

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	07/08/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/8/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

36 05 09 02, .06, .07, .10, .11, .12,

3. Name of Promulgating Authority

Maryland State Lottery and Gaming Control Agency

4. Name of Regulations Coordinator Telephone Number
James B Butler 410-230-8781

Mailing Address

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jbutler@maryland.gov

5. Name of Person to Call About this Document Telephone No.
James B. Butler (410) 230-8781

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6. Check applicable items:

New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: June 3, 2014.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes **X-** No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

X- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Robert T. Fontaine, Assistant Attorney General, (telephone #(410) 230-8780) on June 26, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Stephen Martino

Title

Director

Date

July 8, 2014

Telephone No.

(410) 230-8790

MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

Subtitle 05 TABLE GAMES

36.05.09 Four Card Poker Rules

Authority: 36.05.09: State Government Article, §§9-1A-02(b), 9-1A-04(d), Annotated Code of Maryland

Notice of Proposed Action

□

The Maryland Lottery and Gaming Control Agency proposes to amend Regulations .02, .06, .07, .10 - .12 under COMAR 36.05.09, Four Card Poker Rules.

This action was considered at the Maryland State Lottery and Gaming Control Commission open meeting held on June 26, 2014, notice of which was given pursuant to State Government Article, § 10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to update the Regulations of the Maryland State Lottery and Gaming Control Agency to incorporate provisions that better define and refine the requirements for Table Games Operations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to James B. Butler, Director, Legislative and Policy Affairs, Maryland State Lottery and Gaming Control Agency, 1800 Washington Blvd., Suite 330, Baltimore, MD 21230, or call 410-230-8781, or email to jbutler@maryland.gov, or fax to 410-230-8727. Comments will be accepted through September 8, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special (Gaming Proceeds)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

To update the Regulations of the Maryland State Lottery and Gaming Control Agency to incorporate provisions that better define and refine the requirements for Table Games Operations.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

To update the Regulations of the Maryland State Lottery and Gaming Control Agency to incorporate provisions that better define and refine the requirements for Table Games Operations.

G. Small Business Worksheet:

Attached Document:

(June 3, 2014)

36.05.09

.01 (text unchanged)

.02 Four Card Poker Tables.

A. (text unchanged)

B. A facility operator shall submit to the Commission for approval the layout for a Four Card Poker table that contains at least:

(1) The name or logo of the facility operator;

(2) Three separate betting areas designated for the placement of Ante, Play and Aces Up Wagers for each player;

(3) If the facility operator offers the optional Progressive Payout Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Progressive Payout Wager for each player; [and]

(4) *If the facility operator offers the optional Six Card Bonus Wager authorized under Regulation .07 of this chapter, a separate area designated for the placement of the Six Card Bonus Wager for each player; and*

[(4)] (5) Inscriptions that advise a player of the payout odds or amounts for all permissible wagers offered by the facility operator, except that if payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Four Card Poker table.

C. – F. (text unchanged)

.03 - .05 (text unchanged)

.06 Four Card Poker Rankings.

A. – D. (text unchanged)

E. If the hands are of equal rank after the application of §D of this regulation, the hands [shall be] *are a tie.*

F. *If a facility operator offers the optional Six Card Bonus Wager under Regulation .07 of this chapter, the five-card Poker hands eligible for a payout are:*

- (1) *A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;*
- (2) *A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking;*
- (3) *A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit;*
- (4) *A full house, which is a hand consisting of three-of-a-kind and a pair;*
- (5) *A flush, which is a hand consisting of five cards of the same suit;*
- (6) *A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit;*
- (7) *A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit; and*
- (8) *A Super Royal, if the facility operator selects Paytable A or B in Regulation .12 of this chapter, which is a six-card Poker hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.*

.07 Wagers.

A. – D. (text unchanged)

E. The following wagers may be placed in the game of Four Card Poker:

(1) – (4) (text unchanged)

(5) *If specified in its Rules Submission, a facility operator may offer to each player at a Four Card Poker table the option to make an additional Six Card Bonus Wager that the one card dealt to the Six Card Bonus box and the five cards dealt to the player will form a five-card Poker hand with a rank of a three-of-a-kind or better.*

(a) *After placing an Ante Wager and an Aces Up Wager, a player may make the additional Six Card Bonus Wager by placing a value chip on the designated betting area prior to the dealer announcing “no more bets.”*

(b) *Under the Six Card Bonus Wager payable in Regulation .12 of this chapter, the one card dealt to the Six Card Bonus Wager box and the five cards dealt to the player shall be used to form a six-card Poker hand for purposes of the Super Royal payout.*

F. (text unchanged)

.08 – .09 (text unchanged)

.10 Procedure for Dealing Cards from an Automated Dealing Shoe[.] or Shuffler.

A. If cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Regulation .05 of this chapter have been completed, the dealer shall place the cards in an automated dealing shoe[.] *or shuffler.*

(2) Prior to the shoe *or shuffler* dispensing any stacks of cards, the dealer shall:

(a) Announce “no more bets”; and

(b) If the Progressive Payout Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers.

(3) (text unchanged)

B. The dealer shall[.] *use the following procedures when dealing a Four Card Poker game:*

[(1) Deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed a wager allowable under Regulation .07 of this chapter;

(2) Moving clockwise around the table as the remaining stacks are dispensed to the dealer by the automated dealing shoe, deliver a stack face down to each of the other players who has placed a wager allowable under Regulation .07 of this chapter;

(3) Deliver a stack of five cards face down to the area designated for the placement of the dealer’s cards;

(4) When the automated dealing shoe dispenses the next sequence of five cards, remove the stack and spread the cards face down on the layout so that the top card of the stack is to the dealer’s right and the bottom card is to the dealer’s left;

(5) Turn the bottom card of the stack, which is the card on the dealer’s far left, face up on the dealer’s hand; and

(6) Collect the remaining four cards of that stack and place the cards in the discard rack without revealing the cards.]

(1) *Deliver the first card dispensed by the automated dealing shoe or shuffler, face down, to the Six Card Bonus Wager box;*

(2) Take the next stack of six cards dispensed by the automated dealing shoe or shuffler face down, then take the bottom card and turn it face up, exposing it for the players to see;

(3) Take the next stack of five cards dispensed by the automated dealing shoe or shuffler, face down, to the player farthest to the dealer's left who has placed a wager allowable under Regulation .07 of this chapter; and

(4) Moving clockwise around the table as the remaining stacks are dispensed to the dealer by the automated dealing shoe or shuffler, deliver a stack face down to each of the other players who has placed a wager allowable under Regulation .07 of this chapter.

C. (text unchanged)

D. [If an automated card shuffling device described in Regulation .05B of this chapter is not being used, the dealer shall:

(1) 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; and

(2) 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.] E. – [I.] H. (text unchanged)

.11 Procedure for Completing a Round of Play.

A. – B. (text unchanged)

C. If a player has placed an Ante Wager and:

(1) An Aces Up Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but may not forfeit the Aces Up Wager; [or]

(2) A Six Card Bonus Wager but does not make a Play Wager, the player shall forfeit the Ante Wager but may not forfeit the Six Card Bonus Wager; or

[(2)] (3) A 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 Regulation .12 of this chapter.

D. The dealer shall:

(1) – (5) (text unchanged)

(6) Pay a winning Aces Up Wager regardless of whether the player's Four Card Poker hand outranks the dealer's hand[.];

(7) Pay a winning Six Card Bonus Wager regardless of whether the player's Four Card Poker hand outranks the dealer's hand;

[(7)] (8) – [(10)] (11) (text unchanged)

.12 Payout Odds; Envy Bonus; Rate of Progression.

A. – G. (text unchanged)

H. If a facility operator offers the Six Card Bonus Wager, the facility operator shall pay out winning Six Card Bonus Wagers at the amounts in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For a Super Royal of diamonds the payout is \$1,000,000;

(b) For a Super Royal of hearts, spades or clubs the payout is \$100,000;

(c) For a Royal flush the payout is 1,000 to 1;

(d) For a Straight flush the payout is 200 to 1;

(e) For a Four-of-a-kind the payout is 50 to 1;

(f) For a Full house the payout is 20 to 1;

(g) For a Flush the payout is 15 to 1;

(h) For a Straight the payout is 10 to 1; or

(i) For a Three-of-a-kind the payout is 5 to 1.

(2) Paytable B:

(a) For a Super Royal of diamonds, hearts, spades or clubs the payout is \$100,000;

(b) For a Royal flush the payout is 1,000 to 1;

(c) For a Straight flush the payout is 200 to 1;

(d) For a Four-of-a-kind the payout is 50 to 1;

(e) For a Full house the payout is 20 to 1;

(f) For a Flush the payout is 15 to 1;

(g) For a Straight the payout is 10 to 1; or

(h) For a Three-of-a-kind the payout is 5 to 1.

.13 (text unchanged)

