

MARYLAND REGISTER

Emergency Action on Regulations

TO BE COMPLETED BY AELR COMMITTEE	EMERGENCY Transmittal Sheet	TO BE COMPLETED BY DSD
Date Received by AELR Committee		Date Filed with Division of State Documents
02/13/2015		
Emergency Status Approved		Document Number
-Yes-No		
Emergency Status Begins On		Date of Publication in MD Register
On		
Emergency Status Ends On		
On		
Name of AELR Committee Counsel		

1. COMAR Codification

Title Subtitle Chapter Regulation

36 05 06 19, .20

2. Name of Promulgating Authority

Maryland State Lottery and Gaming Control Agency

3. Name of Regulations Coordinator

James B Butler

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4. Name of Person to Call About this Document

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5. Check applicable items:

- New Regulations

- Amendments to Existing Regulations

- Repeal of Existing Regulations

- Incorporation by Reference of Documents Requiring DSD Approval

6. Date Requested for Emergency Status to Begin: 3/2/2015

Date Requested for Emergency Status to Expire: 6/29/2015

7. Agency Will Take the Following Action on These Regulations

- Promulgate them in accordance with State Government Article, §§ 10-101 -- 10-126

- Allow them to expire

8. Is there proposed text which is identical to emergency text:

- Yes - No

If yes, corresponding proposed text published in:

- same issue

- future issue

- previous issue; it appeared in

: Md. R

(vol.) (issue) (page no's) (date)

Under Maryland register docket no.: --E.

9. Check the following item if it is included in the attached document:

- 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.)

10. Reason for Request for Emergency Status

To begin allowing casinos to offer two new poker games: Five-Card Omaha Poker and Badugi Poker, and to establish procedures for dealing cards at these poker style games and determining completion of game play.

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 January 22, 2015. A signed copy of the approval is on file at this agency.

Name of Authorized Officer

Stephen L. Martino

Title

Director

Telephone No.

(410) 230-8790

Date

February 13, 2015

Title 36
MARYLAND STATE LOTTERY AND GAMING
CONTROL AGENCY

Subtitle 05 TABLE GAMES

36.05.06 Poker Rules

Authority: 36.05.06: State Government Article, §§9-1A-02(b) and 9-1A-04(d),
Annotated Code of Maryland

Notice of Emergency Action

□

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to adopt new Regulations .19 and .20 under COMAR 36.05.06 Poker Rules.

Emergency status began:

Emergency status expires:

Comparison to Federal Standards

There is no corresponding federal standard to this emergency action.

Estimate of Economic Impact

The emergency action has no economic impact.

Economic Impact on Small Businesses

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

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 15

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 offer two new poker games at casinos: Five-Card Omaha Poker and Badugi Poker, and to establish procedures for dealing cards at these poker style games and determining completion of game play.

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 offer two new poker games at casinos: Five-Card Omaha Poker and Badugi Poker, and to establish procedures for dealing cards at these poker style games and determining completion of game play.

G. Response to small business worksheet:

Attached Document:

(February 13, 2015)

36.05.06 Poker Rules

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

ALL NEW

.19 Five-card Omaha Poker; Procedures for Dealing; Completion of Play.

A. A facility operator that offers Five-card Omaha High or Five-card Omaha High-low Split Eight or Better Poker shall follow the procedures in this regulation.

B. No more than eight players may participate in a Five-card Omaha Poker game.

(1) A player who elects to participate in a round of play may be required to place an Ante bet.

(2) The rules governing the placement and amount of an Ante bet, and the Kill or Half-kill option, must be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. The dealer shall use a button to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with following procedures:

(1) At commencement of play, the dealer shall place the button in front of:

(a) The first player to the right of the dealer; or

(b) A player randomly determined by rank of a single card dealt.

(2) Thereafter, the dealer shall rotate the button around the table in a clockwise manner after each round of play.

D. Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet.

(1) A facility operator may require additional Blind Bets to be made immediately after the initial Blind Bet.

(2) The amount and number of all Blind Bets required must be specified in the facility operator's Rules

Submission under COMAR 36.05.03.19 and posted on a sign at the table.

E. If the facility operator offers the Straddle Bet, the player to the left of the player who placed a Blind Bet may place a Straddle Bet.

(1) The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

(2) No more than one Straddle Bet may be made during a round of play.

F. Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal five rounds of cards face down to each player, so that the player with the button shall be the last player to receive a card each time.

G. After each player has been dealt five cards in accordance with §F of this regulation, each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, and continuing around the table in a clockwise manner, may fold, call, or raise the bet.

(1) The option to raise also applies to a player who made a Blind Bet or Straddle Bet.

(2) After the last player has responded to the most recent bet, the betting round is complete.

H. The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table.

(1) The first player to the left of the button who has not folded shall commence the next betting round and may bet or check.

(2) Each subsequent player may, in clockwise rotation, fold, call, raise, or, if preceding players have not made a bet, make an opening bet or check.

(3) After the last player has responded to the most recent bet, the betting round is complete.

I. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fourth community card face up in the center of the table, and commence and complete the next betting round as required under §H of this regulation.

J. Upon completion of the betting round, the dealer shall burn the top card of the deck and deal a fifth and final community card face up in the center of the table, and commence and complete the final betting round as required under §H of this regulation.

K. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot.

(1) Each player remaining in the game shall form a five-card hand using two of the five cards dealt to the player and three of the five community cards.

(2) The winner of the pot shall be:

(a) In Five-card Omaha High Poker, the player with the highest ranking five-card high hand; or

(b) In Five-card Omaha High-low Split Eight or Better Poker.

(3) The player with the highest ranking five-card high hand and the player with the highest ranking five-card low hand, subject to §L of this regulation, shall divide the pot equally.

(4) If a pot cannot be divided equally, the excess amount, which may not exceed \$1, shall be given to the player with the highest ranking high hand.

(5) If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players.

(6) If the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high card by suit or to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(7) If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players.

(8) If the low hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking low hand Poker card by suit or to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

(9) For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.

L. In Five-card Omaha High-low Split Eight or Better Poker:

(1) A winning low hand may not contain a pair, a three-of-a-kind or a four-of-a-kind or a 9, 10, jack, queen, or king.

(2) If none of the hands of the remaining players satisfies the requirement in §L(1) of this regulation, the entire pot shall be awarded to the player with the highest ranking high hand.

(3) The player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot.

(4) A hand shall consist of any three of the community cards and any two of five cards dealt to the player.

(5) A player may use the same five-card grouping to make a high hand and a low hand.

(6) An ace may be used concurrently as a low hand card to make up a low hand and as a high card to make up a high hand.

M. In Five-card Omaha High-low Split Eight or Better Poker the facility operator may use either the Half-kill or Kill option.

N. If a facility operator elects to use either option described in §M of this regulation, the facility operator shall indicate which option is being used in the facility operator's Rules Submission under COMAR 36.05.03.19 and post on a sign at each Omaha Poker table which option is being used and the minimum value of a qualifying pot.

.20 Badugi Poker; Procedures for Dealing; Completion of Play.

A. A facility operator that offers Badugi Poker shall follow the procedures in this regulation.

B. No more than nine players may participate in a Badugi Poker game.

(1) A player who elects to participate in a round of play may be required to place an Ante bet.

(2) The rules governing the placement of an Ante bet and the amount of the Ante bet, and the Kill or Half-kill option, shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

C. The dealer shall use a button to indicate the order in which the cards shall be dealt and the order in which players shall bet in accordance with the following procedures:

(1) At commencement of play, the dealer shall place the button in front of:

(a) The first player to the right of the dealer; or

(b) The player randomly determined by rank of a single card dealt.

(2) Thereafter, the dealer shall rotate the button around the table in a clockwise manner after each round of play.

D. Before any cards are dealt, the player to the immediate left of the button shall initiate the first betting round by placing a Blind Bet.

(1) A facility operator may require additional Blind Bets to be made immediately after the initial Blind Bet.

(2) The amount and number of all Blind Bets required must be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at the table.

E. If the facility operator offers the Straddle Bet, the player to the left of the player who placed a Blind Bet may place a Straddle Bet.

(1) The rules governing the placement of a Straddle Bet and the amount of the Straddle Bet shall be specified in the facility operator's Rules Submission under COMAR 36.05.03.19 and posted on a sign at each Poker table.

(2) No more than one Straddle Bet may be made during a round of play.

F. Starting with the player to the immediate left of the button and continuing around the table in a clockwise manner, the dealer shall deal four rounds of cards face down to each player so that the player with the button shall be the last player to receive a card each time.

G. After each player has been dealt four cards in accordance with §F of this regulation, each player, starting with the player to the left of the player or players who were required to place a Blind Bet or the player who placed a Straddle Bet, and continuing around the table in a clockwise manner, may fold, call or raise the bet.

(1) The option to raise also applies to a player who made a Blind Bet or Straddle Bet.

(2) After the last player has responded to the most recent bet, the betting round is complete.

H. The dealer shall then burn the top card of the deck.

(1) A player who has not folded, starting with the player to the immediate left of the button and continuing in a clockwise rotation, may draw new cards.

(2) A player may keep the player's original hand or discard as many cards as the player chooses.

(3) The dealer shall replace a discarded card with a new card from the deck, and if an insufficient number of cards remain in the deck for a player to draw new cards, the dealer shall reshuffle the discarded cards and deal new cards to the player.

(4) The first player to the left of the button who has not folded shall commence the next betting round and may bet or check.

(5) Each subsequent player may, in clockwise rotation, fold, call, raise, or, if preceding players have not made a bet, make an opening bet or check.

(6) After the last player has responded to the most recent bet, the second betting round is complete.

I. Upon completion of the second betting round, the dealer shall burn the top card of the deck, and commence and complete the next betting round as required under §H of this regulation.

J. Upon completion of the third betting round, the dealer shall burn the top card of the deck, and commence and complete the next betting round as required under §H of this regulation.

K. Upon completion of the fourth betting round, the dealer shall burn the top card of the deck, and commence and complete the final betting round as required under §H of this regulation.

L. If more than one player remains in the round of play after the final betting round has been completed, the dealer shall use a showdown to determine the winner of the pot.

(1) Each player remaining in the game shall form a Badugi hand of four-cards from different suites and ranked in accordance with COMAR 36.05.06.06 with the best hand being an ace, 2, 3, and 4.

(2) In Badugi Poker, the winner of the pot is the player with the lowest Badugi hand.

(3) If none of the hands of the remaining players satisfies the requirement in §L(1) of this regulation, the player with the lowest three card hand from different suites and rank.

(4) If none of the hands of the remaining players satisfies the requirement in §L(3) of this regulation, the player with the lowest two card hand from different suit and rank.

(5) If none of the hands of the remaining players satisfies the requirement in §L(4) of this regulation, the player with the lowest card.

(6) If a tie exists between two or more players for the highest ranking low hand, the pot shall be divided equally among the tied players.

(7) If the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the lowest ranking Poker card by suit or to the player specified in the facility operator's Rules Submission under COMAR 36.05.03.19.

END ALL NEW