

INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulatory Analysis Form

(Completed by Promulgating Agency)

(All Comments submitted on this regulation will appear on IRRC's website)

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(1) Agency

Pennsylvania Gaming Control Board

(2) Agency Number:

Identification Number: 125-195 (Amended 11-23-15)

IRRC Number: 3124

(3) PA Code Cite: 58 Pa.Code § 679a.

(4) Short Title:

Table Games Rules of Play

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact:

Susan A. Yocum
Senior Counsel
Pennsylvania Gaming Control Board
P.O. Box 69060
Harrisburg, PA 17101-8323
Phone: (717) 346-8300/ Fax: (717) 703-2988
Email: syocum@pa.gov

(6) Type of Rulemaking (check applicable box):

- Proposed Regulation
- Final Regulation
- Final Omitted Regulation

- Emergency Certification Regulation;
 - Certification by the Governor
 - Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

This rulemaking will add a new table game, Three Card Prime, to the compliment of games available for play in the Commonwealth.

(8) State the statutory authority for the regulation. Include specific statutory citation.

The Pennsylvania Gaming Control Board's general authority is in 4 Pa.C.S. § 1202(b)(30)(relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 13A02(1) and (2).

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

There are no other applicable federal or state statutes, regulations or court decisions that mandate adoption of this rulemaking.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

This rulemaking will give certificate holders additional operational flexibility in the games that they provide to patrons and is needed to establish the rules of play. Patrons who play these games will benefit from the standardization of the rules of play.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no corresponding federal standards for any of these provisions in this rulemaking.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

This rulemaking expands the compliment of table games available for patron play and should therefore not negatively impact Pennsylvania's ability to compete with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will not affect any other regulations of the PGCB nor any other state agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

No other persons or groups were involved in the development and drafting of the regulation.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

There are currently twelve slot machine licensees that have a certificate to operate table games, all of which will be affected by the regulation in that they will have greater flexibility in the compliment of games available for patron play. Casinos that operate in the Commonwealth of Pennsylvania are not small business as defined in the United States Small Business Administration's Small Business Size Regulations, under 13 CFR Ch. 1 Part 121.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Any of the twelve slot machine licensees that would like to offer the game contained in this rulemaking will be required to comply with the requirements of the rulemaking.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

It is not anticipated that this rulemaking will have a negative financial or economic impact on the regulated community. Slot machine licensees will be impacted by this rulemaking as they will have a greater number of options to offer at their facilities.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

This rulemaking will add a new game and provide operators with more table game options to offer to patrons.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Certificate holders that decide to offer Three Card Prime will be required to submit updated rules submission forms and internal controls to reflect any addition. The rules forms are simple checklists that take little time to complete, are available to the operators electronically and are also submitted electronically. Any costs incurred to purchase equipment and train employees will be offset by the proceeds of gaming.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This rulemaking will have no fiscal impact on local governments. Host municipalities and counties will benefit from the local share funding that is mandated by Act 1.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The Board does not expect that the requirements of this rulemaking will have any fiscal impact on the Board or any other Commonwealth agency. Internal control procedures and table games rules submissions will be reviewed by existing Board staff.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

As stated above, if an operator would like to offer the game contained in this rulemaking, the operator will have to submit updated internal controls, rules submission forms, layout schematics, etc. for approval. The rules submission forms are straightforward checklists and are submitted electronically.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	FY 2015/2016
PGCB Overall	\$53,501,000	\$36,098,000	\$37,999,000	\$39,900,000
Budget				

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.

The twelve slot machine licensees that operate in the Commonwealth of Pennsylvania will be impacted by this rulemaking; however, in accordance with the United States Small Business Administration's Small Business Size Regulations, under 13 CFR Ch. 1 Part 121, none of the casinos qualify as a small business.

(b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

N/A

(c) A statement of probable effect on impacted small businesses.

N/A

(d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

N/A

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been added.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No alternative regulatory approaches were considered as this rulemaking contains the rules of play for table games.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

As stated in (24), this rulemaking will impact slot machine licensees, none of which are small businesses under the United States Small Business Administration's Small Business Size Regulations.

a) The establishment of less stringent compliance or reporting requirements for small businesses;

N/A

b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

N/A

c) The consolidation or simplification of compliance or reporting requirements for small businesses;

N/A

d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and

N/A

e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

N/A

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

There is no data, as defined under section (3) of the Regulatory Review Act (71 P.S. § 745.3), upon which this rulemaking is based.

(29) Include a schedule for review of the regulation including:

- | | |
|---|------------------------------|
| A. The date by which the agency must receive public comments: | 30 days from publication |
| B. The date or dates on which public meetings or hearings will be held: | N/A |
| C. The expected date of promulgation of the proposed regulation as a final-form regulation: | 2 nd quarter 2016 |
| D. The expected effective date of the final-form regulation: | Upon publication |
| E. The date by which compliance with the final-form regulation will be required: | Upon publication |
| F. The date by which required permits, licenses or other approvals must be obtained: | Ongoing |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

No formal review schedule has been established. Instead, the Board consistently reviews its regulations and proposes amendments as the need arises.

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Copy below is hereby approved as to form and legality.
Attorney General

By: *Amy M. Elliott*
(Deputy Attorney General)

NOV 09 2015

DATE OF APPROVAL

Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be true and correct
copy of a document issued, prescribed or promulgated
by:

**Pennsylvania Gaming
Control Board**

FISCAL NOTE NO.: 125-195

DATE OF ADOPTION: 9/2/15

By: *William H. Ryan, Jr.*
William H. Ryan, Jr., CHAIRMAN

Copy below is hereby approved as to form and legality
Executive or Independent Agencies

By: *R. Douglas Sierman*
R. Douglas Sierman, Chief Counsel

9/2/15

DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

Check if applicable. No Attorney General Approval or
objection within 30 days after submission.

**PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA**

58 PA. CODE

**Proposed Rulemaking
Subpart K**

**New Chapter
679a**

PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

58 PA.CODE CH. 679a.

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 13A02(1) and (2), proposes to add chapter 679a to read as set forth in Annex A.

Purpose of the Rulemaking

This rulemaking will add a new table game, Three Card Prime, to the compliment of games available for play in the Commonwealth.

Explanation

Section a.1 contains the definitions used throughout the chapter; section a.2 contains the table physical characteristics; section a.3 details the number of cards and decks used to play the game; a.4 addresses the opening of the table for gaming; a.5 details how the cards are to be shuffled and cut; a.6 specifies the ranking of the hands; section a.7 outlines the permissible wagers; sections a.8 - a.10 detail the procedures for dealing the cards; section a.11 addresses how the round of play is to be completed; a.12 outlines the permissible payout odds for winning wagers; and section a.13 addresses irregularities in play.

In Three Card Prime, the hold percentages/house edge for the optional side wagers are as follows:

Bad Beat Bonus Wager - between 2.9% and 3.03%

Prime Wager - 3.62%

Pair Bonus Wager - between 3.18% and 5.83%

All Six Bonus Wager - between 6.74% and 18.10%

Fiscal Impact

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

Political Subdivisions. This proposed rulemaking will have no fiscal impact on political subdivisions of the Commonwealth.

Private Sector. This rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Three Card Prime within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Any costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General Public. This proposed rulemaking will have no 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 agency staff electronically.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to:

Susan A. Yocum - Senior Counsel
Attention: Regulation # 125-195 Public Comment
Pennsylvania Gaming Control Board
P.O. Box 69060
Harrisburg, PA 17106-9060

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum at (717) 346-8300.

Regulatory Review

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

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

William H. Ryan, Jr.
Chairman

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 679a. THREE CARD PRIME

§ 679a.1. Definitions.

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

All-Six Bonus Wager - An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

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

Hand - The Three Card Prime hand that is held by each player and the dealer after the cards are dealt.

Pair Bonus Wager - An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

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

Prime Wager - An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Qualify or qualifies - When the dealer's hand is a queen high or better.

§ 679a.2. Three Card Prime table physical characteristics.

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

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

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

(3) If the certificate holder offers the optional Prime Wager authorized under § 679a.7(d)(2) (relating to wagers), the Pair Bonus Wager authorized under § 679a.7(d)(3) or the All-Six Bonus Wager authorized under § 679a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder and the phrase "Dealer Qualifies with a Queen or Ante Pushes and Play Wins" and "Player wins ties." If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Three Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 679a.12(h), 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 Three Card Prime table.

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

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

§ 679a.3. Cards; number of decks.

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

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

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

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

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

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

(c) The decks of cards used in Three Card Prime shall be changed at least every:

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

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

§ 679a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 679a.5 (relating to shuffle and cut of the cards).

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

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

§ 679a.5. Shuffle and cut of the cards.

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

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the

cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a Three Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the

procedures in § 679a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 679a.6. Three Card Prime rankings.

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

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

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

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, other than a mini-royal, with a king, queen and jack being the highest

ranking straight flush and an ace, 2 and 3 being the lowest ranking straight flush.

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

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

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

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

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

(d) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

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

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

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

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

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

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

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

§ 679a.7. Wagers.

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

(b) Only players who are seated at a Three Card Prime table may wager at the game. Once a player has placed a wager and

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

(c) All wagers, except the Play Wager, shall be placed prior to the dealer announcing ``no more bets'' in accordance with the dealing procedures in § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 679a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced ``no more bets.''

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

(1) A player may compete solely against the dealer's Three Card Prime hand by placing an Ante Wager then a Play Wager, in an amount equal to the player's Ante Wager, in accordance with § 679a.11(b).

(2) 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 Three Card

Prime table the option to make an additional Prime Wager which shall win if all three of player's cards are of the same color.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional Pair Bonus Wager, which shall win if the player's hand contains a pair or better as provided in § 679a.6(b) (relating to Three Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player's three cards and the dealer's three cards forms a three-of-a-kind or better as provided in § 679a.6(d).

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

§ 679a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 679a.5 (relating to shuffle and cut

of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce ``no more bets.'' To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player's fourth card. All cards shall be dealt face down.

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

(f) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used,

the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

§ 679a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the

cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce ``no more bets''

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player's fourth card. All cards shall be dealt face down.

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

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used,

the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

§ 679a.10. Procedures for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce ``no more bets''

(b) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante wager in accordance with § 679a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante wager. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the dealer's cards.

(c) After each stack of three cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards. If a player has placed a Pair Bonus Wager, after removing the stub from the automated dealing shoe, the dealer shall deal an additional card face down to the area of the layout for the player's fourth card. Except as provided in subsection (d), the dealer shall then place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of

play to determine if the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe that automatically reshuffles the cards, the dealer may distribute four cards to each player and the dealer provided that as the cards are dispensed and distributed to each player:

(1) The top card of a stack dealt to a player who placed a Pair Bonus Wager shall be moved off the top of the stack and placed face down on the table layout until it is revealed by the dealer in accordance with § 679a.11(d)(2).

(2) The top card of a stack dealt to a player who did not place a Pair Bonus Wager and to the dealer shall be collected and placed face down in the discard rack.

§ 679a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Play Wager in an amount equal to the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Prime, Pair Bonus or All-Six Bonus but does not make a Play Wager, the

player shall forfeit the Ante Wager but does not forfeit the Prime, Pair Bonus or All-Six Bonus Wagers.

(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, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Prime, Pair Bonus or All-Six Bonus 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 Prime hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the three cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and form the highest possible ranking Three Card Prime hand for each player.

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

(i) Does not qualify, the dealer shall return each player's Ante Wager and pay the player's Play Wager in accordance with § 679a.12(a).

(ii) Qualifies, and the player's highest ranking Three Card Prime hand is higher than or equal to the dealer's hand, the dealer shall pay the winning Ante Wager in accordance with § 679a.12(a) and the player's winning Play Wager in accordance with § 679a.12(b).

(iii) Qualifies, and the player's hand contains a flush or lower and is lower than the dealer's hand, the dealer shall collect the player's losing Ante and Play Wagers.

(iv) Qualifies, and the player's hand contains a straight or better and is lower than the dealer's hand, the dealer shall collect the player's losing Ante Wager and pay the player a Bad Beat Bonus on the player's Play Wager in accordance with § 679a.12(c).

(d) After settling the player's Ante and Play Wagers, the dealer shall settle any optional wagers as follows:

(1) For the Prime Wager, if all three of the player's cards:

(i) Are not the same color, the dealer shall collect the losing Prime Wager.

(ii) Are of the same color, or if all three of the player's cards are the same color and all three of the

dealer's cards are the same color as the player's three cards, the winning Prime Wager shall be paid out in accordance with § 679a.12(d).

(2) For the Pair Bonus Wager, if the player's hand:

(i) Does not contain a pair or better, the dealer shall collect the losing Pair Bonus Wager.

(ii) Contains a pair or better, the dealer shall reveal the fourth card dealt to the player. If the fourth card dealt to the player:

(A) Is not a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(e).

(B) Is a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(f).

(3) For the All-Six Bonus Wager, the dealer shall combine the player's three cards and the dealer's three cards to form the highest ranking six-card hand as provided in § 679a.6(d) (relating to Three Card Prime rankings). If the hand:

(i) Does not contain a three-of-a-kind or better, the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, the dealer shall pay the winning All-Six Bonus Wager in accordance with § 679a.12(g).

(e) 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.

§ 679a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 and shall pay Play Wagers when a dealer doesn't qualify at odds of 1 to 1.

(b) A certificate holder shall pay winning Play Wagers, when the dealer's hand qualifies, in accordance with the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	10 to 1
Straight flush	6 to 1
Three-of-a-kind	5 to 1
Straight	2 to 1
Flush or lower	1 to 1

(c) A certificate holder shall pay a Bad Beat Bonus on the player's Play Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Straight flush	12 to 1	6 to 1

Three-of-a-kind	10 to 1	5 to 1
Straight	4 to 1	2 to 1

(d) A certificate holder shall pay out winning Prime Wagers at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Same Color player and dealer hand	4 to 1
Same color player hand	3 to 1

(e) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was not a 2, as provided in the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	50 to 1
Straight flush	40 to 1
Three-of-a-kind	30 to 1
Straight	6 to 1
Flush	3 to 1
Pair	1 to 1

(f) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was a 2, as provided in one of the following payout tables selected by the

certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Mini-royal flush	100 to 1	75 to 1	75 to 1	75 to 1
Straight flush	80 to 1	60 to 1	50 to 1	50 to 1
Three-of-a-kind	60 to 1	45 to 1	40 to 1	40 to 1
Straight	12 to 1	10 to 1	8 to 1	8 to 1
Flush	6 to 1	5 to 1	4 to 1	4 to 1
Pair	1 to 1	2 to 1	2 to 1	1 to 1

(g) A certificate holder shall pay out winning All-Six Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
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Six-card royal flush - diamonds		200,000 to 1
Six-Card royal flush - hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(h) Notwithstanding the payout odds above, 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. However, if a certificate holder is offering the All-Six Bonus Wager and selects payable E, the aggregate payout limit established may not include the payout for the six-card royal flush.

§ 679a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one

card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his cards in accordance with § 679a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Play Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Pair Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 679a.11(d) (relating to procedures for completion of each round of play).

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

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all

wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

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

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 125-195

DATE: 11/23/15

SUBJECT: Subpart K

AGENCY: Pennsylvania Gaming Control Board (PGCB)

2015 NOV 23 PM 12: 41

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IRRC

TYPE OF REGULATION

- Proposed Regulation
- Final-Form Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
 - a. With Revisions
 - b. Without Revisions

FILING OF REGULATION

<u>DATE</u>	<u>SIGNATURE</u>	<u>DESIGNATION</u>
1. <u>11-23-15</u>	<u>Elysha S. Ward</u> Senator Ward (168 MC)	Senate Community, Economic & Recreational Development
2. <u>11/23/15</u>	<u>Mark Farnese</u> Senator Farnese (543) MC	Senate Community, Economic & Recreational Development
3. <u>11-23-15</u>	<u>Patricia Payne</u> Representative Payne (416 Irvis)	House Gaming Oversight
4. <u>11-23-15</u>	<u>Rose Kotik</u> Representative Kotik (266 Irvis)	House Gaming Oversight
5. <u>11/23/15</u>	<u>K Cooper</u>	Independent Regulatory Review Commission
6. _____	_____	Attorney General
7. <u>11/23/15</u>	<u>Courne Inaut</u>	Legislative Reference Bureau