

MARYLAND REGISTER

**Emergency Action on Regulations**

<b>TO BE COMPLETED BY AELR COMMITTEE</b>	<b>EMERGENCY Transmittal Sheet</b>	<b>TO BE COMPLETED BY DSD</b>
Date Received by AELR Committee		Date Filed with Division of State Documents
06/29/2015		
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 04 02, .06, and .13

**2. Name of Promulgating Authority**

Maryland State Lottery and Gaming Control Agency

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

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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: 7/13/2015**

**Date Requested for Emergency Status to Expire: 1/8/2016**

**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**

These are update to the Agency's table game regulations under Blackjack that must be in place before casinos can (1) offer the Super 4 Progressive side wager to Blackjack; (2) remove the requirement to inscribe on the table "Dealer shall draw to 16 and stand on all 17s"; and (3) add the Super 4 Progressive side wager odds to Blackjack.

**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 18, 2015. A signed copy of the approval is on file at this agency.

**Name of Authorized Officer**

Gordon Medenica

**Title**

Director

**Telephone No.**

(410) 230-8790

**Date**

June 29, 2015

**Title 36**  
**MARYLAND STATE LOTTERY AND GAMING**  
**CONTROL AGENCY**

**Subtitle 05 TABLE GAMES**

**36.05.04 Blackjack Rules**

Authority: 36.05.04: 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 amend Regulations .02, .06, and .13 under COMAR 36.05.04 Blackjack 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 2016

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:

The amendments to these regulations merely update the Blackjack Rules in order for casinos to (1) add the Super 4 Progressive side wager to Blackjack; (2) remove the requirement to inscribe on the table “Dealer shall draw to 16 and stand on all 17s”; and (3) add the Super 4 Progressive side wager odds to Blackjack.

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

The amendments to these regulations merely update the Blackjack Rules in order for casinos to (1) add the Super 4 Progressive side wager to Blackjack; (2) remove the requirement to inscribe on the table “Dealer shall draw to 16 and stand on all 17s”; and (3) add the Super 4 Progressive side wager odds to Blackjack.

G. Response to small business worksheet:

Attached Document:

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(June 19, 2015)

## 36.05.04 Blackjack Rules

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

### .02 Blackjack Tables and Card Reader Devices.

A. (text unchanged)

B. The layout for a blackjack table shall be submitted to the Commission and approved under Regulation .16 of this chapter and contain at least:

(1) – (2) (text unchanged)

(3) The following inscriptions:

(a) “Blackjack pays 3 to 2”; *and*

(b) “Insurance pays 2 to 1”]; *and*

(c) “Dealer shall draw to 16 and stand on all 17s,” or other similar language approved in advance by the Commission under COMAR 36.05.03.16;].

(4) If a facility operator offers [the Lucky Ladies Twenty Point Bonus Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Twenty Point Bonus Wager for each player;

(5) If a facility operator offers the Match-the-Dealer Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Match-the-Dealer Wager for each player;

(6) If a facility operator offers the In Between Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the In Between Wager for each player;

(7) If a facility operator offers the Royal Match 21 Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Royal Match 21 Wager for each player;

(8) If a facility operator offers the Bet the Set 21 Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Bet the Set 21 Wager for each player;

(9) If a facility operator offers the King’s Bounty Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the King’s Bounty Wager for each player;] *any of the following Wagers authorized under Regulation .06 of this chapter, a separate area designated for the placement of each player’s:*

(a) *Lucky Ladies Twenty Point Bonus Wager;*

(b) *Match-the-Dealer Wager;*

(c) *In Between Wager;*

(d) *Royal Match 21 Wager;*

(e) *Bet the Set 21 Wager;*

(f) *King’s Bounty Wager;*

(g) *Three Card Poker Wager;*

(h) *Hit and Run Progressive Wager;*

(i) *House Money Wager;*

(j) *Lucky Lucky Wager; and*

(j) *Super 4 Progressive Wager;*

[(10)] (5) If a facility operator offers Blackjack Switch authorized under Regulation .12 of this chapter, [the table must be designated] *a designation* for play as a Blackjack Switch table, and [contain]:

(a) – (b) (text unchanged)

[(11)] If the facility operator offers the Three Card Poker Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Three Card Poker Wager for each player;

(12) If the facility operator offers the Hit and Run Progressive Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Hit and Run Progressive Wager;

(13) If the facility operator offers the House Money Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the House Money Wager;

(14) If the facility operator offers the Lucky Lucky Wager authorized under Regulation .06 of this chapter, a separate area designated for the placement of the Lucky Lucky Wager.]

[(15)] (6) [Inscriptions] *An inscription* that:

(a) [advise] *Advises* players of the payout odds or amounts for all permissible wagers offered by the facility operator; *and*

(b) *Indicates the payout limit per hand established by the facility operator under Regulation .16 of this chapter or a generic inscription that the game is subject to the posted payout limit;*

[(16)] (7) If the payout odds or amounts are not inscribed on the layout as required under [§B(13)] *§B(6)* of this regulation, a sign *or posting that [identifying] identifies* the payout odds or amounts, *and payout limit per hand*, for all permissible wagers [shall be posted at each Blackjack table; and

(17) An inscription indicating the payout limit per hand established by the facility operator under Regulation .16 of this chapter or a generic inscription indicating the game is subject to the posted payout limit. If the payout limit is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Blackjack table].

C. *Bad Beat Progressive Wager.*

(1) If a facility operator offers the Bad Beat Progressive Wager authorized under Regulation .06 of this chapter, the Blackjack table [must] shall have a progressive table game system in accordance with COMAR 36.05.03.24.

[(1)] (2) Each betting position [must] shall contain an electronic wagering system for the placement of the Bad Beat Progressive Wager.

[(2)] (3) The system [must] shall include a mechanism, such as a lock-out button, that prevents the placement of any Bad Beat Progressive Wagers that a player attempts to place after the dealer has begun dealing the cards.

D. If a facility operator offers the Hit and Run Progressive Wager in accordance with Regulation .06 of this chapter, or the Super 4 Progressive Wager in accordance with Regulation .06 of this chapter, the Blackjack table [must] shall have a progressive table game system in accordance with COMAR 36.05.03.24 for the placement of Hit and Run or [Straight Jack] Super 4 Progressive Wagers that [must include] includes:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Hit and Run or Super 4 Progressive Wager; and

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism[,] such as a lock-out button[,] that prevents the placement of [any] a Hit and Run or Super 4 Progressive Wagers that a player attempts to place after the dealer has begun dealing the cards.

E. – H. (text unchanged)

I. A blackjack table [must] shall have a discard rack securely attached to the top of the dealer's side of the table, and the height of a discard rack shall:

(1) – (2) (text unchanged)

J. (text unchanged)

**.06 Wagers.**

A. – F. (text unchanged)

G. If specified in its rules submission under COMAR 36.05.03.19, a facility operator may offer to a player who placed a Blackjack Wager the option of placing these additional wagers:

(1) – (10) (text unchanged)

(11) A House Money Wager that the initial two cards dealt to the player will form a two-card straight, a pair, a two-card straight flush or an ace-king suited; [or]

(12) A Lucky Lucky Wager that the player's hand combined with the dealer's up card will contain the ranks of 6-7-8, 7-7-7, or a three-card total of 19, 20, or 21[.]; or

(13) A Super 4 Progressive Wager that the dealer will have blackjack and the player's initial two cards will form a four-card Poker hand of a royal flush, three-of-a-kind, straight, a flush, two pair, the same color, a pair, and any hand.

H. (text unchanged)

**.13 Payout Odds and Limitation.**

A. (text unchanged)

B. If a facility operator offers a Bad Beat Progressive Wager, the facility operator shall pay out a winning Bad Beat Progressive Wager at the odds in the following paytables:

(1) When a player has a 20 and the dealer has:

(a) – (f) (text unchanged)

(2) (text unchanged)

(3) Magic Card Bonus the payout is 20 for 1; or

(4) (text unchanged)

C. – G. (text unchanged)

H. If a facility operator offers the Super 4 Progressive Wager, the facility operator shall pay out winning Super 4 Wagers at the odds in the following paytables as selected by the facility operator in its Rules Submission:

(1) Paytable A:

(a) For a Royal flush of diamonds the payout is 100 percent of the meter;

(b) For a Royal flush of hearts, spades, or clubs the payout is 10 percent of the meter;

(c) For a Three-of-a-kind the payout is 100 for 1;

(d) For a Straight the payout is 75 for 1;

(e) For a Flush the payout is 50 for 1;

(f) For a Two Pair the payout is 25 for 1;

(g) For four red cards the payout is 15 for 1;

(h) For four black cards the payout is 15 for 1;

(i) For a Pair the payout is 10 for 1;

(j) For any hand the payout is 4 for 1; or

(k) For Dealers Ace Up with no Blackjack the payout is 2 for 1.

(2) *Paytable B:*

- (a) *For a Royal flush of diamonds the payout is 100 percent of the meter;*
- (b) *For a Royal flush of hearts, spades, or clubs the payout is 10 percent of the meter;*
- (c) *For a Three-of-a-kind the payout is 150 for 1;*
- (d) *For a Straight the payout is 70 for 1;*
- (e) *For a Flush the payout is 50 for 1;*
- (f) *For a Two Pair the payout is 30 for 1;*
- (g) *For four red cards the payout is 15 for 1;*
- (h) *For four black cards the payout is 15 for 1;*
- (i) *For a Pair the payout is 10 for 1;*
- (j) *For any hand the payout is 5 for 1; or*
- (k) *For Dealers Ace Up with no Blackjack the payout is 3 for 1.*

*I. A facility operator's Rules Submission submitted under COMAR 36.05.03.19 shall specify:*

- (1) *The rate of progression for the meter used for the Super 4 Progressive Wager; and*
- (2) *That the initial and reset amounts, which shall be at least:*
  - (a) *\$10,000 for Paytable A; and*
  - (b) *\$50,000 for Paytable B.*

[H.] *J.* (text unchanged)

[I.] *K.* If a facility operator establishes a maximum payout and more than one player at a table has a winning hand specified in [§H(1) or (2)] §J(1) or (2) of this regulation, each player shall share the maximum payout amount proportionately to the amount of the player's wager.

[J.] *L.* A maximum payout amount established under [§I] §J of this regulation shall be the greater of at least \$25,000 or the maximum amount that one player could win per round when betting the maximum possible wager.

[K.] *M.* (text unchanged)