFACTURER DESIGNEES

§ 429a.2. Manufacturer designee license applications and standards.

(a) An applicant for a manufacturer designee license shall submit:

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(5) An affirmation that neither the applicant nor any of its affiliates, intermediaries, subsidiaries or holding companies is an applicant for or a holder of a slot machine or supplier license.

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CHAPTER 437a. GAMING SERVICE PROVIDER CERTIFICATION AND REGISTRATION

§ 437a.8. Authorized gaming service providers list; prohibited gaming service providers.

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(c) The Board may place a person on the prohibited gaming service providers list if:

(1) The gaming service provider has failed to comply with this chapter.

(2) The gaming service provider has failed to cooperate with Board staff in its review and investigation of the gaming service provider's application.

(3) The gaming service provider's application for certification or registration has been denied [or], withdrawn or surrendered with prejudice, or the gaming service provider has had its gaming service provider certification or registration suspended or revoked.

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CHAPTER 439a. JUNKET ENTERPRISES

§ 439a.5. Gaming junket representative general requirements.

(a) An individual may not act as a gaming junket representative in connection with a gaming junket to a licensed facility unless the individual has obtained an occupation permit under § 435a.3 (relating to occupation permit) and is employed by a gaming junket enterprise that is licensed by the Board.

(b) A gaming junket representative may be employed by only one gaming junket enterprise at a time. [For the purposes of this section, to qualify as an employee of a gaming junket enterprise, a gaming junket representative shall:

(1) Receive all compensation for services as a gaming junket representative within this Commonwealth through the payroll account of the junket enterprise.

(2) Exhibit other appropriate indicia of genuine employment, including Federal and State taxation withholdings.]

(c) An individual who is employed by a slot machine licensee and holds a valid occupation permit may act as a gaming junket representative. Board staff will evaluate all of the following indicia of employment to determine if an individual is a bona fide employee of a slot machine licensee versus an employee of a gaming junket enterprise:

(1) The individual receives a W-2 Form, wage and tax statement, from the slot machine licensee.

(2) The slot machine licensee has the right to control or direct what work shall be done and how it shall be performed.

(3) The individual is reimbursed by the slot machine licensee for business expenses incurred on behalf of the licensee.

(4) The individual participates in or receives benefits from the slot machine licensee such as insurance, pension plan, vacation pay or sick pay.

(d) An individual may not be considered an employee of a slot machine licensee but shall be considered an employee of a gaming junket enterprise if one of the following conditions is met:

(1) The individual receives an IRS Form 1099, miscellaneous income form, from the slot machine licensee.

(2) The individual is licensed or otherwise credentialed in another gaming jurisdiction as a junket enterprise/organizer or provides the same or similar services to gaming facilities in other markets.

(3) The individual receive compensation for services through the junket enterprise.

(4) The individual exhibits other indicia of genuine employment with a gaming junket enterprise, including Federal and State taxation withholdings.

§ 439a.7. [Gaming junket schedules] (Reserved).

[(a) A slot machine licensee shall prepare a gaming junket schedule for each gaming junket that is arranged through a gaming junket enterprise or its gaming junket representative.

(b) A slot machine licensee shall file a gaming junket schedule with the Bureau of Gaming Operations by the 15th day of the month preceding the month in which the gaming junket is scheduled. If a gaming junket is arranged after the 15th day of the month preceding the arrival of the gaming junket, the slot machine licensee shall file an amended gaming junket schedule with the Bureau of Gaming Operations by the close of the next business day.

(c) An employee of the slot machine licensee shall certify the gaming junket schedules which includes the following:

(1) The origin of the gaming junket.

(2) The number of participants in the gaming junket.

(3) The arrival time and date of the gaming junket.

(4) The departure time and date of the gaming junket.

(5) The name and registration number of all gaming junket representatives and the name and license number of all gaming junket enterprises involved in the gaming junket.

(d) Changes in the information which occur after the filing of a gaming junket schedule or amended gaming junket schedule shall be reported in writing to the Bureau of Gaming Operations by the slot machine licensee by the close of the next business day. These changes, plus any other material change in the information provided in a gaming junket schedule, shall also be noted on the arrival report.]

§ 439a.8. [Gaming junket arrival reports] (Reserved).

[(a) A slot machine licensee shall prepare a gaming junket arrival report for each gaming junket arranged through a gaming junket enterprise or its

gaming junket representative with whom the slot machine licensee does business.

(b) Gaming junket arrival reports must:

(1) Include a gaming junket guest manifest listing the names and addresses of the gaming junket participants.

(2) Include information required under § 439a.7 (relating to gaming junket schedules) that has not been previously provided to the Bureau of Gaming Operations in a gaming junket schedule pertaining to the particular gaming junket, or an amendment thereto.

(3) Be certified by an employee of the slot machine licensee.

(c) A slot machine licensee shall prepare gaming junket arrival reports in compliance with the following:

(1) A gaming junket arrival report involving complimentary accommodations shall be prepared within 12 hours of the arrival of the gaming junket participant.

(2) A gaming junket arrival report involving complimentary services that does not involve complimentary accommodations shall be prepared by 5 p.m. of the next business day following arrival. A gaming junket arrival which occurs after 12 a.m. but before the end of the gaming day shall be deemed to have occurred on the preceding calendar day.

(3) Gaming junket arrival reports shall be maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to the Board upon request.]

§ 439a.9. [Gaming junket final reports] (Reserved).

[(a) A slot machine licensee shall prepare a gaming junket final report for each gaming junket for which the slot machine licensee was required to prepare either a gaming junket schedule or a gaming junket arrival report.

(b) A gaming junket final report must include the actual amount of complimentary services provided to each gaming junket participant.

(c) A gaming junket final report shall be:

(1) Prepared within 7 days of the completion of the gaming junket.

(2) Maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to the Board upon request.]

§ 439a.10. Monthly gaming junket reports.

(a) [Each slot machine licensee shall, on or before the 15th day of the month, prepare and file with the Bureau of Gaming Operations a monthly gaming junket report listing the name and gaming identification number of each individual who performed the services of a gaming junket representative during the preceding month.] Each slot machine licensee shall, on or before the last day of the month, file with the Bureau of Casino Compliance and the Bureau of Investigations and Enforcement a monthly gaming junket report for the preceding

month. The monthly gaming junket report must contain all of the following:

(1) The name of the gaming junket enterprise.

(2) The name and gaming identification number of each individual who performed the services of a gaming junket representative.

(3) Customer name.

(4) Customer address.

(5) Customer account number.

(6) Date of association with the gaming junket enterprise or gaming junket representative.

(7) Date of the trip.

(8) Table games theoretical win.

(9) Table games actual win.

(10) Slot machine theoretical win.

(11) Slot machine actual win.

(12) The actual amount of complimentary goods or services provided to each junket participant.

(13) Patron's outstanding markers.

(14) Table game percentage rate paid.

(15) Slot machine percentage rate paid.

(16) Commission accrued per patron.

(17) Commission paid per patron.

(18) Total amount of commission paid to each gaming junket enterprise or representative.

(19) Other information as requested by Board staff.

(b) Copies of the monthly gaming junket reports shall be maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to [the] Board staff upon request.

(c) If there is no junket activity in the preceding month, the slot machine licensee shall notify the Bureau of Investigations and Enforcement and the Bureau of Casino Compliance, in accordance with subsection (a), that junket activity has not occurred during the previous month.

(d) In addition to the monthly gaming junket report, the licensee shall submit a list of all employees who conduct business on behalf of the slot machine licensee with a gaming junket representative or gaming junket enterprise on a full-time, part-time or temporary basis.

(e) An employee of the slot machine licensee shall certify the list of employees and the monthly gaming junket report submitted in accordance with subsections (a) and (d).

CHAPTER 440a. MANAGEMENT COMPANIES

§ 440a.5. Management contracts.

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(c) A management contract or amendment will not be approved by the Board unless the management company proves by clear and convincing evidence that the approval of the contract would not create [a monopoly on the] an undue concentration of economic opportunities and control of licensed gaming facilities in this Commonwealth.

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Subpart E. SLOT MACHINE, TABLE GAME AND ASSOCIATED EQUIPMENT TESTING AND CONTROL; ACCOUNTING AND INTERNAL CONTROLS

CHAPTER 461a. SLOT MACHINE AND TABLE GAME DEVICE TESTING AND CONTROL

§ 461a.13. Wide area progressive systems.

(a) Two or more slot machine licensees may, with the prior written approval of the Board as required under subsection (c), operate a wide area progressive system.

(b) A wide area progressive system shall at all times be installed and operated in accordance with relevant requirements of the act [,] **and this subpart [and technical standards on wide area progressive systems under § 461b.4 (relating to wide area progressive systems)]**.

(c) A wide area progressive system shall be operated and administered by participating slot machine licensees in accordance with the terms and conditions of a written agreement executed by the participating slot machine licensees. The agreement shall be referred to as a slot system agreement. Slot system agreements must be submitted in writing and approved by the Board prior to implementation **[and comply with the act, this subpart and technical standards on wide area progressive systems under § 461b.4]**.

(d) Slot machine licensees participating in a slot system agreement may delegate, in whole or in part, the operation and administration of a wide area progressive system to a licensed manufacturer provided that the slot system agreement is executed by the licensed manufacturer and its express terms are approved by the Board. The persons designated in a slot system agreement as being responsible for the operation and administration of a wide area progressive system shall be referred to as the slot system operator.

(e) An agreement between a licensed manufacturer and a slot machine licensee under which a licensed manufacturer sells, leases or services a wide area progressive system will not constitute a slot service agreement unless the agreement also covers operation and administration of the wide area progressive system.

(f) Slot system agreements **[must address] providing for the operation and administration of a wide area progressive system must identify and describe with specificity the duties, responsibilities and authority of each participating slot machine licensee and each slot system operator including all of the following:**

(1) Details with regard to the terms of compensation for the slot system operator. **[In specific, the]** The agreement must address to what extent, if any, the slot system operator is receiving compensation based [,] directly or indirectly [,] on an interest, percentage or share of a slot machine licensee's revenue, profits or earnings from the operation of the wide area progressive system.

(2) Responsibility for the funding and payment of all jackpots, fees and gross terminal revenue taxes associated with the operation of the wide area progressive system.

(3) Control and operation of the computer monitoring room required under subsection (g).

(4) **[Other requirements in the technical standards on wide area progressive systems under § 461b.4.]** A description of the process by which significant decisions with regard to the operation of the wide area progressive system are approved and implemented by the participating slot machine licensees and slot system operator.

(5) **When applicable, the terms of apportionment of responsibility for establishing and servicing any trust agreement associated with any annuity jackpot offered by the wide area progressive system.**

(6) **Responsibility for generating, filing and maintaining the records and reports required under the act and this part.**

(g) A wide area progressive system shall be controlled and operated from a computer monitoring room. The computer monitoring room must:

(1) Be under the sole possession and control of, and maintained and operated by, employees of the slot system operator designated in the slot system agreement for that system. The employees of the slot system operator may be required to obtain a license or permit if the Board determines, after a review of the work being performed, the employees require a license or permit for the protection of the integrity of gaming.

(2) Have its monitoring equipment subjected to surveillance coverage either by the surveillance system of a slot machine licensee participating in the slot system agreement or by a dedicated surveillance system maintained by the slot system operator. **[Surveillance coverage must be in accordance with technical standards under § 461b.4]**.

(3) Be accessible through a locked door. The door must be alarmed in a manner that audibly signals the surveillance monitoring room for the surveillance system elected under paragraph (2).

(4) Have a computer monitoring room entry log. The log must be:

(i) Kept in the computer monitoring room.

(ii) Maintained in a book with bound numbered pages that cannot be readily removed.

(iii) Signed by each person entering the computer monitoring room who is not an employee of the slot system operator expressly employed in the computer monitoring room on his assigned shift. Entries must contain **all of the following:**

(A) The date and time of entering and exiting the room.

(B) The name, department or employer, when applicable, **gaming license or permit** number of the person entering and exiting the room and of the person authorizing the entry.

(C) The reason for entering the computer monitoring room.

(5) Reside within a participating licensed facility or other **approved** location.

(h) A slot system agreement submitted to the Board for approval must be accompanied by a proposed system of internal controls addressing all of the following:

(1) Transactions directly or indirectly relating to the payment of progressive jackpots including the establishment, adjustment, transfer or removal of a progressive jackpot amount and the payment of any fees or taxes associated therewith.

(2) The name, employer, position and gaming license status of any person involved in the operation and control of the wide area progressive system.

(i) The Bureau of Licensing will review the persons identified in subsection (h)(2) and determine, based on an analysis of specific duties and responsibilities, which persons will be licensed to what level in this Commonwealth.

(j) A slot system operator may not commence operation and administration of a wide area progressive system under the terms of a slot system agreement until the agreement itself and the internal controls required under subsection (h) have been approved and the slot system operator has complied with any licensing requirements under subsection (i).

(k) When a slot system agreement involves payment to a licensed manufacturer, functioning as a slot system operator, of an interest, percentage or share of a slot machine's licensee's revenue, profits or earnings from the operation of a wide area progressive system, the Board will evaluate the slot system agreement to determine if the total amounts paid to the licensed manufacturer under the terms of the agreement are commercially reasonable for the operational and administrative services provided.

(l) Each party to a slot system agreement shall be liable for acts, omissions and violations of the act and this part related to its own individual duties and responsibilities under the slot system agreement, unless the slot system agreement specifically provides that the parties will be jointly and several liable.

(m) The Executive Director may waive one or more of the technical requirements applicable to wide area progressive systems adopted by the Board upon a determination that the wide area progressive system as configured nonetheless meets the operational integrity requirements of the act and this part.

§ 461a.19. Remote system access.

(a) In emergency situations or as an element of technical support, an employee of a licensed manufacturer may perform analysis of, or render technical support with regard to, a slot machine licensee's slot monitoring system, casino management system, player tracking system, external bonusing system, cashless funds transfer system, wide area progressive system, gaming voucher system or other Board-approved system from a remote location.

(b) Remote system access shall be performed in accordance with [technical standards on remote system access under § 461b.5 (relating to remote computer access).] all of the following procedures:

(1) Only an employee of a licensed manufacturer who is licensed as a gaming employee or key employee in this Commonwealth may remotely access a system sold, leased or otherwise distributed by that licensed manufacturer for use at a licensed facility.

(2) The slot machine licensee shall establish a unique system account for each employee of a licensed manufacturer identified by his employer as potentially required to perform technical support from a remote location. System access afforded under this section shall:

(i) Be restricted in a manner that requires the slot machine licensee's information technology department to receive prior notice from the licensed manufacturer of its intent to remotely access a designated system.

(ii) Require the slot machine licensee to take affirmative steps, on a per access basis, to activate the licensed manufacturer's access privileges.

(iii) Be designed to appropriately limit the ability of a person authorized under this section to deliberately or inadvertently interfere with the normal operation of the system or its data.

(3) A log shall be maintained by both the licensed manufacturer and the slot machine licensee's information technology department. Each of the two logs must contain, at a minimum, all of the following information:

(i) The system accessed, including manufacturer and version number.

(ii) The type of connection (that is, leased line, dial in modem or private WAN).

(iii) The name and license number of the employee remotely accessing the system.

(iv) The name and license number of the information technology department employee activating the licensed manufacturer's access to the system.

(v) The date, time and duration of the connection.

(vi) The reason for the remote access including a description of the symptoms or malfunction prompting the need for remote access to the system.

(vii) Action taken or further action required.

(4) Communications between the licensed manufacturer and any of the systems identified in subsection (a) shall occur using a dedicated and secure communication facility such as a leased line approved in writing by the Board.

(c) Prior to granting remote system access, a slot machine licensee shall establish a system of internal controls applicable to remote system access. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols). The internal control procedures submitted by the slot machine licensee shall be designed to protect the physical integrity of the systems listed in subsection (a) and the related data and be capable of limiting the remote access to the system or systems requiring technical support.

(d) Any modification of, or remedial action taken with respect to, an approved system shall be processed and approved by the Board in accordance with the standard modification provisions submitted under § 461a.4(h) (relating to submission for testing and approval) or the emergency modification provisions of § 461a.4(l).

(e) If an employee of a licensed manufacturer is no longer employed by, or authorized by, that manufacturer to remotely access a system under this section, the licensed manufacturer shall immediately notify the Bureau of Gaming Laboratory Operations and each slot machine licensee that has established a unique system account for that employee of the change in authorization and shall timely verify with each slot machine licensee that any access privileges previously granted have been revoked.

(f) The Executive Director may waive one or more of the technical requirements applicable to remote computer access adopted by the Board upon a determination that the nonconforming remote access procedures nonetheless meet the integrity requirements of the act and this part.

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

§ 465a.11. Slot machine licensee's organization; jobs compendium.

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(i) Any proposed amendment to a previously approved jobs compendium, including any amendment to an organizational chart, which involves the departments listed in subsection (b) shall be submitted as an amendment to the slot machine licensee's internal controls in accordance with § 465a.2. [Amendments that are required to be submitted under this subsection may be implemented by the slot machine licensee prior to approval of the amendment, if:

(1) The amendment is immediately recorded in the copy of the jobs compendium maintained by the slot machine licensee on its premises.

(2) The amendment is submitted to the Bureau of Gaming Operations by the end of the business day on the date of implementation, including at a minimum, the proposed changes to the information required under subsection (h), including the corresponding revised job descriptions and organizational charts, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the Board.]

(j) For departments that are not listed in subsection (b), unless otherwise directed by the Board, a slot machine licensee will not be required to submit amendments to its jobs compendium for approval. Instead, the certificate holder will be required to notify the Bureau of Licensing by the end of the business day on the date of implementation for newly created positions or changes to job descriptions and tables of organizations. The notification must include properly formatted job descriptions and organization charts for the affected departments. After the notification has been submitted, the Bureau of Licensing may require changes to the job descriptions and organizational charts to ensure compliance with licensing, permitting or registration requirements.

[(k) Notwithstanding other requirements of this section, each certificate holder shall submit a complete and up-to-date jobs compendium to the Bureau of Gaming Operations and the Bureau of Licensing 12 months after its receipt of authorization to commence slot operations and every 12 months thereafter.

(l)] (k) Each slot machine licensee shall maintain on its premises a complete, updated copy of its jobs compen-

dium, in a written or electronic form, which shall be made available for review upon request of the Board, the Department or the Pennsylvania State Police.

[(m)] (l) This section may not be construed so as to limit a slot machine licensee's discretion in utilizing a particular job title for any position in its jobs compendium.

§ 465a.23. Customer deposits.

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(c) The internal control procedures developed and implemented by the slot machine licensee under subsection (b) must include **all of the following:**

(1) A requirement that customer deposits be accepted at the cage.

(2) A requirement that customer deposits be withdrawn by the patron at the cage, gaming table or upon receipt of a written request for withdrawal whose validity has been established.

(3) A requirement that the patron receive a receipt for any customer deposit accepted reflecting the total amount deposited, the date of the deposit and the signature of the cage employee accepting the customer deposit.

(4) Procedures for verifying the identity of the patron at the time of withdrawal. Signature verification shall be accomplished in accordance with the signature verification procedures under § 465a.20. The slot machine licensee shall maintain adequate documentation evidencing the patron identification process and how the signature was verified.

(d) A certificate holder may utilize an electronic credit system for the processing of customer deposits in accordance with § 609a.19 (relating to use of an electronic credit system for the processing of Counter Checks and customer deposits).

Subpart K. TABLE GAMES

CHAPTER 601a. GENERAL TABLE GAMES PROVISIONS

§ 601a.10. Approval of table game staffing plans, tournament schedules, layouts, signage and equipment.

(a) Table game staffing plans, tournament schedules, dealer training programs and schematics of gaming guides, table game layouts, signage and equipment that require the approval of the Board's Executive Director shall be submitted electronically to the Bureau of Gaming Operations using the Internal Controls & Table Games Submission Form on the Board's web site [at www.pgcb.pa.gov].

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CHAPTER 609a. CREDIT

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

§ 609a.19. Use of an electronic credit system for the processing of Counter Checks and customer deposits.

(a) A certificate holder may utilize an electronic credit system for the processing of Counter Checks and customer deposits. A certificate holder that utilizes an electronic credit system shall comply with §§ 609a.1—609a.12, 609a.17 and 609a.18 unless otherwise provided in this section.

(b) A certificate holder that elects to utilize an electronic credit system shall submit internal controls specifying all of the following:

(1) Which positions, as described in the certificate holder's jobs compendium, will have administrator, accounting and revenue audit, and cage function access to the electronic credit system, and the functions or permissions assigned to each of those roles. The certificate holder shall submit a narrative description of the permissions for each of the roles and the level of access assigned.

(2) Which positions will have permission to reset a patron's personal identification number (PIN) as provided in subsections (d)(2) and (e)(1)(iii).

(3) How a patron's credit information and limit established will be entered into the electronic credit system, ensuring compliance with the approval of credit limit requirements in § 609a.4 (relating to approval of credit limits).

(4) The flow of receipts and the reports generated through the revenue process.

(5) How a voided transaction in the electronic credit system will be processed, specifying which positions will have authority to void a transaction, ensuring that at least two employees with no incompatible functions process the void and that a detailed explanation for the void is recoded in the electronic credit system.

(6) How the certificate holder will ensure that redemption, partial redemption, substitution and consolidation of Counter Checks generated utilizing the electronic credit system complies with §§ 609a.15(d) and (g) and 609a.16(e) and (f) (relating to redemption of Counter Checks; and substitution and consolidation of Counter Checks).

(7) If the certificate holder allows patrons to substitute or redeem Counter Checks through the mail, how the certificate holder will process those redemptions and substitutions utilizing the electronic credit system.

(8) How credit transactions will be processed and accurately record if the electronic credit system becomes inoperable.

(9) Which funds a patron is required to utilize first if the patron has an established credit line and has a customer deposit, as provided in subsection (e).

(c) Prior to implementing the electronic credit system, the certificate holder shall establish and receive approval from Board staff to conduct a test period of the new electronic credit system. The certificate holder shall maintain its current credit processing system and may not fully transition to the electronic credit system until full approval is granted by the Board's Executive Director.

(d) To establish an electronic credit file for a patron, in addition to the requirements in §§ 609a.3—609a.6:

(1) The credit department shall scan the patron's valid picture identification into the electronic credit system for display when accessing a patron's credit file.

(2) The patron shall establish a PIN to access credit, which must be an encrypted PIN.

(e) For customer deposits, if a certificate holder is utilizing the electronic credit system to allow patrons access to their customer deposits, the certificate holder shall comply with § 465a.23 (relating to customer deposits) and:

(1) If the patron with a customer deposit does not already have an electronic credit account established, a deposit account shall be established as follows:

(i) The requirements for establishing a credit account in §§ 609a.3—609a.6 do not apply and a patron's credit limit shall be set at \$0.

(ii) The credit department shall scan the patron's picture identification for display when accessing the patron's deposited funds.

(iii) The patron shall establish a PIN to access the patron's deposited funds.

(2) Customer deposits shall be completed at the cage by a cage cashier with no incompatible functions. Utilizing the portable device, the cashier shall:

(i) Login by entering the employee's PIN.

(ii) Access the patron's account in the electronic credit system by entering the patron's account number or scanning the patron's card.

(iii) Credit the patron's account by the amount of the deposit.

(iv) Input the date and method of deposit (chips, gaming vouchers, cash, wire transfer, and the like).

(v) Have the patron enter his PIN and electronically sign verifying the accuracy of the transaction.

(vi) The cashier shall then electronically sign verifying the deposit.

(vii) A two-part deposit receipt evidencing the transaction shall be generated with one part provided to the patron and the other maintained in the cage cashier's impressed inventory.

(f) For the issuance of Counter Checks and the withdrawal of customer deposits utilizing an electronic credit system, notwithstanding § 609a.14 (relating to issuance and reconciliation of Counter Checks), if the issuance or withdrawal is conducted:

(1) At a gaming table:

(i) A pit clerk or above shall use an approved portable device and:

(A) Login by entering the employee's PIN.

(B) Access the patron's electronic credit file by entering the patron's account number or scanning the patron's card.

(C) Verify the patron's identity by comparing the patron's appearance to the digital identification accessed from the electronic credit system.

(D) Enter or select the amount of credit or withdrawal requested.

(E) Have the patron enter his PIN and electronically sign verifying the accuracy of the transaction.

(ii) The dealer or boxperson shall then:

(A) Use the portable device and enter his PIN number.

(B) Verify the patron's credit or withdrawal request, selecting the gaming table at which the patron has requested the credit or withdrawal and electronically sign the verification.

(C) After verifying the credit or withdrawal request, the dealer shall place the portable device displaying the amount of the Counter Check or customer withdrawal and the equivalent number of chips on the gaming tables so both are captured by surveillance.

(D) Distribute the chips to the patron, completing the credit transaction.

(iii) A document evidencing the credit or withdrawal transaction shall be generated and placed in the drop box.

(2) At the cage:

(i) A cage cashier shall use an approved portable device and complete the requirements in paragraph (1)(i)(A)—(E).

(ii) The cage supervisor shall then:

(A) Use the portable device and enter his PIN number.

(B) Verify the patron's credit or withdrawal request and electronically sign the verification.

(C) After verifying the credit or withdrawal request, the cage supervisor shall place the portable device displaying the amount of the Counter Check or customer withdrawal and the equivalent in cash or a gaming voucher so both are captured by surveillance.

(D) Distribute the cash or gaming voucher to the patron, completing the credit or withdrawal transaction.

(iii) A document evidencing the credit or withdrawal transaction shall be generated and placed in the cashier's impressed inventory.

(3) At a slot machine:

(i) A slot attendant shall obtain the amount of the requested Counter Check or customer withdrawal, the patron's signature, asset number and the method of withdrawal (cash or gaming voucher) on a two-part request form and shall transport both copies of the request form directly to the cage cashier.

(ii) The cage cashier with no incompatible functions shall verify that there are sufficient funds in the patron's credit or customer deposit account to satisfy the request.

(iii) The cage cashier processing the request shall disburse funds to the slot attendant, in the presence of a cage supervisor, and shall:

(A) Sign the request form.

(B) Maintain the original of the request form in the cashier's impressed inventory.

(C) Provide the slot attendant with a portable device connected to the electronic system.

(D) Provide the duplicate of the request form to the slot attendant.

(iv) The slot attendant and cage supervisor shall transport the funds and the portable device to the patron at the slot machine. Prior to presenting the funds to the patron, the slot attendant and cage supervisor shall complete the procedures in paragraph (1)(i)(A)—(E) and (ii)(A) and (B).

(v) The slot attendant shall disburse funds requested by the patron and drop the duplicate copy of the request form in a locked accounting box.

(vi) If a transaction cannot be completed (patron changes his mind or changes the amount of credit or withdrawal requested), the slot attendant and cage supervisor shall return the funds and the request form to the cage cashier. The cage cashier shall clearly and conspicuously record "VOID" on the duplicate of the request form and maintain the document as part of his impressed inventory until forwarded to the accounting department for reconciliation with electronic credit system.

(vii) On a daily basis, the accounting department shall compare the original and duplicate request forms to the electronic credit system. Instances of irregularities of any kind or the misappropriation of funds shall be immediately reported to onsite casino compliance representatives.

(g) For the redemption and partial redemption of Counter Checks utilizing an electronic credit system:

(1) All redemptions and partial redemptions of electronically generated Counter Checks shall be initiated at the cage.

(2) If a patron has more than one unredeemed Counter Check, the most recently dated Counter Check shall be redeemed or partially redeemed first.

(3) When a patron partially redeems a Counter Check, the replacement Counter Check shall be dated with the same date as the Counter Check being redeemed.

(4) Notwithstanding § 609a.15, the full redemption of electronically generated Counter Checks shall be completed as follows:

(i) A cage cashier shall use a portable device and:

(A) Login by entering the employee's PIN.

(B) Access the patron's electronic credit file by entering the patron's account number or scanning the patron's card.

(C) Verify the patron's identity by comparing the patron's appearance to the digital identification accessed from the electronic credit system.

(D) Select the most recently dated Counter Check to redeem.

(E) Select or enter the redemption amount and the payment method, provided that payment with a personal check must be drawn on a bank account in the patron's credit file as provided in § 609a.3(c)(4) (relating to application and verification procedures for granting credit).

(F) Verify that the total amount of an outstanding Counter Check matches the amount presented by the patron ensuring that the amount presented by the patron and the portable device displaying the amount of the Counter Check to be redeemed are captured by surveillance. The cage cashier shall then electronically sign the verification approving the redemption.

(ii) After placing the patron's payment into the cage cashier's impressed inventory, the cage cashier shall generate a two-part receipt documenting the redemption with one part provided to the patron and the other maintained in the cashier's impressed inventory.

(5) Notwithstanding § 609a.15, the partial redemption of electronically generated Counter Checks shall be completed as follows:

(i) The cage cashier shall complete the procedures in paragraph (4)(i)(A)—(D).

(ii) After selecting the Counter Check to partially redeem, the cage cashier shall enter the partial redemption amount and the payment method ensuring that the amount presented by the patron and the portable device displaying the amount of the partial redemption are captured by surveillance. The cage cashier shall then electronically sign the verification approving the partial redemption and shall create an electronic Counter Check for the difference between the amount presented and the electronic Counter Check being partially redeemed.

(iii) After signing the portable device acknowledging completion of the partial redemption and placing the patron's payment into the cage cashier's impressed inventory, the cage cashier shall generate a two-part receipt documenting the partial redemption with one part provided to the patron and the other maintained in the cage cashier's impressed inventory.

(h) For the substitution and consolidation of Counter Checks utilizing an electronic credit system:

(1) All substitutions and consolidations of electronically generated Counter Checks shall be initiated at the cage.

(2) Notwithstanding § 609a.16:

(i) To consolidate two or more Counter Checks, a cage cashier shall use an approved portable device and:

(A) Login by entering the employee's PIN.

(B) Access the patron's electronic credit file by entering the patron's account number or scanning the patron's card.

(C) Verify the patron's identity by comparing the patron's appearance to the digital identification accessed from the electronic credit system.

(D) Select the Counter Checks to be consolidated. The cage cashier shall then enter the employee's PIN and electronically sign the verification approving the consolidation.

(ii) To substitute a Counter Check, a cage cashier shall use an approved portable device and:

(A) Login by entering the employee's PIN.

(B) Access the patron's electronic credit file by entering the patron's account number or scanning the patron's card.

(C) Verify the patron's identity by comparing the patron's appearance to the digital identification accessed from the electronic credit system.

(D) Select the Counter Check to substitute.

(E) A patron may substitute the Counter Check for an electronic Counter Check on a different account that has been verified and recorded in the patron's electronic credit file in accordance with § 609a.3(c)(4) or may substitute for a personal check provided that the personal check is drawn on an account that has been verified and recorded in the patron's credit file. If a patron provides a personal check, the cage cashier shall enter the transaction into the electronic credit system and place the personal check in the cage cashier's impressed inventory.

(F) The cage cashier shall then electronically sign the verification completing the substitution.

(i) A certificate holder that utilizes an electronic credit system shall record each electronic Counter Check issued and Customer Deposit withdrawn at a gaming table on the Daily Banking Table Game Count Report required under § 465a.25 (relating to counting and recording of slot cash storage boxes and table game drop boxes).

CHAPTER 621a. PAI GOW

§ 621a.1. Definitions.

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

Bank—A player who elects to have the other players and the dealer play against him and accepts the responsibility of paying all winning Pai Gow [**wagers**] **Wagers**.

Co-banking—When the bank and the dealer each cover 50% of all winning Pai Gow [**wagers**] **Wagers**.

Copy hand—A high hand or low hand of a player which is identical in pair rank or point value as the corresponding high hand or low hand of the dealer or bank.

Gee Joon Pair—The Six (2-4) tile and the Three (1-2) tile.

Heaven Pair—Two Twelve (6-6) tiles.

High hand—The two-tile hand formed with two of the four tiles dealt that ranks higher than the low hand formed from the remaining two tiles.

Identical Pair—Two tiles that are identical in appearance such as two Four (3-1) tiles.

Low hand—The two-tile hand formed with two of the four tiles dealt that ranks lower than the high hand formed from the remaining two tiles.

Marker—An object used to designate the bank and the co-bank.

Mixed Pair—Two tiles with the same number of spots but not identical in appearance such as two Eight tiles (6-2) and (5-3).

Setting the hands—The process of forming a high hand and a low hand from the four tiles dealt.

Supreme Pair—The Six (2-4) tile and the Three (1-2) tile that forms the highest ranking hand.

Value—The numerical point value assigned to a pair of tiles in accordance with § 621a.3 (relating to Pai Gow tiles; ranking of hands, pairs and tiles; value of the hand).

Vigorish—A fee collected on winning Pai Gow **Wagers**.

§ 621a.2. Pai Gow table; Pai Gow shaker; physical characteristics.

(a) Pai Gow shall be played at a table having betting positions for six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Pai Gow table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game **staffing plans, tournament schedules, layouts, signage and equipment**) and contain, at a minimum:

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

(2) A separate betting area designated for the placement of the Pai Gow [**wager**] **Wager** for each player.

(3) A separate area, located to the left of the dealer, for the placement of four tiles which shall be referred to as the Dead Hand.

(4) **If the certificate holder offers the optional Pair Fortunes Wager authorized under § 621a.5(e)(1) (relating to wagers):**

(i) **A separate betting area designated for the placement of the Pair Fortunes Wager for each player.**

(ii) **Inscriptions that advise patrons of the payout odds for the Pair Fortunes Wager. If the payout odds are not inscribed on the layout, a sign identifying the odds shall be posted at each Pai Gow table.**

(5) If the certificate holder is offering a wager based on the value of the dice in the manual or player-activated Pai Gow shaker, each player's wagering position must have:

(i) A separate betting area designated for the placement of the Sum Wager, if offered by the certificate holder, authorized under § 621a.5(e)(2).

(ii) Six separate betting areas designated for the placement of the Match Wager, if offered by the certificate holder, authorized under § 621a.5(e)(3).

(iii) A separate betting area designated for the placement of the Beat It Wager, if offered by the certificate holder, authorized under § 621a.5(e)(4).

(iv) A player-activation button if player-activated Pai Gow is being offered by the certificate holder.

(c) Each Pai Gow table must have a drop box with 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).

(d) Pai Gow shall be played with a Pai Gow shaker, approved in accordance with § 601a.10(a), used to shake three dice before each hand of Pai Gow is dealt to determine the starting position for the dealing of the Pai Gow tiles. The Pai Gow shaker shall be the responsibility of the dealer and may not be left unattended at the table. The Pai Gow shaker must be designed and constructed to maintain the integrity of the game and:

(1) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow shaker. Dice that have been placed in a Pai Gow shaker for use in gaming may not remain on a table for more than 24 hours.

(2) Be designed to prevent the dice from being seen while being shaken.

(3) Have the name or logo of the certificate holder imprinted or impressed thereon.

(e) If a certificate holder elects to use a computerized random number generator as permitted under § 621a.6 (relating to procedures for dealing the tiles; **settling of wagers based on value of dice**), the random number generator shall be approved by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

(f) Notwithstanding subsection (d), a certificate holder may utilize a player-activated Pai Gow shaker to determine the starting position for the dealing of the Pai Gow tiles provided that the shaker is submitted to the Bureau of Gaming Laboratory Operations for approval in accordance with § 461a.4 prior to its use. The player-activated Pai Gow shaker must:

(1) Have the capability of being sealed or locked to ensure the integrity of the three dice contained inside the shaker. Dice used inside the shaker must comply with § 603a.12(b) (relating to dice; physical characteristics) and if offering the Beat It Wager authorized under § 621a.5(e)(4)(i), one red and two blue dice must be used in the shaker.

(2) Shake the dice for at least 5 seconds to cause a random mixing of the dice.

§ 621a.5. Wagers.

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

(b) Only players who are seated at the Pai Gow table may place a wager. Once a player has placed a wager and received tiles, 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 treated as losing wagers.

(c) All wagers at Pai Gow shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 621a.6 (relating to procedures for dealing the tiles; **settling of wagers based on value of dice**). **Verbal wagers accompanied by cash may not be accepted.** A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) **To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Pai Gow Wager.**

(e) **If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Pai Gow Wager in accordance with subsection (d) the option of placing the following additional wagers:**

(1) **A Pair Fortunes Wager which shall win if any of the four tiles dealt to a player contains a Gee Joon Pair, Heaven Pair, Identical Pair or Mixed Pair. The Pair Fortunes Wager does not have bearing on any of the player's other wagers.**

(2) **A Sum Wager, which shall be based on the value of the dice in the manual or player-activated Pai Gow Shaker and shall win depending on the payable selected by the certificate holder, if:**

(i) **The total of the three dice in the Pai Gow shaker is equal to an 8, 16 or 17.**

(ii) **The total of the three dice is equal to a 3, 8 or 9.**

(iii) **At least two of the dice are matching.**

(iv) **The three dice form a series, such as a 1, 2 and 3, or 3, 4 and 5.**

(3) **A Match Wager, which shall be based on the value of the dice in the manual or player-activated Pai Gow shaker and shall win if at least two of the dice in the Pai Gow shaker match the value selected by the player. For example, a player's Match Wager on the 1 shall win if two or three of the dice rolled is a 1.**

(4) **A Beat It Wager, which shall be based on the value of the dice in the manual or player-activated Pai Gow shaker and shall win depending on the payout table selected by the certificate holder in its Rules Submission, if:**

(i) **The red die in the Pai Gow shaker is equal in value to or greater than the sum of the two blue dice. For example, a player's Beat It Wager shall win if the red die is a 6 and the two blue dice are a 2 and a 1 for a total of 3.**

(ii) Any single dice beats the sum of the two other dice by 1 to 4 points. For example, a player's Beat It Wager shall win if the dice rolled are a 5, a 1 and a 1 (5 - (1 + 1) = 3).

[(d)] (f) Except as provided in § 621a.9(f) (relating to player bank; co-banking; selection of bank; procedures for dealing), a certificate holder may, if specified in its Rules Submission under § 601a.2 [(relating to table games Rules Submissions)], permit a player to wager on two adjacent betting areas at a Pai Gow table. If a certificate holder permits a player to wager on adjacent betting areas, the tiles dealt to each betting area shall be played separately. If the [two] Pai Gow wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 621a.6. Procedures for dealing the tiles; settling of wagers based on value of dice.

(a) After the dealer has completed mixing and stacking the tiles, the dealer shall either:

(1) Announce "no more bets" and use a computerized random number generator that automatically selects and displays a number.

(2) Announce "no more bets" and shake the Pai Gow shaker at least three times to cause a random mixture of the dice. The dealer shall then remove the lid covering the Pai Gow shaker and place the uncovered Pai Gow shaker on the designated area of the table layout. [After removing the lid covering the Pai Gow shaker, the dealer shall total the dice.]

(3) Announce "no more bets" and instruct a player to activate the Pai Gow shaker by pressing an activation button at the player's wagering position.

(b) [The dealer shall then announce the total of the dice or the number displayed by the computerized random number generator. The total or number shall determine which player receives the first stack of tiles.] If the certificate holder is utilizing a manual or player-activated Pai Gow shaker as provided in subsection (a)(2) or (3) and is offering Sum, Match and Beat It Wagers, after the dice come to rest, the dealer shall announce the numeric value of each die and determine if the player has a winning Sum, Match or Beat It Wager as described in § 621a.5(e)(2)—(4) (relating to wagers). The dealer shall settle the wagers by collecting all losing wagers and paying out winning wagers in accordance with § 621a.11(c)—(e) (relating to payout odds; vigorish).

(c) After settling the player's Sum, Match and Beat It Wagers, if applicable, the dealer shall then use the total of the dice or the number displayed by the computerized random number generator to determine which player receives the first stack of tiles. To determine the starting position for dealing the tiles, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, and the Dead Hand, beginning with the dealer as number one and continuing around the table in a

counterclockwise manner, until the count matches the total of the three dice or the number displayed by the computerized random number generator. Examples are as follows:

(1) If the dice total [nine] 9, the dealer would receive the first stack of four tiles.

(2) If the dice total 15, the sixth wagering position would receive the first stack of four tiles.

(d) The dealer shall deal the first stack of four tiles, starting from the right side of the eight stacks, to the starting position as determined in subsection (c) and, moving counterclockwise around the table, deal all other positions including the Dead Hand and the dealer a stack of tiles, regardless of whether there is a wager at the position. The dealer shall place a marker on top of his stack of tiles immediately after they are dealt.

(e) After all the stacks of tiles have been dealt, the dealer shall, without exposing the tiles, collect any stacks dealt to a position where there is no wager and place the stacks with the Dead Hand on the layout to the left of the dealer in front of the table inventory container.

(f) If a manual Pai Gow shaker is utilized, once all tiles have been dealt and any tiles dealt to positions with no wagers have been collected, the dealer shall place the cover on the Pai Gow shaker and shake the shaker once. The Pai Gow shaker shall then be placed to the right of the dealer.

§ 621a.8. Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish.

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(e) A player may surrender his wager after the hands of the dealer have been set. The player shall announce his intention to surrender prior to the dealer exposing either of the two hands of that player as provided in subsection (g). Once the player has announced his intention to surrender, the dealer shall immediately collect the [wager] Pai Gow Wager from that player and collect the four tiles dealt to that player and stack them face down on the right side of the table in front of the table inventory container without exposing the tiles to any other player at the table provided that if a player placed a Pair Fortunes Wager, the player's wager shall be placed on top of the player's tiles until the wager is settled in accordance with subsection (j).

* * * * *

(i) A wager shall win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer. The dealer shall pay the winning Pai Gow Wager and collect a vigorish in accordance with § 621a.11(a) (relating to payout odds; vigorish).

(j) After settling the player's Pai Gow Wager, the dealer shall settle the player's Pair Fortunes Wagers, if applicable, by determining if the player's four tiles create a Gee Joon Pair, Heaven Pair, Identical Pair or Mixed Pair. Irrespective of how the player's hand was set, if the player's hand:

(1) Contains a Gee Joon Pair, Heaven Pair, Identical Pair or Mixed Pair, the dealer shall pay the winning Pair Fortunes Wager in accordance with § 621a.11(b).

(2) Does not contain a pair, the dealer shall collect the losing Pair Fortune Wager.

[(j)] (k) After settling the player's [**wager**] **Pai Gow and Pair Fortunes Wagers**, the dealer shall immediately collect the tiles of that player and place the tiles face up to the right of the dealer in front of the table inventory container.

[(k) A certificate holder shall pay each winning **Pai Gow wager at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢. A certificate holder shall collect the vigorish from a player at the time the winning payout is made.**]

(1) Tiles collected by the dealer shall be picked up in order and in a way so that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

§ 621a.9. Player bank; co-banking; selection of bank; procedures for dealing.

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(d) Before a player may bank a round of play, the dealer shall confirm that:

(1) The player placed a wager against the dealer during the last round of play in which there was no player banking the game.

(2) The player has sufficient value chips or plaques on the table to cover all of the [**wagers**] **Pai Gow Wagers** placed by other players at the table for that round of play.

* * * * *

(h) Once the dealer has determined that a player may be the bank, as required under subsection (d), and the tiles have been mixed, stacked and, if applicable, cut, the dealer shall, unless co-banking is in effect, remove value chips from the table inventory container in an amount equal to the banker's last wager made against the dealer or in an amount as specified in the certificate holder's Rules Submission. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer place no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container. Immediately upon receipt of the four tiles dealt to the dealer under subsection (k), the dealer shall place his wager on top of these tiles, instead of the marker otherwise required under § 621a.6 (relating to procedures for dealing the tiles; **settling of wagers based on value of dice**), before dealing the remaining tiles. If co-banking is in effect, the dealer may not remove any value chips from the table inventory container under this subsection.

* * * * *

(o) If a player is banking the round of play, once the dealer has determined the outcome of the [**wager**] **Pai Gow Wager** of the dealer against the bank, if any, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and announce if the [**wager**] **Pai Gow Wager** shall win, lose or tie. Losing [**wagers**] **Pai Gow Wagers** shall be immediately collected and placed in the center of the table. All winning [**wagers**] **Pai Gow Wagers**, includ-

ing the dealer's wager, shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning [**wagers**] **Pai Gow Wagers** have been paid, the dealer shall collect from the bank an amount equal to the remaining winning [**wagers**] **Pai Gow Wagers** and place that amount in the center of the layout. The remaining winning [**wagers**] **Pai Gow Wagers** shall be paid from the amount in the center of the layout. If, after collecting all losing [**wagers**] **Pai Gow Wagers** and paying all winning [**wagers**] **Pai Gow Wagers**, there is a surplus in the center of the table, this amount shall be charged a 5% vigorish in accordance with [§ 621a.8 (relating to procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish)] § 621a.11(a) (relating to payout odds; vigorish). Once the vigorish has been paid, the remaining amount shall be given to the bank.

(p) Immediately after a winning [**wager**] **Pai Gow Wager** of the dealer is paid, this amount and the dealer's original [**wager**] **Pai Gow Wager** shall be returned to the table inventory container.

(q) Each player who has a winning [**wager**] **Pai Gow Wager** against the bank shall pay a 5% vigorish on the amount won, in accordance with [§ 621a.8] § 621a.11(a).

(r) If a player and the dealer are co-banking the round of play, once the dealer has set the co-bank hand under subsection (e), the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise manner, expose the hands of each player. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and announce if the [**wager**] **Pai Gow Wager** shall win, lose or tie. Losing [**wagers**] **Pai Gow Wagers** shall be immediately collected and placed in the center of the table. All winning [**wagers**] **Pai Gow Wagers** shall be paid by the dealer with the value chips located in the center of the table. If this amount becomes exhausted before all winning [**wagers**] **Pai Gow Wagers** have been paid, the dealer shall collect from the co-bank an amount equal to 1/2 of the remaining winning [**wagers**] **Pai Gow Wagers** and place that amount in the center of the layout. The dealer shall remove an amount equal to 1/2 of the remaining winning [**wagers**] **Pai Gow Wagers** from the table inventory container and place that amount in the center of the layout. The remaining winning [**wagers**] **Pai Gow Wagers** shall be paid from the total amount in the center of the layout. If, after collecting all losing [**wagers**] **Pai Gow Wagers** and paying all winning [**wagers**] **Pai Gow Wagers**, there is a surplus in the center of the table, this amount will be counted and the dealer shall place 1/2 of this amount into the table inventory container. The dealer shall collect a 5% vigorish, in accordance with [§ 621a.8] § 621a.11(a) on the remaining amount. Once the vigorish has been paid, the remaining amount shall then be given to the co-bank.

(s) After the **Pai Gow Wager** has been settled, the dealer shall settle the player's **Pair Fortunes Wager** in accordance with § 621a.8(j) (relating to procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish).

§ 621a.10. Irregularities; invalid roll of the dice.

(a) If [the dealer uncovers the Pai Gow shaker and] all three dice [have not landed] in the Pai Gow shaker do not land flat on the bottom of the shaker, the dealer shall call a “no roll” and the dealer or player, if a player-activated shaker is used, shall reshake the dice.

(b) If the dealer uncovers the **manual** Pai Gow shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

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(Editor’s Note: The following section is proposed to be added and printed in regular type to enhance readability.)

§ 621a.11. Payout odds; vigorish.

(a) The certificate holder shall pay each winning Pai Gow Wager at odds of 1 to 1, except that the certificate holder shall extract a vigorish from the winning players in an amount equal to 5% of the amount won. When collecting the vigorish, the certificate holder may round off the vigorish to 25¢ or the next highest multiple of 25¢. A certificate holder shall collect the vigorish from a player at the time the winning payout is made.

(b) The certificate holder shall pay each winning Pair Fortunes Wager at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Gee Joon Pair and Heaven Pair	300 to 1
Two pair	25 to 1
Gee Joon Pair	8 to 1
Mixed Pair	4 to 1
Identical Pair	3 to 1

(c) The certificate holder shall pay each winning Sum Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission:

<i>Sum of Dice</i>	<i>Paytable A</i>	<i>Sum of Dice</i>	<i>Paytable B</i>
17	25 to 1	3	25 to 1
16	6 to 1	8	4 to 1
8	3 to 1	9	2 to 1
	<i>Paytable C</i>		<i>Paytable D</i>
Any three match	3 to 1	Any series of three	15 to 2
Any two match	1 to 1		

(d) The certificate holder shall pay each winning Match Wager at the odds in the following payout table:

	<i>Payout</i>
Triple match	100 to 1
Double match	6 to 1

(e) The certificate holder shall pay out each winning Beat It Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission:

	<i>Paytable A</i>	<i>Paytable B</i>
Red die beats sum of blue dice by		
4 points	50 to 1	60 to 1
2 or 3 points	10 to 1	10 to 1
Tie or 1 point	1 to 1	1 to 1
	<i>Paytable C</i>	
Any die beats sum of other two by	5 to 2	
[one] 1 or more points		

CHAPTER 635a. SPANISH 21

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

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

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

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

(1) Any card from 2 to 9 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21, in which case, the ace shall have a value of 1.

(d) If an automated card shuffling device is utilized, other than a continuous shuffler, Spanish 21 may be played with two batches of cards in accordance with the following requirements:

(1) Each batch shall be separated and must contain an equal number of decks in each batch.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

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

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

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

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

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

(f) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(d) separate from the decks in the other batch of cards.

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

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

(1) If an automated shuffling device is not in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards on the table shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. The batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, unless a player requests otherwise.

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

CHAPTER 649a. THREE CARD POKER

§ 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) [(relating to Three Card Poker rankings)].

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

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(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 staffing plans, tournament schedules, layouts, signage and equipment) and contain, at a minimum:

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(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.

[(6)] (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) or (6)] § 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:

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§ 649a.7. Wagers.

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

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(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:

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

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(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 [or], 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 [or], 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 [or], 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:

* * * * *

(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.

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

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

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(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 [in the certificate holder's Rules Submission filed in accordance with § 601a.2 and must be at least 14% for Paytable A and 20% for Paytable B. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least \$1,000.] 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).

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

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(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 [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.] 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).

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

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(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 [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.] 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

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush of spades	\$100
Royal flush of clubs, diamonds or hearts	\$50

\$5 Progressive Payout Wager

<i>Hand</i>	<i>Envy Bonus</i>
Royal flush of spades	\$500
Royal flush of clubs, diamonds or hearts	\$250

CHAPTER 659a. FORTUNE ASIA POKER

§ 659a.12. Payout odds.

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

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(2) [The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least \$2,000.] A player shall receive the payout for only the highest ranking 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 on the amount of the Progressive Payout Wager being offered and must be as follows:

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

(4) Winning Progressive Payout Wagers shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 659a.11(h) (relating to procedures for completion of each round of play).

CHAPTER 669a. RAISE IT UP STUD POKER

§ 669a.12. Payout odds; Envy Bonus; rate of progression.

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

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

<i>Hand</i>	<i>Payout</i>
Ace, king and queen of spades	100% of meter
Ace, king and queen of hearts, diamonds or clubs	500 for 1
Straight flush	70 for 1
Three-of-a-kind	60 for 1
Straight	6 for 1
[Seed amount	1,000 for 1
Increment rate	14%]

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

(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 [in the certificate holder's Rules Submission filed in accordance with § 601a.2 and be at least 14%. The initial and reset amount must also be in the certificate holder's Rules Submission and must be at least \$1,000.] based on the amount of the Progressive Wager being offered and must be as follows:

Seed/reseed	\$1,000 for 1
Incrementation rate	
Primary	14%

(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 § 669a.11(i)(3)(i) (relating to procedures for completion of each round of play).

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CHAPTER 670a. SIX-CARD FORTUNE PAI GOW POKER

§ 670a.12. Payout odds; Envy Bonus; rate of progression.

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(d) [The certificate holder shall pay out winning Progressive Payout Wagers and Envy Bonus Payouts in accordance with the following:] If the certificate holder offers the Progressive Payout Wager:

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

<i>Hand</i>	<i>Payout</i>
Five aces	100% of meter
Royal flush	10% of meter
Straight flush	300 for 1
Four-of-a-kind	150 for 1
Full house	15 for 1
Flush	6 for 1
Straight	3 for 1
[Seed amount	5,000 for 1
Increment rate	21%]

(2) [The initial and reset amount must be in the certificate holder's Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions) and be at least \$5,000.] 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 Progressive Payout Wager being offered and must be as follows:

Seed/reseed	\$5,000 for 1
Incrementation rate	
Primary	21%

(3) Winning Progressive Payout Wagers shall be paid the amount on the meter when it is the player's turn to be paid in accordance with § 670a.11(h)(3) (relating to procedures for completion of each round of play) irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

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CHAPTER 674a. CRISS-CROSS POKER

§ 674a.7. Wagers.

* * * * *

(g) [A player may not wager on more than one player position at a Criss-Cross Poker table.] The 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.

§ 674a.12. Payout odds.

* * * * *

(d) Notwithstanding the payout odds in subsections [(a)—(c)] (a) and (b), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table game Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round

of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. **Any maximum payout limit established by the certificate holder must apply only to payouts of Ante Across, Ante Down, Across Bet, Down Bet and Middle Bet Wagers under subsections (a) and (b) but does not apply to payouts for Five Card Bonus Wagers in subsection (c).**

CHAPTER 675a. HIGH ROLL DICE

§ 675a.1. High Roll Dice table; physical characteristics.

* * * * *

(b) The layout for a High Roll Dice table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game **staffing plans, tournament schedules**, layouts, signage and equipment) and contain, at a minimum:

* * * * *

(3) The payout odds, in accordance with § 675a.5 (relating to payout odds), for all permissible wagers offered by the certificate holder. If the payout odds are not on the layout, a sign identifying the payout odds shall be posted at each High Roll Dice table.

[(4) If the certificate holder establishes a payout limit per player per round of play, as authorized under § 675a.5(1) (relating to payout odds), inscriptions that advise patrons of the payout limit. If the limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each high roll dice table.

(5)] (4) A throw box set into the surface of the High Roll Dice table. The throw box layout must contain an area for the placement of dice labeled “Ace” through “Six” with the “Ace” box farthest to the left of the dealer and the “Two” box farthest to the right of the dealer.

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§ 675a.5. Payout odds.

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(d) The certificate holder shall pay out winning Like Kind Boulevard Wagers on the Extra Roll at the following odds:

	<i>Payout Odds</i>
Eight-of-a-kind	50 to 1
Seven-of-a-kind	10 to 1
Six-of-a-kind	4 to 1
Five-of-a-kind	2 to 1
Four-of-a-kind	1 to 1
Three-of-a-kind	6 to 1

[(e) Notwithstanding the payout odds in subsections (a), (b) and (d), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table game Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. The aggregate payout limit established may not include winning Millionaire Row Wagers as provided in subsection (c).]

§ 675a.6. High Roll Dice variation.

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(k) The certificate holder shall pay out winning Like Kind Wagers at the following odds:

	<i>Payout Odds</i>
Six-of-a-kind	6,000 to 1
Five-of-a-kind	200 to 1
Four-of-a-kind	15 to 1
Three-of-a-kind	2 to 1
Two-of-a-kind	1 to 2
No matches	60 to 1

[(l) Notwithstanding the payout odds in subsections (j) and (k), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.]

CHAPTER 678a. HIGH CARD FLUSH

§ 678a.7. Wagers.

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(e) [A player may not wager on more than one player position at a High Card Flush table.] The 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.

§ 678a.12. Payout odds; payout limitation.

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

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(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 [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 \$30,000.] based upon the amount of the Progressive Jackpot Wager being offered and must be as follows:

	<i>Paytable A</i>	<i>Paytable B</i>
Seed	\$30,000 for 1	\$30,000 for 1
Reseed	\$0	\$0
Incrementation rate		
Primary	23%	23%
Reserve	5%	5%

(4) Winning Progressive Jackpot Wagers shall be paid in accordance with the amount on the meter when it is the player’s turn to be paid in accordance with § 678a.11(e)(3) (relating to procedure for completion of each round of play).

(e) Notwithstanding the payout odds in [subsections (a)—(c)] subsection (a), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, which-

ever is greater. [The aggregate payout limit established may not include winning progressive jackpot wagers.] Any maximum payout limit established by the certificate holder must apply only to payouts of Ante and Raise Wagers under subsection (a) but does not apply to payouts for Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wagers under subsections (b)—(d).

CHAPTER 680a. SAIGON 5 CARD

§ 680a.1. Definitions.

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

Ante Wager—The wager that a player is required to make prior to any cards being dealt to compete against the dealer’s hand.

Bonus Wager—An optional wager a player may make to compete against a posted payout table.

Pot Wager—A wager that a player is required to make, if selected by the certificate holder, prior to any cards being dealt to compete against the other players’ two-card hands.

Qualify or qualifies—When the dealer’s three-card hand or the player’s three-card hand made from the five cards dealt to the dealer and the player has a total value of 10, 20 or 30.

Showdown hand—The two-card hand of the player or the dealer made from the five cards dealt to the player or the dealer.

§ 680a.2. Saigon 5 Card table physical characteristics.

(a) Saigon 5 Card shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Saigon 5 Card table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game **staffing plans, tournament schedules**, layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Ante Wager for each player.

(3) If the certificate holder elects to require players to make a Pot Wager, as selected by the certificate holder in its Rules Submission, a separate betting area designated for the placement of the Pot Wager.

[(3)] (4) Two separate areas for each player for the placement of the player’s three-card qualifying hand and the player’s two-card showdown hand.

[(4)] (5) If the certificate holder offers the optional Bonus Wager authorized under § [680a.7(d)(2)] **680a.7(d)(3)** (relating to wagers), a separate area designated for the placement of the Bonus Wager for each player.

[(5)] (6) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Saigon 5 Card table.

[(6)] (7) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 680a.12(d) (relating to payout odds; [**Envy Bonus; rate of progression**] **payout limitation**), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Saigon 5 Card table.

(c) Each Saigon 5 Card table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Saigon 5 Card table must have a discard rack securely attached to the top of the dealer’s side of the table.

§ 680a.7. Wagers.

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(d) The following wagers may be placed in the game of Saigon 5 Card:

(1) A player [**may**] **shall** compete solely against the dealer by placing an Ante Wager.

(2) If more than one player is playing at a Saigon 5 Card table and the certificate holder elects to require players to place a Pot Wager, a player shall make a Pot Wager equal to the table minimum to compete against the other players’ two-card hands.

[(2)] (3) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Saigon 5 Card table the option to make an additional Bonus Wager which shall win if the player’s five cards contain two pair or better as described in § 680a.6(c) (relating to Saigon 5 Card rankings).

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§ 680a.11. Procedures for completion of each round of play.

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(d) After the dealer’s cards are turned face up and set, 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. The dealer shall turn the player’s three-card hand face up on the layout and compare the dealer’s three-card hand to the player’s three-card hand. If the dealer’s three-card hand:

- (1) Does not qualify and the player’s three-card hand:
 - (i) Does not qualify, the dealer shall return the player’s Ante Wager.
 - (ii) Qualifies, the dealer shall reveal the player’s showdown hand. If the player’s two-card showdown hand:

(A) Has a Point Count of 1—4 or 6—10, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) (relating to payout odds; [**Envy Bonus; rate of progression**] **payout limitation**).

* * * * *

(e) After settling the player's Ante Wager, the dealer shall settle any optional Bonus Wager by reconfiguring the player's five cards to form the highest ranking Poker hand. If the player's hand:

(1) Does not contain two pair or better, as provided in § 680a.6(c) (relating to Saigon 5 Card rankings), the dealer shall collect the losing Bonus Wager.

(2) Contains two pair or better, the dealer shall pay the winning Bonus Wager in accordance with § 680a.12(c).

(f) After settling the player's Ante and Bonus Wagers, the dealer shall settle the Pot Wager, if offered by the certificate holder, by determining which player's two-card hand point total ranks the highest. The player with the highest ranking two-card hand point total shall be paid the entire pot amount provided that if there is a tie hand, the pot shall be split evenly between the winning players.

[(f)] (g) After all wagers of the player have been settled, the dealer shall remove any remaining cards from

the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 680a.12. Payout odds; **[Envy Bonus; rate of progression] payout limitation.**

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(d) Notwithstanding the payout odds in subsections **[(a)—(c)] (a) and (b)**, if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. **Any maximum payout limit established by the certificate holder must apply only to payouts of Ante Wagers under subsections (a) and (b) but does not apply to payouts for Bonus Wagers under subsection (c).**

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