

**Maryland General Assembly  
Department of Legislative Services**

**Emergency Regulation  
Maryland State Lottery and Gaming Control Agency  
(DLS Control No. 15-050)**

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**Overview and Legal and Fiscal Impact**

This emergency regulation authorizes casino operators to offer Triple Draw Poker as a table game.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**Maryland State Lottery and Gaming Control Agency:**

Table Games: Triple Draw Poker; Procedures for Dealing; Completion of Play:  
COMAR 36.05.06.21

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**Legal Analysis**

**Background**

Unlike more common types of poker, such as Five Card Stud or Texas Hold'Em, Triple Draw Poker is a game in which the object is to hold the lowest hand, not the highest. Triple Draw Poker derives its name from the rule that players have three opportunities during the game to discard and draw cards.

According to the State Lottery and Gaming Control Agency, Triple Draw Poker has been introduced in casinos in Pennsylvania and New Jersey and is especially attractive to highly experienced poker players. A distinguishing characteristic of the game is that Triple Draw Poker is not always a winner-take-all game, as the pot is often split among several players.

**Summary of Regulation**

The regulation limits the number of players in a Triple Draw Poker game to seven. The regulation also specifies the order of betting and the manner in which the pot may be split. Under the regulation, two variations of Triple Draw Poker may be offered: 2-7 Lowball Poker and Ace-5 Lowball Poker.

## **Legal Issue**

The regulation presents no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The agency cites §§ 9-1A-02(b) and 9-1A-04(d) of the State Government Article as authority for the regulation. Section 9-1A-02(b) requires the State Lottery and Gaming Control Commission to regulate the operation of table games, and § 9-1A-04(d), more specifically § 9-1A-04(d)(6), requires the commission to adopt regulations that define and limit the rules of table games.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

## **Reason for Emergency Status**

The agency requests emergency status to begin May 1, 2015 and expire August 28, 2015. This emergency period is within the normal timeframes approved by the committee. The agency requests emergency status because the agency seeks to have Triple Draw Poker offered in casinos as soon as possible.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

## **Agency Estimate of Projected Fiscal Impact**

The regulation implements procedural rules for the table game of Triple Draw Poker. The agency advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs.

## **Impact on Budget**

There is no impact on the State operating or capital budget.

## **Agency Estimate of Projected Small Business Impact**

The agency advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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