

Email Address

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6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: September 16, 2015.

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 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

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 August 27, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Gordon Medenica

Title

Director

Telephone No.

(410) 230-8790

Date

September 17, 2015

Title 36
MARYLAND STATE LOTTERY AND GAMING
CONTROL AGENCY

Subtitle 05 TABLE GAMES

36.05.02 Table Games Equipment

Subtitle 05 TABLE GAMES

36.05.03 Table Games Procedures

Subtitle 05 TABLE GAMES

36.05.06 Poker Rules

Authority: 36.05.02: State Government Article, §§9-1A-02 and 9-1A-04, Annotated Code of Maryland; 36.05.03: State Government Article, §§9-1A-02 and 9-1A-04, Annotated Code of Maryland; and 36.05.06: State Government Article, §§9-1A-02(b) and 9-1A-04(d), Annotated Code of Maryland.

Notice of Proposed Action

[]

The Maryland Lottery and Gaming Control Agency proposes to amend Regulations .01, .06, .15, and .16 under COMAR 36.05.02 Table Games Equipment; Regulations .11 and .12 under COMAR 36.05.03 Table Games Procedures; and Regulation .05 under COMAR 36.05.06 Poker Rules.

This action was considered at the Maryland Lottery and Gaming Control Commission open meeting held on August 27, 2015, notice of which was given pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to (1) Add a new definition - "RFID card" thereby allowing a facility operator to use RFID cards;

- (2) Change reporting requirements for tournament chip variances to weekly;
- (3) Add alternative requirements for collecting Poker card replacement decks and damaged cards;
- (4) Remove the requirement to report the denomination of match play coupons redeemed by players;
- (5) Remove the specific requirements for placing wagers with match play coupons;
- (6) Make procedures for shuffling and cutting the cards in Poker consistent with industry standards; and
- (7) Correct numbering, reference, and regulation style errors.

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 of Legislative and Policy Affairs, Maryland 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 November 16, 2015. A public hearing has not been scheduled.

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:

To incorporate provisions that better define and refine the requirements for VLT and Table Games operations and better conform to the Agency's oversight responsibilities to monitor casino gambling.

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 incorporate provisions that better define and refine the requirements for VLT and Table Games operations and better conform to the Agency's oversight responsibilities to monitor casino gambling.

G. Small Business Worksheet:

Attached Document:

(September 16, 2015)

36.05.02 Table Games Equipment

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

.01 Definitions.

- A. In this chapter the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) – (8) (text unchanged)
 - (9) “RFID card” means a card which contains a radio-frequency identification tag which can be used to determine the value on the face of the card.
 - [(9)] (10) – [(10)] (11) (text unchanged)

.06 Tournament Chips.

- A. – D. (text unchanged)
- E. A facility operator shall [immediately] send a weekly report to Commission compliance representatives of a discrepancy in the inventory on a report that shall include the balance for each denomination of tournament chip on hand at the beginning of the tournament and the balance on hand at the end of each tournament.

.15 Cards.

- A. (text unchanged)
- B. Each deck shall be composed of cards in four suits: diamonds, spades, clubs and hearts.
 - (1) (text unchanged)
 - (2) If approved in advance by the Commission under 36.05.03.16, the face of the ace, king, queen, jack and 10 may contain an additional marking that will permit a dealer, prior to exposing [his or her] the dealer’s hole card at the game of blackjack, to determine if the value of the hole card gives the dealer a blackjack.
- C. The backs of each card in a deck shall:
 - (1) – (2) (text unchanged)
 - (3) Contain the name or logo of the facility operator using the cards, unless otherwise approved by the Commission.
- D. – I. (text unchanged)
- J. RFID Cards. A facility operator may use RFID cards in table games if the Commission has reviewed and approved the facility operator’s plan for use of RFID cards.
- K. A facility operator’s request for Commission approval of the use of RFID cards shall include:
 - (1) A detailed description of the RFID technology and devices that will be used at the facility;
 - (2) A detailed description of the RFID technology security features that will ensure the integrity of the table games where RFID cards are in use;
 - (3) A detailed description of how the RFID cards and related equipment will be used in the facility; and
 - (4) Any other information required by the Commission.

.16 Cards — Receipt, Storage, Inspection, and Removal.

- A. Receipt.
- B. Storage. The Commission-approved storage area [must] shall have two separate locks, to which access shall be controlled as follows:
 - (1) – (3) (text unchanged)

C. Distribution.

(1) – (2) (text unchanged)

(3) The number of decks distributed [must] *shall* include extra decks that shall be placed in the pit stand for the card reserve.

(4) (text unchanged)

D. (text unchanged)

E. Removal.

(1) (text unchanged)

(2) The number of decks distributed [must] *shall* include extra decks that shall be placed in the pit stand for the card reserve.

(3) (text unchanged)

F. – G. (text unchanged)

H. Envelopes and containers used to hold or transport cards [must] *shall* be:

(1) Transparent.

(2) Designed or constructed with seals so that any tampering is evident.

(3) Submitted to the Commission and approved under COMAR 36.05.03.16.

I. Damaged Cards.

(1) – (3) (text unchanged)

(4) At least once each gaming day, [the replacement decks of cards shall be collected and placed in an envelope or container and sealed. A label shall be attached to each envelope or container which identifies the deck as a replacement deck and signed by the pit manager or above or the poker supervisor.] *the personnel operating table games shall:*

(a) *Collect the replacement cards and place the replacement cards in an envelope or container;*

(b) *Seal the envelope or container;*

(c) *Attach a label to each envelope or container that identifies the deck as a replacement deck; and*

(d) *Obtain the signature of the pit manager or above on the label.*

(5) *On an as needed basis, the personnel operating poker table games shall:*

(a) *Collect the replacement decks of poker cards and place the replacement poker cards in an envelope or container;*

(b) *Seal the envelope or container;*

(c) *Attach a label to each envelope or container that identifies the deck as a replacement deck; and*

(d) *Obtain the signature of the poker manager or above, or the poker supervisor, on the label.*

[(5)] (6) – [(6)] (7)

J. *Removing Cards from Active Use.* Personnel operating table games shall put [Decks] decks of cards that were used for play [shall be put] into envelopes or containers when *the decks of cards are* removed from active use at the table.

(1) *Personnel operating table games shall attach [A] a label [shall be attached] to each envelope or container which identifies the table number, date and time the decks of cards were collected and shall be signed by the dealer and floorperson assigned to the table.*

(2) (text unchanged)

K. (text unchanged)

L. *Personnel operating table games shall place [Extra] extra decks or packaged sets of multiple decks in the card reserve with broken seals [shall be placed] in a sealed envelope or container, with a label attached to each envelope or container that:*

(1) – (3) (text unchanged)

M. (text unchanged)

N. *Inspection of Cards.* When the envelopes or containers of used cards and reserve cards with broken seals are returned to the security department, the cards shall be inspected for tampering, marks, alterations, missing or additional cards, or anything that might indicate unfair play:

(1) – (8) (text unchanged)

(9) Evidence of tampering, marks, alterations, missing, or additional cards or anything that might indicate unfair play discovered during an inspection, or at any other time, shall be immediately reported to a Commission compliance representative by the completion and delivery of a two-part Card Discrepancy Report.

(a) The two-part report [must] *shall* include the cards or decks of cards which are the subject of the report.

(b) – (c) (text unchanged)

O. (text unchanged)

P. Except for plastic cards used at poker which are of sufficient quality for reuse, decks of cards in an envelope or container that are inspected as required under §N of this regulation and found to be without any indication of tampering, marks, alterations, missing or additional cards or any indication of unfair play shall be destroyed or cancelled within 5 days of collection.

(1) – (3) (text unchanged)

(4) The destruction or cancellation of cards [must] *shall* take place in a secure location in the licensed facility covered by the facility operator's surveillance system, the physical characteristics of which shall be approved by the Commission under COMAR 36.05.03.16.

Q. Reused Deck.

(1) If a deck of plastic cards has been determined to not be suitable for reuse by the individual performing the inspection procedures required under subsection §N(3) of this regulation[,] :

(a) *The personnel operating table games shall place the deck* [shall be placed] in a sealed envelope or container with a label attached which identifies the date and time the deck was placed in the envelope or container; and

(b) The [that shall be signed by the] poker supervisor or floorperson *shall sign the label*.

(2) (text unchanged)

R. *Preinspection and Preshuffling*. If a facility operator elects to preinspect and reshuffle cards at a closed gaming table prior to the delivery of the cards to an open gaming table, a dealer and supervised by a floorperson or above with no concurrent supervisory responsibility for open gaming tables shall perform the procedures required under this section.

(1) – (5) (text unchanged)

(6) If after inspection a card is determined to be unsuitable for use, or the deck is missing a card or an extra card is found, the following procedures shall occur:

(a) *The personnel operating table games shall place the deck* containing the unsuitable, missing, or extra card [shall be placed] in an envelope or container which shall be identified by table number, date, and time the deck of cards was placed in the envelope or container and signed by the dealer and floorperson or above performing the preinspection and reshuffle; and

(b) *The floorperson or above shall maintain the sealed envelope or container* containing the deck containing the unsuitable, missing, or extra card [shall be maintained by the floorperson or above] until collection by a security department employee at the conclusion of the preinspection and reshuffling procedure.

(7) – (15) (text unchanged)

S. (text unchanged)

36.05.03 Table Games Procedures

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

.11 Match Play Coupons.

A. – C. (text unchanged)

D. *Administration of Match Play Coupon Program*. The accounting department and the marketing department, or other department as specified in the facility operator's internal controls, shall be responsible for administering the Match Play Coupon program.

(1) – (2) (text unchanged)

E. – J. (text unchanged)

K. *Undistributed Match Play Coupons*. At the end of the gaming day or promotional period, a copy of the Match Play Coupon Reconciliation Form and all Match Play Coupons that were not distributed to players shall be returned to the accounting department.

(1) – (3) (text unchanged)

L. – M. (text unchanged)

N. A facility operator shall prepare and submit to the Commission a quarterly report that lists[, by denomination of Match Play Coupon,] the total value of the coupons redeemed by players.

O. (text unchanged)

P. *Production of Match Play Coupons*. If a facility operator's Commission-approved internal controls include the production of Match Play Coupons by a manufacturer or contractor, a facility operator may authorize a manufacturer or contractor to print and mail Match Play Coupons directly to players in accordance with the following requirements:

(1) – (2) (text unchanged)

(3) The Match Play Coupon issued [must] *shall* include a magnetic strip or bar code that will enable the facility operator's computer system to identify the information required under §Q(2) of this regulation;

(4) – (5) (text unchanged)

(6) All Match Play Coupons issued [must] *shall* be electronically canceled in the facility operator's computer system immediately upon redemption or during the counting of the table game drop boxes; and

(7) (text unchanged)

Q. (text unchanged)

.12 Use of Match Play Coupons.

A. (text unchanged)

B. *Redemption*. A Match Play Coupon shall be redeemed by a dealer or boxperson if accompanied by gaming chips or cash that are equal to, or greater in value [to] *than*, the stated value of the coupon.

(1) The dealer shall place a Match Play Coupon under a gaming chip wagered by the player so that the value of the coupon is visible at all times.

[(2) If the gaming chips wagered by the player are greater in value than the stated gaming chip or cash value of the Match Play Coupon, the dealer shall break down the wager by placing:

(a) An amount of gaming chips equal to the stated gaming chip or cash value of the coupon directly on the coupon; and

(b) The remainder of the gaming chips wagered next to the coupon.]

[(3)] (2) If the player's wager wins, it shall be paid in accordance with the terms and conditions of the coupon.

C. – E. (text unchanged)

36.05.06 Poker Rules

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

.05 Shuffling and Cutting the Cards.

A. Process. Unless the cards were reshuffled after each round of play has been completed or when directed by the floorperson or above, [Immediately] immediately prior to commencement of play[, unless the cards were reshuffled after each round of play has been completed or when directed by the 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.

B. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

[B.] *C.* After the cards have been shuffled and stacked, and the dealer or device places the deck in a single stack, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Regulation .07 of this chapter[.] ;

(2) If the cards were shuffled manually or were reshuffled, cut the deck by placing the [cover] *cut* card [in the stack at least ten cards in from the top of the stack.] *on the table; and*

[(3) After 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.]

(3) *Take at least half the deck and place it on the cut card and place the remaining cards on top of the stack.*

[C.] *D. – [E.] F.* (text unchanged)