

## **CHAPTER 69**

### **GENERAL PROVISIONS**

#### **SUBCHAPTER 1. CONSTRUCTION AND APPLICATION OF RULES**

##### **13:69-1.1 Authority**

These rules are issued under and pursuant to the authority of the Casino Control Act, constituting chapter 110, Laws of New Jersey 1977, as amended.

**13:69-1.2 Definitions**

(a) The following words and terms are defined in the New Jersey Casino Control Act (P.L. 1977, c. 110, as amended) and are used in the rules of the Division as defined in that Act:

"Affiliate"

"Annuity jackpot"

"Annuity jackpot guarantee"

"Applicant"

"Application"

"Attorney"

"Authorized game" or "authorized gambling game"

"Cash equivalent value"

"Casino" or "casino room" or "licensed casino"

"Casino bankroll"

"Casino employee"

"Casino key employee"

"Casino license"

"Casino security employee"

"Casino service industry enterprise"

"Chairman" and "commissioner" or "member"

"Commission"

"Complimentary service or item"

"Conservator"

"Conservatorship action"

"Corporate officer"

"Creditor"

"Debt"

"Director"

"Division"

"Encumbrance"

"Equal employment opportunity"

"Equity security"

"Establishment" or "casino hotel" or "casino hotel facility"

"Family"

"Game" or "gambling game"

"Gaming" or "gambling"

"Gaming device" or "gaming equipment"

"Gross revenue"

"Hearing examiner"

"Holding company"

"Hotel" or "approved hotel"

"Institutional investor"

"Intermediary company"

"Junket"

"Junket enterprise"

"Junket representative"

"License"

"License or registration fee"

"Licensed casino operation"

"Licensee"

"Multi-casino employee"

"Multi-casino progressive slot machine system"

"Operation"

"Operation certificate"

"Party"

"Person"

"Promotional gaming credit"

"Property"

"Publicly traded corporation"

"Registrant"

"Registration"

"Regulated complimentary service account"

"Resident"

"Respondent"

"Restricted casino areas"

"Security"

"Simulcasting facility"

"Slot machine"

"Slot system agreement"

"Slot system operator"

"State of emergency"

"Statement of compliance"

"Subsidiary"

"Transfer"

(b) The following words and terms, when used in the Division's rules, shall have the following meanings, unless the context clearly indicates otherwise.

"Access badge" is defined in N.J.A.C. 13:69A-1.4(b).

"Act" or "Casino Control Act" means the New Jersey Casino Control Act (P.L. 1977, c. 110, as amended).

"Affiliate" of, or a person "affiliated" with, a specific person means a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

"All-purpose slot machine hopper" or "all-purpose hopper" is defined in N.J.A.C. 13:69D-1.36(a)1i.

"Audit department executive" is defined in N.J.A.C. 13:69D-1.11(b)2.

"Authorized game" or "authorized gambling game" is defined at N.J.S.A. 5:12-5 and includes any game approved by the Division pursuant thereto, including all table games, all slot machine games and keno.

"Bill changer" means any mechanical, electrical, or other device, contrivance or machine designed to interface mechanically, electrically or electronically with a slot machine for the purpose of dispensing from an all-purpose hopper an amount of coins or slot tokens that is equal to the value of currency, the value of a gaming voucher, or the denomination of a coupon inserted into the bill changer.

"Bill validator" means a device on a gaming voucher redemption machine which accepts gaming vouchers, coupons and currency.

"Bill validator box" means a removable, secure, tamper-resistant container approved by the Division into which are deposited all gaming vouchers, coupons and currency accepted by a bill validator.

"Casino affiliate check" means a check issued by a person that is an affiliate of a New Jersey casino licensee and holds a gaming license in any other jurisdiction. A casino affiliate check shall be drawn on the bank account of the affiliate, be made payable only to the person presenting the check, and shall not contain any other endorsements.

"Casino check" means a check, which is drawn by a casino licensee upon the licensee's account at any New Jersey banking institution and made payable to a person for a purpose other than employment compensation or payment for goods or services

rendered and which is identifiable in a manner approved by the Division. At a minimum, such identification method shall include an endorsement or imprinting on the check, which indicates that the check is issued for a purpose other than employment compensation or payment for goods or services rendered.

"Casino hotel alcoholic beverage (CHAB) employee" means any natural person employed by a CHAB licensee whose responsibilities include the handling, service, delivery, purchase, control or storage of alcoholic beverages.

"Casino hotel alcoholic beverage (CHAB) licensee" is defined at N.J.A.C. 13:69I-1.1(c).

"Casino licensee" or "licensed casino" means the holder of any license, issued pursuant to the Casino Control Act, that authorizes the ownership or operation of a casino and, if applicable, of a casino simulcasting facility.

"Casino manager" is defined in N.J.A.C. 13:69D-1.12(a)(2).

"Casino simulcasting" is defined in N.J.A.C. 13:69M-1.1

"Casino simulcasting facility" is defined in N.J.A.C. 13:69M-3.1 through 3.4.

"CCTV" means closed circuit television.

"Chairman" or "Chair" and "Commissioner" or "member" means the Chair and any member of the Casino Control Commission, respectively.

"Change machine" means any mechanical, electrical, or other device which operates independently of a slot machine which, upon insertion of currency therein, shall dispense an equivalent amount of loose or rolled coin or slot tokens.

"Changeperson" means a person employed in the operation of a casino to possess an imprest inventory of coin, currency and slot tokens received and used for the even exchange with slot machine patrons of coupons, coin, currency, gaming chips, slot tokens and prize tokens.

"Chief executive officer" means:

1. As to casino licensees or applicants, the natural person who is ultimately responsible for the daily conduct of the hotel and gaming business of one or more affiliated casino licensees or applicants, regardless of the form of business association of the casino licensee or applicant or the particular title which that person or any other person holds. The chief executive officer may also function as the chief gaming executive of a single casino licensee or applicant if the chief executive officer is principally located at that casino hotel facility.

2. As to casino service industry enterprise licensees or applicants, the natural person who bears ultimate responsibility for the organization and business activities of the enterprise.

"Chipperson" means a person employed in the operation of a casino to possess an imprest inventory of gaming chips and currency received, placed in a chip cart, and used for the even exchange of coin, currency, coupons and slot tokens and other functions, only with patrons in the designated poker area.

"Coin acceptor" means the slot and accompanying device, approved by the Division, that is the part of a slot machine into which a patron, in the normal course of operating the machine, inserts a coin or slot token for the purpose of activating play and which is designed to identify those coins or slot tokens so inserted that are appropriate for use in that machine and to reject all slugs, prize tokens and other non-conforming objects so inserted.

"Coin hopper" means a secure, removable or non-removable, tamper-resistant container approved by the Division, which holds and dispenses a single denomination of coin from an automated jackpot payout machine or gaming voucher redemption machine.

"Coin hopper fill" means the initial placement of coin into an automated jackpot payout machine or gaming voucher redemption machine by inserting removable coin hoppers containing coin or depositing coin into non-removable coin hoppers or the subsequent replenishment of coin by replacing removable coin hoppers with coin hoppers containing coin or depositing coin into non-removable coin hoppers.

"Contested case" means a proceeding, including any licensing proceedings, in which the legal rights, duties, obligations, privileges, benefits or other legal relations of

specific parties are required by constitutional right or by statute to be determined by an agency by decisions, determinations, or orders, addressed to them or disposing of their interests, after opportunity for an agency hearing.

"Controller" is defined in N.J.A.C. 13:69D-1.11(b)6.

"Count room" is defined in N.J.A.C. 13:69D-1.32(a).

"Count room supervisor" is defined in N.J.A.C. 13:69D-1.33(c) and 1.43(a).

"Coupon acceptance system" means a computerized system utilized by a casino licensee to establish the validity of and redeem coupons.

"Coupons considered in the calculation of gross revenue" shall include, without limitation, match play coupons, chip coupons, keno coupons and coupons accepted by bill validators.

"Cumulative progressive jackpot meter" is defined in N.J.A.C. 13:69D-1.39(b)2.

"Currency" means paper money issued by the United States of America as legal tender.

"Currency cassette" means a secure, removable, tamper-resistant container, approved by the Division, which holds and dispenses a single denomination of currency from an automated coupon redemption machine, automated jackpot payout machine or gaming voucher redemption machine.

"Currency cassette fill" means the initial placement of currency into an automated jackpot payout machine or gaming voucher redemption machine by inserting currency cassettes containing currency and an empty currency cassette reject bin, or the subsequent replenishment of currency into such a machine by replacing currency cassettes and the currency cassette reject bin with currency cassettes containing currency and an empty currency cassette reject bin.

"Currency cassette reject bin" means a secure, tamper-resistant container in an automated jackpot payout machine or gaming voucher redemption machine into which currency is deposited from a currency cassette as a test or because the currency cassette dispensed the incorrect amount of currency.

"Director of security" is defined in N.J.A.C. 13:69D-1.11(b)5.

"Director of surveillance" is defined in N.J.A.C. 13:69D-1.11(b)1.

"Electronic credit" means an electronic signal or transmission which is generated by a device contained in or connected to a slot machine and which is initiated by a player as a means to activate the play of the slot machine.

"Foreign slot token" means a slot token issued by an establishment other than the casino licensee at which it is wagered.

"Free play award" means an outcome on a slot machine play that has no cash value to the patron but entitles the patron to activate one or more additional plays without making an additional slot machine wager.

"Game cycle" means the estimated number of game activations required to achieve each of the game outcomes that are possible in a primary slot machine game.

"Game-within-a-game" means a distinct set of plays that are described to the public on a slot machine as an authorized game but are only available for wagering if a patron first makes a wager on, and achieves a specific outcome from, a play offered as part of a primary slot machine game. A single primary slot machine game may include more than one game-within-a-game.

"Gaming voucher" means a hard copy receipt that evidences a payout from a slot machine, is printed by and dispensed from either a cashiering location or a device contained in and operatively connected to a slot machine in a manner approved by the Division.

"Gaming Voucher Error Receipt" is a receipt issued by a gaming voucher redemption machine to evidence the failure of the machine to issue the full amount of cash in redemption of a gaming voucher. It contains the time and date, identifies the machine and specifies the amount of money that the machine failed to dispense.

"Hard count room" is defined in N.J.A.C. 13:69D-1.32(d).

"Hopper" is defined in N.J.A.C. 13:69D-1.36(a)1.

"Hub facility" is defined in N.J.A.C. 13:69M-1.1.

"Interested person" means any person whose specific legal rights, duties, obligations, privileges, benefits or other specific legal relations are affected by the

adoption, amendment or repeal of a specific regulation or by any decision, order or ruling of the Commission or Division.

"Jackpot" means any money, merchandise, gaming voucher or thing of value to be paid to a patron as determined by the approved program that controls a slot machine.

"Jackpot display" means a specific combination of characters or other display on a slot machine generated by the slot machine's approved program to clearly indicate it has awarded a specific jackpot.

"Jackpot scripting" means a programmed sequence of events included in a slot machine game that is used to disclose a randomly pre-selected variable outcome to a patron in a particular manner but does not otherwise affect the outcome.

"Last game recall" means the capability of a slot machine game to display the outcome of the previous play.

"Layout" means the cloth covering a gaming table, containing designated areas for patrons to place the various wagers of the game, and such rules of the game, payoff odds and other information or graphics as the Division shall require.

"Limited time payout" means a jackpot offered by a slot machine game that is only available to be won for a limited period of time during the game cycle.

"Linked slot machine" is defined in N.J.A.C. 13:69D-1.39(c).

"Location number" means the unique number assigned to each site on a casino floor or in a casino simulcasting facility that contains the following: a pit and each table game located therein, a slot machine and any bill changer attached thereto or incorporated therein, an automated coupon redemption machine, a credit voucher machine or a self-service pari-mutuel machine.

"Logic board serial number" means a number assigned to a logic board by a casino licensee or its agent for identification and control purposes, which number shall correspond to the manufacturer's serial number of the slot machine in which the logic board is installed and shall be permanently imprinted, impressed, affixed or engraved on the logic board.

"Manufacturer's serial number" means a unique number permanently assigned to a slot machine by a slot machine manufacturer for identification and control purposes, which number shall be affixed to the outside of the slot machine cabinet in a location as approved by the Division.

"MIS department manager" is defined in N.J.A.C. 13:69D-1.11(b)3.

"MIS security officer" is defined in N.J.A.C. 13:69D-1.11(b)3.

"Multi-denominational," when used in conjunction with or in reference to a slot machine, means a slot machine that contains one or more slot machine games on which a patron has the option to make wagers in different denominations.

"On a daily basis" means something which occurs or is performed each gaming day.

"Operation certificate" means a certificate issued by the Division which certifies that operation of a casino and, if applicable, of a casino simulcasting facility conforms to the requirements of the Act and applicable rules.

"Optimal strategy" means the choice from among more than one option presented to a patron by a slot machine game which, if selected by the patron, offers the greatest theoretical rate of return to the patron.

"Pari-mutuel ticket" is defined in N.J.A.C. 13:69M-1.1.

"Patron access control" means a system or device used by a casino licensee to identify and grant a patron exclusive authority to initiate the transmission of electronic credits to the electronic transfer credit meter of a slot machine and may include, without limitation, the use of a patron access card with a magnetically coded strip, a coded key pad system or any other means of patron access control approved by the Division.

"Payout-only slot machine hopper" or "payout-only hopper" is defined in N.J.A.C. 13:69D-1.36(a)1ii.

"Physical connection" means an enclosed permanent pedestrian passageway. In no event shall the main entrance or only access to an approved hotel be through a casino.

"Pit" means the area enclosed or encircled by the arrangement of gaming tables in which casino personnel administer and supervise the games played at the tables by the patrons located on the outside perimeter of the area.

"Play," as in "a play," means, for purposes of a slot machine game, all gaming transactions that may be initiated by the making of a specific slot machine wager. A play includes the making of a slot machine wager or the use of a free play award in lieu of the wager, the activation of the slot machine game by the patron and an indication to the patron of the outcome of the wager including, if a jackpot is won, the payment of the jackpot. All available plays must be displayed on the slot machine. For example, a slot machine game may include a \$ 1.00 play (requiring a \$ 1.00 wager), a \$ 2.00 play (requiring a \$ 2.00 wager) and a \$ 3.00 play (requiring a \$ 3.00 wager). The \$ 1.00 play includes all potential outcomes that may result when a \$ 1.00 wager is made on the slot machine game.

"Primary slot machine game" means a distinct set of plays that are described to the public on a slot machine as an authorized game and are available to a patron for wagering without regard to whether the patron has made a prior slot machine wager on that slot machine game. A single slot machine may contain one or more primary slot machine games.

"Progressive jackpot" is defined in N.J.A.C. 13:69D-1.39(a).

"Public area" means the areas in each casino and casino simulcasting facility that are open to the public in accordance with a casino licensee's internal controls.

"Regulation" or "rule" means the regulation adopted by the Commission or Division pursuant to the Act.

"Representation of gaming debt" means a document issued by a casino licensee in a form approved by the Division to evidence a specific amount of money owed to a patron by the casino licensee as a result of a gaming transaction, and includes a gaming voucher and winning keno ticket, but does not include a gaming chip, gaming plaque, slot token, jackpot payout receipt, receipt for table game, tournament or bad beat payout, winning pari-mutuel ticket or simulcasting credit voucher.

"Restricted areas" or "restricted casino areas" means the cashiers' cage, the soft count room, the hard count room, the slot booths and runway areas, the interior of table game pits, the surveillance room and catwalk areas, the slot machine repair room, the simulcast counter, the specific areas designated and approved pursuant to N.J.S.A. 5:12-100b for the possession and maintenance of gaming equipment (such as computers) that supports the conduct of gaming in the casino or casino simulcasting facility, the areas used for storing or destroying dice or cards, the locksmith shop, any additional area that a casino licensee designates as restricted in its internal controls, and any other area specifically designated by the Division as restricted elsewhere in the rules of the Division or in a particular casino licensee's operation certificate.

"Restricted brewery authorization" is defined in N.J.A.C. 13:69I-1.4A.

"Riffle shuffle" means a type of shuffle performed by the dealer pursuant to which a single deck of cards is divided into two approximately equal stacks that are

placed face down on the gaming table next to one another, the shorter edges of the cards in both stacks are bent upwards and released in such a manner so that the cards in both stacks become interlaced and combined to reform a single complete deck of cards. If multiple decks of cards are being riffle shuffled, the dealer shall place the decks in a single stack, remove a stack of cards from the top that is approximately equal to a single deck of cards, perform a riffle shuffle on the removed stack, and repeat the process as many times as necessary until the entire original stack of cards has been shuffled in this manner.

"Scripting" means information that is programmed to be displayed in a particular manner by a slot machine game that is unrelated or unnecessary to the illustration of the actual gaming transaction to the patron.

"Simulcast horse race" is defined in N.J.A.C. 13:69M-1.1.

"Simulcast payout" means the money paid to a patron in exchange for a credit voucher or a winning, cancelled or refunded pari-mutuel ticket.

"Skill feature" means a play on a slot machine game that requires the patron to make a choice as to how to proceed in the game, where the available choices affect the theoretical payout percentage of the play and the game, and the game uses electronic representations of a standard set of playing cards, a standard set of dice, or some other set of symbols or numbers where the probability of choosing any particular symbol or number in the set is one divided by the total number of elements in the set.

"Slot department manager" is defined in N.J.A.C. 13:69D-1.12(c).

"Slot machine game" means a primary slot machine game or a game-within-a-game.

"Slot machine main program" means the software that controls those aspects of a slot machine prototype that are necessary to the operation of a slot machine game, including, without limitation, its meters, random number generator and security. More than one slot machine main program may be approved for a slot machine prototype, but only one slot machine main program shall at any given time control the operation of a slot machine. "Slot machine main program" does not include software that controls only, without limitation, the pay tables, sound or graphics of a slot machine game or the operation of a bill changer or gaming voucher printer connected to the slot machine.

"Slot machine wager" means the total value of coins, currency, coupons, slot tokens or electronic credits generated that are required to activate a particular slot machine play.

"Slot zone" means a specified area on a casino floor that contains one or more a slot machines.

"Slug" means any object, excluding coin appropriately used to activate play and foreign slot tokens, that is found in a slot machine hopper, slot drop bucket or slot drop box.

"Soft count room" is defined in N.J.A.C. 13:69D-1.32(d).

"Strategy feature" means a play on a slot machine game that requires a patron to make a choice whether to accept a variable outcome or risk it for another variable outcome.

"Strip shuffle" means a type of shuffle performed by the dealer pursuant to which a single deck of cards is placed face down on the gaming table and stacks of cards comprised of no more than 15 cards each are successively removed from the top of the deck and placed adjacently on the gaming table to reform a stacked single deck. If multiple decks of cards are being strip shuffled, the dealer shall place the decks of cards in a single stack, remove a stack of cards from the top that is approximately equal to a single deck of cards, perform a strip shuffle on the removed stack, and repeat the process as many times as necessary until the entire original stack of cards has been shuffled in this manner.

"Table game" means one of the following authorized games approved by the Division pursuant to [N.J.S.A. 5:12-5](#): asia poker, baccarat, big six, blackjack, boston 5 stud poker, caribbean stud poker, casino war, colorado hold 'em poker, craps, double attack blackjack, double cross poker, double down stud, fast action hold 'em, flop poker, four card poker, let it ride poker, minibaccarat, mini-craps, mini-dice, mississippi stud, pai gow, pai gow poker, poker, pokette, red dog, roulette, sic bo, spanish 21, supreme pai gow, texas hold 'em bonus poker, three card poker, two card joker poker, ultimate texas hold 'em and winner's pot poker.

"Theoretical payout percentage" of a play or slot machine game means the total value of the jackpots expected to be paid by a play or slot machine game divided by the total value of slot machine wagers expected to be made on that play or slot machine game during the same portion of the game cycle, calculated in accordance with the provisions of N.J.A.C. 13:69E-1.28A.

"Variable outcome" means an outcome that is randomly selected from a disclosed range of outcomes that become available when a specified jackpot is achieved in a slot machine game. The probability of selecting any particular outcome in the range shall in no way be based upon the number or value of prior slot machine wagers made on the slot machine game.

"Washing or chemmy shuffle" means a mixing of the cards, during which the cards are placed face down on the table and randomly intermixed by the dealer using the heels of the palms of the hands, by rotating one hand in a circular clockwise motion and the other hand in a circular counterclockwise motion, with each hand completing at least eight full circles.

"Zone letter" or "zone number" means the unique alpha or numeric designation assigned to each slot zone.

**13:69-1.3 Construction and amendments**

(a) The Division's rules shall be construed in accordance with generally accepted principles of statutory construction, including those set forth in N.J.S.A. 1:1-1, et seq.

(b) The Division's rules shall be liberally construed to permit the Commission and the Division to effectively carry out their respective statutory functions and to secure a just and expeditious determination of issues properly presented to the Commission or the Division.

(c) Nothing contained in the Division's rules shall be so construed as to conflict with any provision of the New Jersey Casino Control Act or any other applicable statute.

(d) In special cases and for good cause shown, the Commission or Division may relax or permit deviations from the Division's rules.

(e) The Division's rules may be amended by the Division from time to time in accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(f) Whenever any provision of the Division's rules requires that an act or event occur on a specified day or date, and such day or date falls upon a Saturday, Sunday or legal holiday, such provision shall be construed to refer to the next business day immediately following such day or date.

(g) Pursuant to N.J.S.A. 5:12-69(e), the Division may authorize the temporary adoption, amendment or repeal of any rule concerning the conduct of gaming or

simulcast wagering, the use or design of gaming or simulcast wagering equipment or the internal procedures and administrative and accounting controls required by N.J.S.A.

5:12-99 for a period not to exceed 270 days, for the purpose of determining whether such rules should be adopted on a permanent basis. Any interested person may file a petition for temporary rulemaking with the Division in accordance with N.J.A.C. 13:69-

3.6.

1. The Division shall file notice of any temporary rulemaking with the Office of Administrative Law for publication in the New Jersey Register at least seven days prior to initiation of the experiment, and shall prominently post such notice in each casino participating in the experiment.
2. The Division shall post the text of any temporary rule in each casino participating in the experiment and shall make copies of such text available upon request to the Division.

**13:69-1.4 Words and terms; tense, number and gender**

(a) In construing the provisions of the Division's rules, except when otherwise plainly declared or clearly apparent from the context:

1. Words in the present tense shall include the future tense;
2. Words in the masculine shall include the feminine and neuter genders; and
3. Words in the singular shall include the plural and the plural shall include the singular.

**13:69-1.5 Severability and preemption**

(a) If any clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion of the Division's rules or the application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of the Division's rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion thereof directly involved in such holding or to the person or circumstance therein involved.

(b) Notwithstanding the provisions of any other law to the contrary, no local government unit of this State may enact or enforce any ordinance or resolution conflicting with any provision of the Act or of the Division's rules or with any policy of this State expressed or implied in the Division's rules, whether by exclusion or inclusion. The Commission and Division may exercise any proper power or authority necessary to perform the duties assigned to each entity by law, and no specific enumeration of powers in the Act shall be read to limit the authority of the Division to administer the Act and the Division's rules.

**13:69-1.6 Practice where rules do not govern**

In any matter not governed by the Division's rules, the Commission or the Division shall exercise its discretion so as to carry out the purposes of the Act.

## **SUBCHAPTER 2. DELEGATION OF DIVISION AUTHORITY**

**13:69-2.1 through 2.4 (Reserved)**

**13:69-2.5 Delegation of Division authority**

(a) The Director may, in his or her discretion and where permitted by law, delegate the authority of the Division to perform any of its functions under the Act or the Division's rules to a member or members of the Division's staff. Except as provided in (c) below, such action shall for all purposes be deemed the final action of the Division, without approval, ratification or other further action by the Division.

(b) All delegations of authority made pursuant to this section shall remain in effect indefinitely.

(c) Any determination by the Division staff pursuant to delegated authority shall be presented for review by the Director, upon timely request by any party adversely affected by such determination. Such request shall be in writing, and must be received by the Division within three days after the date of such determination. No determination by the Division staff pursuant to delegated authority shall be deemed final until all parties have been afforded an opportunity for review in accordance with this subsection.

(d) Notwithstanding any other provision of this section, any matter which has otherwise been delegated to the Division staff may alternatively be presented to and determined by the Director at the discretion of the Director, or upon the request of the Division staff.

(e) Whenever any provision of the Division's rules requires that a party provide notice to or file any application, petition or other submission with the Division, the Division shall provide written notice to such party, designating any member or

members of its staff authorized to accept such notice or filings on behalf of the Division.

## **SUBCHAPTER 3. INFORMATION AND FILINGS**

### **13:69-3.1 Offices; hours**

(a) The offices of the Division of Gaming Enforcement are located at:

1. Citicenter Building  
1300 Atlantic Avenue  
Atlantic City, NJ 08401
  
2. 140 East Front Street  
P.O. Box 047  
Trenton, NJ 08625-0047; and

(b) The main offices of the Commission are located at:

Arcade Building  
Tennessee Avenue and the Boardwalk  
Atlantic City, N.J. 08401

(c) The offices of the Division are open for the filing of papers and for other business (except public inspection of documents) from 9:00 A.M. to 5:00 P.M., Monday through Friday, unless otherwise authorized by the Division. The offices of the Division are open for public inspection of documents from 10:00 A.M. to 4:00 P.M., Monday through Friday, unless otherwise authorized by the Division. The offices of the Division are closed on legal holidays.

**13:69-3.2 Official records; fees for copies**

(a) No original official record of the Division shall be released from the custody of the Division except upon express direction Director or his or her designee, as applicable, or upon the order of a court of competent jurisdiction.

(b) Copies of the official records of the Division which are required by law to be made available for public inspection will be made available during the hours provided for in N.J.A.C. 13:69-3.1 upon the payment of appropriate fees.

(c) No person shall, directly or indirectly, procure or attempt to procure from the records of the Division or from other sources, information of any kind which is not made available by proper authority.

(d) No application, petition, notice, report, document or other paper will be accepted for filing and no request for copies of any forms, pamphlets, records, documents, or other papers will be granted, unless such papers or requests are accompanied by the required fees, charges, or deposits.

(e) Any person may subscribe to meeting notices, minutes, or notices of rulemaking by written request accompanied by a check or money order in accordance with the subscription rates established in this section. All subscriptions shall be on a calendar year basis only, and rates for subscriptions commencing during a calendar year will be prorated accordingly. At the discretion of the Division, no payment may be required when the request is made by the governor of the State of New Jersey or by a member of the Legislature or by any newspaper, television station or radio station regularly serving New Jersey.

(f) Except as provided in (g) below, copies of official records which are required by law to be made available for public inspection shall be made available according to the following fee schedule:

1. Letter-size paper copies: \$.05 per page; and
2. Legal-size paper copies: \$.07 per page;

(g) Copies of the following documents may be obtained upon payment of the appropriate fee, as follows:

1. Casino Control Act, N.J.S.A. 5:12-1 et seq.: \$26.75;
2. Annual Report Pursuant to Section 72 of the Act: No charge;
3. Monthly, quarterly and annual reports for all casino licensees: \$440.00 per year;
4. Monthly reports for all casino licensees: \$55.00 per year;
5. Quarterly reports:
  - i. For all casino licensees : \$270.00 per year; and
  - ii. For one casino licensee: \$7.50 per report; and
6. Annual reports:
  - i. For all casino licensees: \$120.00 per year; and
  - ii. For one casino licensee: \$10.00 per report.

(h) All checks for payment of fees, deposits and charges shall be made payable to the order of the "Casino Control Fund" and delivered or mailed to the main office of the Division.

**13:69-3.3 Communications; notices**

(a) Except as otherwise provided by the Division's rules, all papers, process or correspondence relating to the Division shall be addressed to or served upon the Division of Gaming Enforcement at the Division's main office.

(b) All such papers, process or correspondence shall be deemed to have been received or served when delivered to the main office of the Division but the Director or such individual staff members of the Division's staff as the Director may designate, may, in his or her discretion, receive papers or correspondence or accept service of process.

(c) Except as otherwise specifically provided by law or rules of the Division, notices and other communications from the Division will be sent to an applicant, licensee or registrant by either ordinary mail or certified mail to the address shown in the most recent application or change of address notice received from such person.

(d) Notices shall be deemed to have been served upon their deposit, postage prepaid, in the United States mails, and the time specified in any such notice shall commence to run from that date.

(e) Any applicant, licensee or registrant who desires to have notices or other communications mailed to an address other than that specified in the application shall file with the Division a specific request for that purpose, and notices and other communications will, in such case, be sent to the applicant, licensee or registrant at such address.

(f) An applicant, licensee or registrant will be addressed under the name and

style designated in the application, and separate notices or communications will not be sent to individuals named in such application unless a specific request for that purpose is filed with the Division. In the absence of such a specific request, a notice addressed under the name or style designated in the application shall be deemed to be notice to all individuals named in such application.

(g) Applicants, licensees and registrants shall immediately notify the Division of any change of address, and shall specifically request that all notices or other communications be sent to the new address.

**13:69-3.4 Public information office**

(a) Requests for information regarding the Division of Gaming Enforcement may be directed to:

Division of Gaming Enforcement  
Attention: Lisa Spengler, Administration  
1300 Atlantic Avenue  
Atlantic City, NJ 08041

(b) Access to information and data furnished to or obtained by the Division from any source is subject to the provisions of N.J.S.A. 5:12-74.1 and N.J.A.C. 13:69-4.2.

**13:69-3.5 Filing of petitions and applications**

- (a) Petitions for formal action by the Division shall be mailed to:

Division of Gaming Enforcement  
Intake Unit  
2nd Floor  
1300 Atlantic Avenue  
Atlantic City, NJ 08401

Regarding petitions filed with the Division concerning initial casino licenses, the Division will provide the Commission with a stamped, filed copy, by either regular mail or electronic means, at the following address:

Casino Control Commission  
Office of the General Counsel  
Arcade Building, 2nd Floor  
Tennessee Avenue and the Boardwalk  
Atlantic City, NJ 08401  
e-mail: [generalcounselmailbox@ccc.state.nj.us](mailto:generalcounselmailbox@ccc.state.nj.us)

- (b) Applications for the issuance or retention of a casino license shall be mailed to:

Division of Gaming Enforcement  
Intake Unit  
2nd Floor  
1300 Atlantic Avenue  
Atlantic City, NJ 08401

- (c) Applications for the issuance or retention of employee and casino service industry credentials may be hand delivered to:

Division of Gaming Enforcement  
Applications Unit  
Arcade Building, 1st Floor  
Tennessee Avenue and the Boardwalk  
Atlantic City, NJ 08401

**13:69-3.6 Petitions for rulemaking**

(a) Any interested person may file a petition with the Division for the adoption, amendment or repeal of any rule, pursuant to Section 69(c) of the Act and N.J.S.A. 52:14B-4(f). Such petition shall be in writing, be signed by the petitioner, and include the following information:

1. The name and address of the petitioner;
2. The substance or nature of the requested rulemaking;
3. The reasons for the request;
4. The specific legal rights, duties, obligations, privileges, benefits or other specific legal relations of the interested person which are affected by the requested rulemaking; and
5. Reference to the statutory authority under which the Division may take the requested action.

(b) Any document submitted to the Division which is not in substantial compliance with this section shall not be deemed to be a petition for rulemaking requiring further action. Such document shall be returned to the petitioner with instructions as to the steps necessary to correct any defects or omissions in accordance with this section.

(c) Within 15 days of receipt of a petition in compliance with this section, the Division shall file a notice of petition with the Office of Administrative Law for publication in the New Jersey Register in compliance with N.J.A.C. 1:30-4.1(c).

(d) Within 60 days of receipt of a petition which is in compliance with this

section, the Division shall mail to the petitioner and file with the Office of Administrative Law a notice of action on the petition in compliance with N.J.A.C. 1:30-4.2(d), which shall include the nature or substance of the Division's action upon the petition and a brief statement of reasons for the Division's actions.

(e) In accordance with N.J.A.C. 1:30-4.2(a), Division action on a petition for rulemaking may include:

1. Denial of the petition;
2. Filing a notice of proposed rule or a notice of a pre-proposal for a rule with the Office of Administrative Law; or
3. Referral of the matter for further deliberations, the nature of which will be specified and which will conclude upon a specified date. The results of these further deliberations shall be mailed to the petitioner and shall be submitted to the Office of Administrative Law for publication in the New Jersey Register.

**13:69-3.7 Declaratory rulings**

(a) Pursuant to N.J.S.A. 52:14B-8, any interested person may request that the Division render a declaratory ruling with respect to the applicability to any person, property or state of facts of any provision of the Act or of any Division rule.

(b) A request for a declaratory ruling shall be initiated by a petition. The petition shall include the following items with specificity:

1. The nature of the request and the reasons therefore;
2. The facts and circumstances underlying the request;
3. Legal authority and argument in support of the request; and
4. The remedy or result desired.

(c) If the Division, in its discretion, decides to render a declaratory ruling, a hearing shall be afforded prior to the rendering of such a ruling.

1. Where there exists disputed issues of fact which must be resolved in order to determine the rights, duties, obligations, privileges, benefits or other legal relations of specific parties, such hearings shall be conducted in accordance with N.J.A.C. 13:69B-2.
2. Where there exists no such disputed issues of fact as identified in (c)1 above, the matter shall proceed on the petition, any other papers requested of the parties, and oral argument, if permitted by the Division.

(d) In appropriate cases, the Division may notify persons who may be interested in or affected by the subject of the declaratory ruling. In such cases, the

Division may afford these persons an opportunity to intervene as parties or to otherwise present their views in an appropriate manner which is consistent with the rights of the parties.

## **SUBCHAPTER 4. CONFIDENTIAL INFORMATION**

### **13:69-4.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Authorized personnel" means any member or employee of the Commission or any employee or agent of the Division.

"Confidential information" means any information or data, furnished to or obtained by the Commission or Division from any source, which is considered confidential pursuant to the provisions of N.J.S.A. 5:12-74.1, or which is otherwise confidential pursuant to applicable statutory provision, judicial decision or rule of court.

"Secure storage facility" means any area, room, furniture, equipment, machinery or other device used by the Commission or Division for the storage of confidential information, access to which is limited to authorized personnel at all times by locks, alarms, codes or other appropriate security precautions.

**13:69-4.2 Determination of confidential status**

(a) Except as provided by N.J.S.A. 5:12-74.1d, all information and data furnished to or obtained by the Division which relates to the internal controls specified in N.J.S.A. 5:12-99a, or to the earnings or revenue of any applicant, registrant or licensee, or which pertains to an applicant's criminal record, family or background, shall be presumed to be confidential and shall not be released or disclosed to any person except in accordance with the provisions of this subchapter.

(b) Any question concerning whether or not a specific item of information or data within the possession of the Division is deemed to be confidential information under N.J.S.A. 5:12-74.1a and b, or any other applicable statutory provision, judicial decision or rule of court, shall be submitted to the Division for determination or referral to appropriate authorities.

**13:69-4.3 Access**

Except as otherwise provided in N.J.A.C. 13:69-4.4(b) and 4.8, access to confidential information within the possession of the Division shall be restricted to authorized personnel who require such information in the performance of their official duties.

**13:69-4.4 State Records Storage Center: retention schedule; storage; destruction**

(a) With the approval of the State Records Committee, the Division shall establish and maintain a records retention schedule for all confidential information within their possession.

(b) Confidential information considered to be inactive by the Division but required to be retained pursuant to the provisions of (a) above, may be transferred to the possession of the State Records Storage Center in accordance with N.J.S.A. 47:2-7, as implemented by N.J.A.C. 15:3, provided that:

1. The Division is satisfied that access to any confidential information stored with the State Records Storage Center shall be limited to employees of the Center and authorized personnel of the Commission and Division;
2. A log is maintained of all authorized personnel who are granted access to or who remove confidential information stored with the State Records Storage Center, which log shall include the information required by N.J.A.C. 13:69-4.6(b);
3. Any confidential information transferred to the State Records Storage Center is contained in transfer cartons, sealed and marked in such a manner so as to preclude the undetected examination of the confidential information contained therein by any person other than authorized personnel; and
4. The Division periodically inspects and reviews any such stored

confidential information to assure that it has not been disclosed or removed in violation of N.J.S.A. 52:13D-25, N.J.S.A. 47:3-29 and the provisions of this subchapter.

(c) Any confidential information in the possession of the Division or State Records Storage Center shall be promptly destroyed in accordance with the provisions of the applicable records retention schedule required by (a) above.

**13:69-4.5 Retention in secure storage facilities; access**

(a) Confidential information which is not presently being utilized by authorized personnel shall be stored in secure storage facilities designated for such purposes by the Division. No one except authorized personnel may gain access to designated secure storage facilities except in accordance with the provisions of this subchapter.

(b) All Division offices in which secure storage facilities are located shall be protected from unauthorized intrusion at all times. Proper security precautions during business hours shall include a requirement that all visitors to such offices be required to identify themselves and wear a visitor pass in a conspicuous location. Proper security precautions during nonbusiness hours shall include the use of alarm or security guard systems.

(c) Every secure storage facility shall be placed under the direct supervision and control of an appropriate section or unit supervisor who shall periodically review for their effectiveness all security procedures and precautions pertaining to the confidential information stored therein. Security procedures and precautions that are determined to be ineffective shall be immediately corrected.

(d) Confidential information may be stored in secure storage facilities on micrographics, hard copy (paper), magnetic media or any other suitable medium, provided adequate security measures are maintained to prevent unauthorized access to or use of such information.

1. A coded filing system shall be utilized whenever practicable to

prevent unauthorized access to stored confidential information.

2. Access to confidential information stored on computer or magnetic media shall be restricted to authorized personnel who have obtained the required operating key, code manual or access code from the appropriate section or unit supervisor. Operating keys, code manuals and access codes shall be limited in number and shall be controlled by the appropriate section or unit supervisor.

**13:69-4.6 Temporary custody by authorized personnel**

(a) Authorized personnel shall not remove confidential information from designated secure storage facilities unless such removal is necessary to the fulfillment of their official duties. Confidential information which is not presently being utilized by authorized personnel shall be promptly returned to its secure storage facility.

(b) A record shall be maintained of all confidential information which is removed from secure storage facilities other than those which utilize computer or magnetic media. This record shall include:

1. The name of the person removing the information;
2. The name of the person for whom the information is being obtained;
3. The date of removal;
4. A description of the information removed or the number of the file which has been removed; and
5. The date the information is returned.

(c) Confidential information shall not be removed from the offices of the Division without the prior approval of an appropriate section or unit supervisor. Such approval shall only be granted where removal of the confidential information is necessary to the performance of the official duties of authorized personnel.

(d) The integrity of confidential information in the possession of authorized personnel shall be preserved at all times. It shall be the personal responsibility of any individual granted temporary custody of confidential information to insure that the

information is not shown, released or disclosed to any unauthorized person or to any otherwise authorized person who does not require such information in the performance of their official duties. Confidential information temporarily stored outside designated secure storage facilities shall be maintained in a locked desk or filing cabinet, or protected by other appropriate security precautions.

**13:69-4.7 Copies**

A hard copy of confidential information stored on computer or magnetic media, or any other copy of confidential information within the possession of the Division, shall only be made where absolutely necessary to the administration of the Act, or where an authorized release of the confidential information is made pursuant to the provisions of N.J.A.C. 13:69-4.8.

**13:69-4.8 Release; notice**

(a) Confidential information within the possession of the Division shall not be released or disclosed in whole or in part to any person, except:

1. In the course of the necessary administration of the act;
2. Upon lawful order of a court of competent jurisdiction;
3. With the approval of the Attorney General, to a duly authorized law enforcement agency;
4. Upon presentation of proper identification, to the applicant, registrant or licensee who furnished the confidential information to the Division; or
5. Upon presentation of a duly executed and notarized release authorization by the applicant, registrant, or licensee who furnished the confidential information, to any person making a written request for specifically identified confidential information.

(b) If confidential information is released or otherwise disclosed to any person under any circumstances other than those identified in (a)3 through 5 above, written notice of such release or disclosure shall be given to any applicant, registrant or licensee affected, unless notice would otherwise imperil the integrity of casino operations in this State. To the extent known, the notice shall include:

1. The name and address of the person to whom the information was released or disclosed;
2. A description of the information released or disclosed; and

3. The date of the release or disclosure.

(c) Whenever possible, any such notice of confidential information to be released or disclosed shall be given prior to the release or disclosure.

**13:69-4.9 Penalties**

(a) Any direct or indirect willful disclosure of confidential information by authorized personnel of the Division under circumstances other than those identified in N.J.A.C. 13:69-4.8 shall be a violation of the Division's Code of Ethics and shall subject such person to the penalties provided by N.J.S.A. 52:13D-23(d). Such violations shall be heard by the State Ethics Commission in accordance with N.J.S.A. 52:13D-21(h).

(b) The unauthorized release or disclosure of confidential information may also be a violation of N.J.S.A. 52:13D-25 or 47:3-29.

(c) Any violation of the provisions of this subchapter by authorized personnel may result in appropriate disciplinary action by the Division.

## **SUBCHAPTER 5. PROFESSIONAL PRACTICE**

### **13:69-5.1 General provisions**

No person shall practice law, accountancy, architecture, professional engineering, land surveying or any other profession or occupation regulated by the laws of this State before the Division in any manner other than in accordance with law, the ethical standards applicable to the particular profession and the regulations of the Division. "Practice" shall be deemed to comprehend any matter connected with the presentation of the interest of a client including the making of any appearance and the preparing or filing of any necessary written document, correspondence or other paper relative to such interests.

**13:69-5.2 The practice of law**

(a) No person, other than a natural person practicing law on his or her own behalf, shall practice law or represent another person before the Division unless he or she is an attorney authorized to practice law in this State, or a non-attorney authorized by the Division to appear pursuant to New Jersey Court Rule R. 1:21-1(f) and N.J.A.C. 1:1-5.4.

(b) Notwithstanding (a) above, an attorney admitted in this State who is in good standing but who does not maintain in this State a bona fide office for the practice of law, or an attorney of any other jurisdiction who is in good standing there, may in the discretion of the Director be admitted to practice in connection with a particular matter by complying with the requirements of N.J.A.C. 1:1-5.2 and provided that an attorney authorized to practice law in this State who is in good standing shall also appear of record in and thereby be responsible for the conduct of the admitted attorney in the particular matter and that both such attorneys shall sign all papers submitted or filed in accordance with the regulations of the Division.

**13:69-5.3 Notice of appearance by attorney**

Each attorney practicing before the Division shall promptly file with the Division a notice of appearance in each matter and on behalf of each client represented and may be required to file evidence of his authority to act in such capacity.

**13:69-5.4 Other professions and occupations**

No person shall practice accountancy, architecture, professional engineering or land surveying before the Division unless he is a certified public accountant, licensed architect, licensed professional engineer or licensed land surveyor of this State. No person shall practice any other profession or occupation regulated by the laws of this State which authorizes the licensure, certification or any other governmental approval of persons practicing same unless such person is so licensed, certified or approved.

**SUBCHAPTER 6. (RESERVED)**

## **SUBCHAPTER 7. PROHIBITED POLITICAL CONTRIBUTIONS**

### **13:69-7.1 Statement of governing principles**

(a) Pursuant to N.J.S.A. 5:12-138, casino licensees and other entities and persons closely aligned therewith are prohibited from making contributions of money or things of value to candidates for public office and political organizations in New Jersey.

This prohibition is designed to protect the public interest in both the fact and the appearance of the independence of the political process, and the insulation of the government institutions that are responsible for the supervision of the casino industry, from the uniquely powerful economic force that is presented by that industry. The protection of these interests is critical to the maintenance of public confidence and trust in the regulation of casino gaming in New Jersey.

(b) The statutory prohibition was narrowly drawn in order to preserve the fundamental rights of all persons to express themselves as they see fit with regard to questions of political and public interest, including specifically the advocacy of the election or defeat of candidates for public office. No prohibition on the right of any person to join any political organization or movement, or to advocate the election or defeat of any candidate, was intended or effected by the statutory provision or the rules contained in this subchapter.

(c) Between the right of free expression and the necessary prohibition of certain contributions lies a range of conduct that should be identified as acceptable, or prohibited, in accordance with the public interest, the policies of the Act, and the fundamental rights of all citizens. In addition to the standards established in this

subchapter, the declaratory ruling procedure set forth at N.J.A.C. 13:69-3.7 is available to assist all affected persons in understanding and complying with these provisions.

## **13:69-7.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Candidate” means a person seeking nomination or election to any local, county or State public office in New Jersey, but shall not include a person seeking nomination or election to any Federal public office.

“Contribution” means a payment, transfer or pledge of money or a thing of value to or for the benefit of a candidate or political organization.

“Dependent person” means a person who is:

1. An employee or co-employee of a prohibited person;
2. An employee or co-employee of a person affiliated with a prohibited person; or
3. An enterprise or firm, or an officer, director, partner, owner or principal employee of an enterprise or firm, that is a party to any contract with, or is bidding for or seeking to enter any contract with, or regularly represents or provides services to, a prohibited person.

“Money” means cash or instruments that are convertible to cash in any negotiable currency.

“Political organization” means any committee of any political party in this State, as structured and defined in accordance with the provisions of N.J.S.A. 19:1-1 et seq., or any group, committee, or association organized in support of such political party or any candidate.

“Prohibited person” means an applicant for or holder of a casino license, or any holding, intermediary or subsidiary company thereof; or any officer, director, casino key employee or qualifier of any of these companies; or any person or agent acting on behalf of any of these companies or persons.

“Solicitation” means a request, suggestion or recommendation made to a particular person, by any means of communication, that the person make a contribution; provided, however, that a statement to a person expressing support for or opposition to the election of any candidate, or support for or opposition to any political organization, which is made without reference to a contribution, or a statement intended for and given public dissemination encouraging all persons to make contributions to any candidate or political organization, is not a solicitation.

“Thing of value” means:

1. An item of real, personal or intellectual property that may be converted into money by selling it or pledging it as security for a loan or other advance of funds;
2. A loan of assets, property, personnel or facilities for use by a candidate or political organization, such as, without limitation, office space, automobiles, telephones or telephone services, or the time and effort of employees or consultants who are paid by the person making the contribution;
3. A personal or professional service that is not incidental to the expression of a person's ideological beliefs or membership in a

political organization, and that has a value to the candidate or political organization;

4. A non-reimbursed expense that is not incidental to the expression of a person's ideological beliefs or membership in a political organization, and is of the type normally incurred by the candidate or political organization; or
5. Any thing, service, expense or other item of value similar to that identified in paragraphs 1 through 4 above which may be identified by the Division in a declaratory ruling or other appropriate proceeding.

**13:69-7.3 Prohibited contributions and solicitations**

(a) No prohibited person shall, directly or indirectly, make any contribution or solicit any person to make a contribution on behalf of a prohibited person.

(b) A contribution shall be considered to have been made on behalf of a prohibited person if, without limitation, it is made:

1. With money or a thing of value that is owned or controlled by a prohibited person; or
2. By any person in response to a solicitation by a prohibited person and under such circumstances as establish that the contribution was involuntary or would not have been made but for the influence of the prohibited person over the person making the contribution.

(c) In determining whether a contribution was made by a person on behalf of a prohibited person pursuant to (b)2 above, the Division shall consider all relevant facts and circumstances, including, but not limited to, the following:

1. Whether the person making the contribution is a dependent person with regard to the prohibited person;
2. The nature and importance of any economic, business, personal, familial or other relationship between the person making the contribution and the prohibited person that currently exists, that existed at the time the contribution was solicited and made, or that is reasonably anticipated to exist in the foreseeable future;
3. The timing and nature of any communications that may have

occurred between the person making the contribution and the prohibited person regarding the prohibited person's desire to raise funds for the candidate or political organization that received the contribution;

4. The ability or inability of the prohibited person to control or affect the actions of the person making the contribution, and any evidence that any such ability played a role in the decision to make the contribution;
5. Any prior contributions to or expressions of support for the candidate or political organization that was the recipient of the contribution by the person making the contribution, and the timing of any such prior contributions or expressions in relation to the establishment of the relationship between the prohibited person and the person making the contribution;
6. Whether the person making the contribution is a resident of New Jersey or has significant property or business interests in this State;
7. The timing and nature of any communications that may have occurred between the person making the contribution and the recipient of the contribution regarding the prohibited person's solicitations on behalf of or expressions of support for the candidate or political organization;
8. Whether there is a pattern or regular course of conduct involving

contributions to one or more candidates or political organizations by the person making the contribution;

9. Whether there is a pattern or regular course of conduct involving contributions to one or more candidates or political organizations on the part of employees, contractors or other dependent persons of a prohibited person or any affiliated person or entity thereof; and
10. Whether the prohibited person has, directly or indirectly, reimbursed or offered to reimburse the person making the contribution for all or any portion of the contribution.

**13:69-7.4 Solicitations by prohibited persons; records; reports**

(a) Each prohibited person that solicits a contribution from any person shall prepare a written or computerized record of the solicitation that contains, at a minimum, the following information:

1. The name, address and employer of the prohibited person making the solicitation;
2. The name, address and employer of the person from whom the contribution was solicited;
3. The means of communication by which the contribution was solicited, including a summary of any oral communication or a copy of any written or electronic communication;
4. The name of the candidate or political organization for whose benefit the contribution was solicited; and
5. The date of the solicitation.

(b) Each prohibited person that prepares a record required by (a) above shall transmit a copy of the record to the casino licensee or applicant for a casino license with which that prohibited person is associated within seven calendar days of the solicitation.

(c) Each casino licensee shall maintain on the premises of its casino hotel facility, and each applicant for a casino license shall maintain in a location in New Jersey approved by the Division, a copy of each record prepared pursuant to (a) above by any prohibited person associated with that casino licensee or applicant. Such records shall be made available for inspection by agents of the Division upon request.

(d) Each casino licensee and applicant for a casino license shall file a report with the Division on May 1 and October 15 of each year containing, in a format approved by the Division, a copy of each of the records prepared pursuant to (a) above since the filing of the last report.

(e) If a prohibited person fails to prepare or submit the record required by (a) and (b) above and a contribution is made to the candidate or political organization by the person as a result of the solicitation, the contribution shall be presumed, for purposes of N.J.A.C. 13:69-7.3(b)2, to have been made involuntarily or solely as a result of the influence of the prohibited person over the person making the contribution. This presumption shall apply to the conduct of the prohibited person making the solicitation, but not the person making the contribution, and may be overcome by an evaluation of all of the relevant circumstances.

(f) Each casino licensee or applicant for a casino license shall be responsible for assuring that each prohibited person associated with that casino licensee or applicant is aware of the prohibitions and obligations established by N.J.S.A. 5:12-138 and this subchapter.

**CHAPTER 69A  
APPLICATIONS**

**SUBCHAPTER 1. LICENSE AND REGISTRATION REQUIREMENTS**

**13:69A-1.1 (Reserved)**

**13:69A-1.2 Persons required to obtain a casino employee registration**

(a) Any natural person who will be employed by a casino licensee or holding or intermediary company of a casino licensee, and involved in the operation of a licensed casino or a simulcasting facility, or whose employment duties predominantly involve the maintenance or operation of gaming activity or equipment and assets associated therewith, or regularly requires work in a restricted casino area shall be required to hold, prior to such employment, a current and valid casino employee registration issued in accordance with N.J.S.A. 5:12-91(g). Such positions shall include, without limitation, persons who:

1. Function as a dealer;
2. Function as a boxperson;
3. Function as a floorperson in accordance with N.J.A.C. 13:69D-1.12(b)2;
4. Perform, under the supervision of an audit department executive, the duties and responsibilities of the internal audit department in accordance with N.J.A.C. 13:69D-1.11(b)2, including, without limitation, the supervision of personnel in the internal audit department; the monitoring of compliance with regulations and internal controls; and the evaluation of the adequacy of accounting and administrative controls;

5. Perform, under the supervision of a controller, the duties and responsibilities of the casino accounting department in accordance with N.J.A.C. 13:69D-1.11(b)6 including, without limitation, the supervision of personnel in the casino accounting department; overseeing the review, verification and recordation of casino revenue journal entries; and the processing or control of active accounting documents related to casino gaming activity;
6. Have access to active accounting documents related to casino gaming activity;
7. Conduct surveillance investigations and operations in accordance with N.J.A.C. 13:69D-1.11(b)1;
8. Repair and maintain slot machines and bill changers in accordance with N.J.A.C. 13:69D-1.11(b)4;
9. Assist in the operation of slot machines and bill changers, including, without limitation, persons who participate in manual jackpot payouts and fill payout reserve containers, or supervise such persons in accordance with N.J.A.C. 13:69D-1.12(b)3;
10. Identify patrons or groups of patrons to receive complimentary based on actual patron play, authorize such complimentary or determine the amount of such complimentary;

11. Analyze casino operations data and make recommendations to casino key employee personnel relating to, without limitation, casino marketing, complimentaries, junkets, gaming, casino simulcasting, keno wagering, special events, promotions and player ratings;
12. Enter data in casino computer systems or develop, maintain, install or operate casino computer systems or related software in accordance with N.J.A.C. 13:69D-1.11(b)3;
13. Develop marketing programs to promote casino gaming including, without limitation, coupon redemption and other complimentary distribution programs;
14. Distribute, redeem, account for, inventory, or assign for distribution coupons that are considered in the calculation of gross revenue, provided, however, that:
  - i. Employees whose duties and responsibilities are limited to the nondiscretionary distribution of coupons to patrons shall not be required to obtain a casino employee registration; and
  - ii. Notwithstanding (a)24 below, any person who supervises an employee exempted from registration by (a)14i above shall be required to obtain a casino employee registration;

15. Process or maintain information on credit applications or the redemption of counterchecks;
16. Process coins, currency, gaming chips, gaming plaques, slot tokens or cash equivalents;
17. Repair or maintain the closed circuit television system equipment that is required by N.J.A.C. 13:69D-1.11(b)1 as an employee of the surveillance department;
18. Are being trained to become a surveillance employee;
19. Provide physical security in a casino, casino simulcasting facility or restricted casino area;
20. Control and maintain the slot machine inventory, including replacement parts, equipment and tools used to maintain slot machines;
21. Perform as the secretary to the supervisor of the surveillance department, internal audit department, casino accounting department or credit department;
22. Repair gaming equipment other than slot machines;
23. Perform responsibilities associated with the installation, maintenance or operation of computer hardware for casino computer systems;

24. Supervise a person required to be registered as a casino employee; and

25. Manage or supervise information technology employees.

(b) Any person who holds a current and valid casino key employee license may perform the duties and responsibilities of any position that requires a casino employee registration.

**13:69A-1.3 Registrant requirements; authorization to work in the United States**

(a) No natural person shall be employed by a casino licensee as a registrant unless he or she is a citizen of the United States or can demonstrate that he or she holds a current and valid work authorization issued by the United States Department of Homeland Security, Citizenship and Immigration Services and is not restricted from working in the capacity for which employment is sought. "Authorization to work in the United States" may be demonstrated by the presentation of a permanent resident alien card, a temporary employment authorization card or any other such documentation submitted by an applicant which the Division determines to provide sufficient evidence of such authorization.

(b) No natural person shall be employed as a casino employee registrant pursuant to N.J.S.A. 5:12-7 and N.J.A.C. 13:69A-1.2 unless he or she is 18 years of age or older.

(c) No natural person under 18 years of age shall perform the functions of a casino employee in any casino alcoholic beverage location, as set forth in N.J.A.C. 13:69I-1.4, unless such employment is otherwise authorized by the Division of Alcoholic Beverage Control.

### **13:69A-1.3A Credentials**

The credential issued to casino employee registrants shall contain the inscription "State of New Jersey," the seal of the State of New Jersey, a picture of the registrant and a registration number. Credentials may also include the signature of the registrant and the following information: name, address, date of birth, sex, height, weight, hair color and eye color and indicate whether the licensee or registrant requires work authorization from the United States Department of Homeland Security, Citizenship and Immigration Services.

**13:69A-1.4 Credentials and access badges; display; temporary credentials**

(a) While engaged in the performance of his or her duties on the premises of the casino hotel, each casino key employee and casino employee registrant shall have the license credential issued to him or her on his or her person at all times, and each casino key employee and casino employee registrant shall wear in a conspicuous manner any access badge required pursuant to (b) below or, if no access badge is required, his or her license credential while present in a restricted area.

(b) Except as otherwise provided in the internal controls of a casino licensee submitted pursuant to N.J.A.C. 13:69D, each casino key employee and casino employee registrant shall wear in a conspicuous manner a badge or similar form of identification (an "access badge") for purposes of identifying the restricted areas in the employer's establishment to which that employee may obtain access in the course of the performance of his or her normal duties.

(c) No casino licensee shall permit a casino key employee or casino employee registrant to perform his or her duties on the premises of the casino hotel unless the employee is wearing an access badge required by N.J.A.C. 13:69D and (b) above or, if no access badge is required, his or her license credential in accordance with (a) above.

(d) Notwithstanding (a) through (c) above, the Director may, upon written request by a casino licensee and upon a showing of good cause, exempt certain positions, titles or persons from the requirements of this section. The Director may delegate the authority to make such determinations.

(e) Each casino licensee shall provide each casino key employee and casino employee registrant with the access badge required pursuant to (b) above.

(f) A temporary license credential may be issued by the casino security department of a casino licensee to a casino key employee or casino employee registrant who does not have the license credential or access badge on his or her person, or whose license credential or access badge has been stolen, lost or destroyed, to enable the employee to enter a public or restricted area to perform his or her duties, if the casino security department:

1. Verifies that the employee is listed in the casino licensee's current employee status report;
2. Verifies that the employee holds a valid license;
3. Verifies that the employee is authorized to obtain access to the public and restricted areas in which he or she will be working while in possession of the temporary credential;
4. Confirms the above employment, access, credential information with the supervisor of the employee;
5. Verifies that fewer than 12 temporary credentials have been issued to the particular employee in the past 12 months; and
6. Immediately notifies the Division in writing that a temporary credential has been issued, which notice shall include:

- i. The name, credential number and position title of the employee to whom the temporary credential was issued;
- ii. A list of the public and restricted areas to which the employee may obtain access;
- iii. The date and time that the temporary credential was issued; and
- iv. The name and credential number of the casino security department employee issuing the temporary credential.

(g) A temporary credential issued pursuant to (f) above shall:

1. Contain the following information:
  - i. The name and credential number of the employee to whom it was issued, and the public and restricted areas, identified in a manner approved by the Division, to which the employee is permitted access;
  - ii. A conspicuous statement printed on the face thereof which provides that the credential is void 24 hours after the time of its issuance;
  - iii. The date and time it was issued; and
  - iv. The name and credential number of the casino security department employee who issued it;

2. Be void 24 hours after the time of its issuance;
3. Be sequentially numbered; and
4. Be stored in the offices of the casino security department.

(h) No more than 12 temporary license credentials shall be issued to an employee in a 12-month period.

(i) Any holder of a Division credential or an access badge shall promptly report the loss or destruction of:

1. A Division credential to the Division; and
2. An access badge to the casino security department of the casino licensee by which such holder is employed.

(j) As soon as possible following the loss or destruction of a credential or an access badge, the person to whom the credential or access badge was originally issued shall apply to:

1. In the instance of a credential, the Division for a replacement credential; and
2. The department of the casino licensee responsible for the issuance of replacement access badges in accordance with the casino licensee's internal controls for a replacement access badge in the instance of an access badge.

**13:69A-1.5 Scope and applicability of registration requirements**

(a) In determining whether a natural person who will provide services to a casino licensee or applicant must hold a registration as an employee or, alternatively, be registered as a vendor or licensed as a junket enterprise, it shall be presumed that any such person will be required to hold the appropriate license or registration as an employee if the provision of services by such person is characterized by any of the following indicia of an employment relationship:

1. The natural person will, for a period of time unrelated to any specific project or for an indefinite period of time, directly supervise one or more employees of the casino licensee or applicant;
2. The casino licensee or applicant will withhold State and Federal income taxes or make regular deductions for unemployment insurance, social security, or other wage deductions required by law from any payments made to the natural person;
3. The natural person will be given the opportunity to participate in any benefit plans offered by the casino licensee or applicant to its employees, including, without limitation, health insurance plans, life insurance plans, pension plans or profit sharing plans;
4. The natural person will not, during the time that services are rendered to the casino licensee or applicant, maintain an

autonomous business enterprise, seek or provide services to other business clients, or practice a trade or profession other than for the benefit of the casino licensee or applicant;

5. There is or will be a written or verbal promise of employment or an employment contract offered by the casino licensee or applicant in return for the services of the natural person; or
6. The natural person has an employee license or a registration application pending before the Division or the Commission or will submit such an application during the time the services are being rendered, the cost of which has been or will be paid for or reimbursed by the casino licensee or applicant.

(b) A casino licensee or applicant which, or a natural person who, is a party to a contractual agreement for the provision of services to the casino licensee or applicant by such natural person as an enterprise subject to the vendor registration or casino service industry or junket representative licensure requirements of the Act and the rules of the Division may request, in accordance with the provisions of N.J.A.C. 13:69-3.7, a declaratory ruling that, notwithstanding the presumption established by (a) above, the provision of such services in accordance with the terms of the agreement shall not require the natural person to obtain an employee license or registration.

(c) The Division may, upon consideration of the factors in (a)1 through 6 above and any other relevant information, require any natural person to obtain

registration prior to providing or continuing to provide any services to a casino licensee or applicant notwithstanding:

1. Any agreement between the casino licensee or applicant and such natural person to the contrary; or
2. That a vendor registration form has been filed by a casino licensee or applicant on behalf of the natural person pursuant to N.J.A.C. 13:69C-10.4.

**SUBCHAPTERS 2. and 3. (RESERVED)**

## **SUBCHAPTER 4. STANDARDS FOR QUALIFICATION**

**13:69A-4.1 through 4.3 (Reserved)**

#### **13:69A-4.4 Section 86 standards**

The standards set forth in Section 86 of the Act are the proving of qualifications; the providing of information, documentation and assurances; the conviction of, current prosecution of or commission by the person of certain criminal offenses; the pursuit of certain described activities for financial gain or the association with persons engaged in the pursuit thereof; the defiance by the person of certain official investigatory bodies, and providing proof of payment or arrangement to pay any outstanding debt.

## **SUBCHAPTER 5. FORMS**

### **13:69A-5.1 Definitions**

The following words and terms shall have the following meanings when used in this subchapter, unless the context clearly indicates otherwise.

"Hub facility" is defined at N.J.A.C. 13:69M-1.1.

"Immediate family" means a person's spouse and any children, whether by marriage, adoption or natural relationship.

**13:69A-5.2 Multi-Jurisdictional Personal History Disclosure Form**

(a) A Multi-Jurisdictional Personal History Disclosure Form (PHD-MJ) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Physical description;
4. Current address and residence history;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Citizenship and, if applicable, information regarding resident alien status, including information regarding passports;
7. Marital history, dependents and other family data;
8. The casino licensee or applicant, casino service industry enterprise licensee or applicant or holding company, as applicable, with which the applicant is affiliated, and the nature of the applicant's position with or interest in such entity;
9. Telephone number at the current place of employment;

10. Employment history of the applicant and the applicant's immediate family;
11. Education and training;
12. Record of military service;
13. Government positions and offices presently or previously held, and the offices, trusteeships, directorships or fiduciary positions presently or previously held with any business entity;
14. Trusteeships or other fiduciary positions held by the applicant and the applicant's spouse, and any denial or suspension of, or removal from, such positions;
15. Current memberships in any social, labor or fraternal union, club or organization;
16. Licenses and other approvals held by or applied for by the applicant or, where specified, the applicant's spouse, in this State or any other jurisdiction, as follows:
  - i. Any professional or occupational license held by or applied for by the applicant or the applicant's spouse;
  - ii. Motor vehicle registrations and operator licenses held by or applied for by the applicant or the applicant's spouse, and any revocation or suspension thereof;

- iii. Possession or ownership of any pistol or firearm, or any application for any firearm permit, firearm dealer's license, or permit to carry a pistol or firearm;
- iv. Any license, permit, approval or registration required to participate in any lawful gambling operation in this State or any jurisdiction held by or applied for by the applicant; and
- v. Any denial, suspension or revocation by a governmental agency of a license, permit or certification held by or applied for by the applicant or the applicant's spouse, or any entity in which the applicant or the applicant's spouse was a director, officer, partner or an owner of a five percent or greater interest;

17. Any interest in or employment presently or previously held by the applicant with an entity which has applied for a permit, license, certificate or qualification in connection with any lawful gambling or alcoholic beverage operation in this State or any other jurisdiction; and any current employment or other association by the applicant's family with the gambling or alcoholic beverage industries in this State or any other jurisdiction;

18. Civil, criminal and investigatory proceedings in any jurisdiction, as follows:

- i. Arrests, charges or offenses committed by the applicant or any member of the applicant's immediate family;
- ii. Any instance where the applicant has been named as an unindicted party or co-conspirator in a criminal proceeding or held as a material witness;
- iii. Any appearance before, investigation by or request to take a polygraph examination by any governmental agency, court, committee, grand jury or investigatory body, and any refusal to comply with a request to do so;
- iv. Any pardons, dismissals, suspensions or deferrals of any criminal investigation, prosecution, or conviction;
- v. Lawsuits to which the applicant was or is a party;
- vi. Any citation or charge for a violation of a statute, regulation or code of any jurisdiction, other than a criminal, disorderly persons, petty disorderly persons or motor vehicle violation; and
- vii. Any use, distribution, or possession of any narcotic, hallucinogenic, drug, barbiturate, amphetamine or other substance listed in Schedule I through V of N.J.S.A. 2C:35-5 et seq. other than pursuant to a valid prescription issued by a licensed physician;

19. Any exclusion or barring from any casino or gambling/gaming related entity in any jurisdiction; and
20. Financial data, as follows:
  - i. All assets and liabilities of the applicant, and the applicant's spouse and dependent children as indicated on the net worth statement and supporting schedules in a format prescribed by the Division, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mortgages and liens, life insurance, pension funds, vehicles and other assets;
  - ii. Bank accounts, including any right of ownership in, control over or interest in any foreign bank account, and safe deposit boxes;
  - iii. Real estate interests held by the applicant or the applicant's spouse or dependent children;
  - iv. Businesses owned;
  - v. Copies of Federal tax returns and related information;
  - vi. Judgments or petitions for bankruptcy, insolvency or liquidation concerning the applicant or any business entity

in which the applicant held a five percent or greater interest, other than a publicly traded corporation, or in which the applicant served as an officer or director;

- vii. Any business entity in which the applicant was an owner, director or officer which has been placed under some form of governmental administration or monitoring;
- viii. Any garnishment or attachment of wages, charging order or voluntary wage execution, including the amount, court, nature of the obligation and the holder of the obligation;
- ix. Any repossessions of real or personal property;
- x. Any guarantees, co-signatures or insuring of payments of financial obligations of any persons or business entities;
- xi. Status as executor, administrator or fiduciary of an estate;
- xii. Life insurance policies on the applicant's life which name someone other than the applicant's family as a beneficiary;
- xiii. Positions held, assets held, or interest received in any estate or trust;

- xiv. Whether the applicant has ever been bonded for any purpose or been denied any type of bond, including the nature of the bond and if applicable, the reason for denial;
- xv. Insurance claims in excess of \$100,000 by the applicant or the applicant's spouse or dependent children;
- xvi. Referral or finder's fees in excess of \$10,000;
- xvii. Loans in excess of \$10,000 made or received by the applicant, the applicant's spouse or dependent children;
- xviii. Gifts in excess of \$10,000 given or received by the applicant or the applicant's immediate family;
- xix. Brokerage or margin accounts with any securities or commodities dealer;
- xx. Currency exchanges in an amount greater than \$10,000;
- xxi. Information regarding any instance where the applicant or any entity in which the applicant was a director, officer or holder of a five percent or greater interest has traded in foreign currencies or in a foreign commodities exchange, sold or purchased discounted promissory notes or other commercial paper, or been a party to any leasing arrangements in excess of \$50,000; and

xxii. Information regarding any ownership interest or financial investment by the applicant in any entity which holds or is an applicant for a license issued by the Division or the Commission, or in any gambling venture which does not require licensure by the Division or the Commission, including persons providing or reasonably anticipated to provide the applicant with support in the financing of such investment or interest; the extent and nature of the applicant's involvement in the management and operation of the entity; whether the applicant has or has agreed to assign, pledge or hypothecate such interest or investment, the nature and terms of any such transaction and a copy of any such agreement.

(b) In addition to the information in (a) above, a completed PHD-MJ may include the following:

1. The name, address, occupation and phone number of persons who can attest to the applicant's good character and reputation;  
and
2. A signed, dated and notarized certification of truth.

**13:69A-5.2A New Jersey Supplemental Form – Casino Qualifier**

(a) A New Jersey Supplemental Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Physical description, including a color photograph taken within the past six months;
4. Current addresses; mailing and home, if different;
5. Home and work telephone numbers;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. The casino licensee or applicant, casino service industry enterprise licensee or applicant, or holding company, as applicable, with which the applicant is affiliated, and the nature of the applicant's position with or interest in such entity;
8. Citizenship and, if applicable, resident alien status, including any employment authorization with expiration date; country of which the applicant is a citizen, place of birth, port of entry to the United

States, and name and addresses of sponsor(s) upon the applicant's arrival;

9. Any interest in any business entity which is licensed by the Division or Commission or is an applicant therefore;
10. Whether during the last 10-year period any entity in which the applicant has been a director, officer, principal employee or a holder of five percent or more interest has:
  - i. Made or been charged with (either itself or through third parties acting for it) bribes or kickbacks to any government official, domestic or foreign, to obtain favorable treatment or to any company, employee or organization to obtain a competitive advantage;
  - ii. Held a foreign bank account or has had authority to control disbursements from a foreign bank account;
  - iii. Maintained a bank account or other account, whether domestic or foreign, which is not reflected on the books or records of the business or which is in a name other than the name of the business;
  - iv. Donated, loaned or used funds or property for the use or benefit of or in opposing any government, political party, candidate or committee either domestic or foreign;

- v. Compensated any of its directors, officers or employees for time and expenses incurred in performing services for the benefit of or in opposing any government or political party domestic or foreign; or
  - vi. Made any loans, donations or other disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions whether domestic or foreign;
11. Copies of Federal and foreign tax returns and related information for the last five years; and
  12. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.3 Personal History Disclosure Form 1**

(a) A Person History Disclosure Form (PHD-1) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames along with applicable dates of usage;
2. Date and place of birth;
3. Physical description;
4. Current address and telephone number, and residence history for the past 10 years;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Citizenship and, if applicable, resident alien status, including any employment authorization and expiration date, country of which the applicant is a citizen, place of birth, port of entry to the United States, and name and address of sponsor(s) upon the applicant's arrival;
7. Reason for filing the PHD-1;
8. Marital history and other family data;
9. Employment history, including any gaming-related employment, for the past 10 years;
10. Education and training;

11. Record of military service;
12. Licenses and other approvals held by or applied for by the applicant or, where specified, the applicant's spouse, in this State or any other jurisdiction, including:
  - i. Any license, permit, approval or registration required to participate in any lawful gambling operation in this State or any jurisdiction;
  - ii. Any denial, suspension or revocation by a government agency in this State or any other jurisdiction of a license, permit, approval or registration held by or applied for by the applicant or the applicant's spouse; and
  - iii. Motor vehicle registrations and operator licenses held by or applied for by the applicant or the applicant's spouse, and any revocation or suspension thereof;
13. Civil, criminal and investigatory proceedings in any jurisdictions, as follows:
  - i. Arrests, charges or offenses committed by the applicant or any member of the applicant's immediate family;
  - ii. Any appearance before, investigation by or request to take a polygraph examination by any governmental agency, court, committee, grand jury or investigatory body; and
  - iii. Lawsuits to which the applicant was or is a party in the

past ten years; and

14. Financial data, as follows:
  - i. All assets and liabilities of the applicant, and the applicant's spouse and dependent children as indicated on the net worth statement and supporting schedules in a format prescribed by the Division, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable, credit card debt and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mortgages and liens, life insurance, pension funds, vehicles and other assets;
  - ii. Bank accounts, including any right of ownership in, control over or interest in any foreign bank account during the last ten year period as well as with regard to safe deposit boxes;
  - ii. Real estate interests held by the applicant or the applicant's spouse or dependent children in the past 10 years regardless of whether such interest was held under a recorded or unrecorded instrument;
  - iv. Any business in which the applicant has held an ownership interest for the past 20 years;

- v. Copies of Federal and New Jersey tax returns and related information for the last five years;
- vi. Judgments or petitions for bankruptcy or insolvency concerning the applicant or any business entity in which the applicant held a five percent or greater interest, other than a publicly traded corporation, in the past 20 years or in which the applicant served as an officer or director;
- vii. Any garnishment or attachment of wages, charging order or voluntary wage execution, during the past 10-year period including the amount, court, nature of the obligation and the name and address holder of the obligation;
- viii. Positions held or interest received in any estate or trust during the last 10-year period;
- ix. Insurance claims in excess of \$100,000 by the applicant or the applicant's spouse or dependent children filed within the past 10-year period;
- x. Loans in excess of \$10,000 made or received by the applicant, the applicant's spouse or dependent children in the last 10-year period;
- xi. During the last five-year period, any gifts in excess of \$10,000, either individually or in the aggregate, given or

received, whether tangible or intangible, by the applicant or the applicant's immediate family in any one-year period; and

- xii. Referral or finder's fees in excess of \$10,000 in the past 10 years.

(b) In addition to the information in (a) above, a completed PHD-1 shall include the following:

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state, and local, without exception, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.4 Personal History Disclosure Resubmission Form**

(a) A Personal History Disclosure Resubmission Form shall be the PHD-1 and may require the applicant to provide the following information:

1. Name;
2. Date of birth;
3. Physical description;
4. Current address;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. Citizenship and, if applicable, resident alien status, including any employment authorization and expiration date since the date of the submission of the applicant's initial license application or last Resubmission Form;
8. Telephone number at current place of employment;
9. Employment history since the date of the submission of the applicant's initial license application or last Resubmission Form;
10. Any denial, suspension, revocation or disciplinary action of a casino gaming industry license, permit or certification since the submission of the applicant's initial license application or last

Resubmission Form;

11. Civil and criminal proceedings in any jurisdiction since the submission of the applicant's initial license application or last Resubmission Form, as follows:
  - i. Arrests, charges or offenses committed by the applicant;
  - ii. Lawsuits to which the applicant was or is a party; and
  - iii. Any financial liens or judgments filed against the applicant in this State or in any other jurisdiction; and
12. All assets liabilities of the applicant, applicant's spouse and dependent children, as indicated on the net worth statement and supporting schedules in a format prescribed by the Division, including the following:
  - i. Bank accounts, including any right of ownership in, control over or interest in any foreign bank account as well as with regard to safe deposit boxes;
  - ii. Loans and notes and other receivables;
  - iii. Securities;
  - iv. Real estate interests held by the applicant or the applicant's spouse or dependent children;
  - v. Life insurance;
  - vi. Pension funds;

- vii. Loans, notes and other payables;
- viii. Taxes payable; and
- ix. Mortgages or liens on real estate.

(a) In addition to the information in (a) above, a completed Personal History Disclosure Resubmission Form shall include the following:

1. Copies of Federal and New Jersey tax returns and related information;
2. A signed, dated and notarized certification of truth; and
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state, and local without exception both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.5 Personal History Disclosure Form 3 – Casino Employee Registration**

(a) A Personal History Disclosure Form 3 (PHD-3) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases and nicknames;
2. Date of birth;
3. Physical description;
4. Current address and residence history for the past year;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Citizenship, and, if applicable, resident alien status, including any employment authorization and expiration date; country of which the applicant is a citizen, place of birth, port of entry to the United States and name and address of sponsor(s) upon the applicant's arrival;
7. Marital history;
8. Last three jobs, and any gaming-related employment during the last 10 years;

9. Any license, permit, approval or registration held by or applied for by the applicant and required to participate in any lawful gambling operation in this State or any other jurisdiction;
10. Any license, permit, approval or registration held by the applicant to work in the gaming industry suspended, revoked or denied or had any disciplinary action taken in New Jersey or any other jurisdiction;
11. Arrests, charges or offenses committed by the applicant; and
12. All governmental financial liens or judgments, including state tax liens, delinquent child support obligations, defaulted student loans, unemployment judgments, unpaid motor vehicle surcharges, welfare judgments, etc.

(b) In addition to the information in (a) above, a completed PHD-3 shall include the following:

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local both foreign and domestic, to release any and all

information pertaining to the applicant as requested by the  
Division.

**13:69A-5.5A Qualifier Resubmission Form – Casino Qualifiers**

(a) A Qualifier Resubmission Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames;
2. Date of birth;
3. Physical description;
4. Current address and residence history;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Citizenship, and, if applicable, resident alien status, including any employment authorization and expiration date;
7. The casino licensee or applicant, or holding company, as applicable, with which the applicant is associated, and the nature of the applicant's position with or interest in such entity;
8. Telephone number at home and at current place of employment;
9. Employment history since last submission; and
10. Financial data, as follows:
  - i. All assets and liabilities of the applicant and the applicant's spouse and dependent children, as indicated on the net worth statement and supporting schedules in a format

prescribed by the Division, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mortgages and liens, life insurance, pension funds, vehicles and other assets;

- ii. Additional information regarding bank accounts and safe deposit boxes; and
- iii. Copies of Federal tax returns and related information.

(b) A Qualifier Resubmission Form may also require an applicant to provide the following information for the time period since the submission of his or her most recent disclosure form:

- 1. Judgments or petitions for bankruptcy or insolvency concerning the applicant or any business entity in which the applicant held a five percent or greater interest, other than a publicly traded corporation, or in which the applicant served as an officer or director;
- 2. Referral or finder's fees in excess of \$10,000;
- 3. Gifts whether tangible or intangible, which either individually or in the aggregate are in excess of \$10,000 given or received by the applicant or the applicant's immediate family;

4. Ownership interest in any business(es);
5. Government positions and offices presently or previously held, by the applicant or the applicant's spouse and offices, trusteeships, directorships or fiduciary positions presently or previously held with any business entity by the applicant or the applicant's spouse;
6. Trusteeships or other fiduciary positions held by the applicant or the applicant's spouse, and any denial or suspension of, or removal from, such positions;
7. Licenses and other approvals held by or applied for by the applicant or, where specified, the applicant's spouse, in this State or any other jurisdiction, as follows:
  - i. Any professional or occupational license held by or applied for by the applicant or the applicant's spouse;
  - ii. Any license, permit, approval or registration required to participate in any lawful gambling operation in this State or any jurisdiction held by or applied for by the applicant;  
and
  - iii. Any denial, suspension or revocation by a governmental agency of a license, permit or certification held by or applied for by the applicant or the applicant's spouse, or

any entity in which the applicant or the applicant's spouse was a director, officer, partner or an owner of a five percent or greater interest;

8. Civil, criminal and investigatory proceedings in any jurisdiction, as follows:
  - i. Arrests, charges or convictions for any criminal or disorderly persons offenses committed by the applicant or any member of the applicant's immediate family;
  - ii. Any instance where the applicant has been named as an unindicted party or co-conspirator in a criminal proceeding or held as a material witness;
  - iii. Any appearance before, investigation by or request to take a polygraph examination by any governmental agency, court, committee, or grand jury or investigatory body;
  - iv. Lawsuits to which the applicant was or is a party; and
  - v. Any citation or charge for a violation of a statute, regulation or code of any jurisdiction, other than a criminal, disorderly persons, petty disorderly persons or motor vehicle violation; and

9. Whether any entity in which the applicant has been a director, officer, principal employee or a holder of five percent or greater interest has:
- i. Donated, used or loaned, funds or property for the use or benefit of or in opposing any government, political party, candidate or committee either foreign or domestic;
  - ii. Compensated its directors, officers or employees for time and expenses incurred in performing services for the benefit of or in opposing any government or political party either foreign or domestic;
  - iii. Made any loans, donations or other disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions either foreign or domestic;
  - iv. Either the applicant or through third parties acting for it made bribes or kickbacks to any government official domestic or foreign, to obtain favorable treatment or to any company, employer or organization to obtain a competitive advantage;
  - v. Maintained a foreign bank account or had authority to control disbursements from a foreign bank account; and

vi. Maintained a bank account, whether foreign or domestic or other account which is not reflected on the books or records of the business or which is in a name other than the name of the business.

(c) In addition to the information in (a) and (b) above, a completed Qualifier Resubmission Form may include the following:

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, without exception, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.5B Request to Determine Employment or Reapplication Eligibility**

(a) A Request to Determine Employment or Reapplication Eligibility shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Current address;
4. Current employment;
5. A physical description;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. Reason for submission;
8. Arrests, convictions, charges or offenses committed;
9. Reasons for the denial or revocation of any casino employee license or registration;
10. A written statement of the facts and circumstances which warrant the relief sought;
11. A signed, dated and notarized certification of truth; and

12. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

(b) In addition to the information in (a) above, a completed Request to Determine Employment or Reapplication Eligibility Form may include:

1. Letters of reference and supporting documentation; and
2. If the request is filed pursuant to N.J.A.C. 13:69A-8.11:
  - i. The documents required for identification by N.J.A.C. 13:69A-7.2A; and
  - ii. An offer of employment from a CHAB licensee.

**13:69A-5.5C Casino Employee License Conversion Application**

(a) An application to convert an employee license to a casino employee registration shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including change of name, if applicable, with a copy of appropriate documentation;
2. Date of birth;
3. Physical description;
4. Current address;
5. Current license number and expiration date;
6. Home and work telephone numbers;
7. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
8. Citizenship, and, if applicable, resident alien status, including any employment authorization with expiration date;
9. Employment history, including any gaming-related employment and any reprimands, suspensions, terminations or requests to leave;
10. Any license, permit, approval or registration held by or applied for by the applicant and required to participate in any lawful

gambling operation in this State or any other jurisdiction that has been suspended, revoked, or denied;

11. Arrests, charges or offenses committed by the applicant; and
12. All governmental financial liens, lawsuits or judgments, including state tax liens, delinquent child support obligations, defaulted student loans, unemployment judgments, unpaid motor vehicle surcharges, welfare judgments, etc.

(b) In addition to the information in (a) above, a completed Casino Employee License Conversion Application may include the following:

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.6 Business Entity Disclosure Form – Casino Company; Casino Holding and Intermediary Company**

(a) A Business Entity Disclosure Form (BED) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. The name, title, phone number and e-mail address of a person to be contacted in reference to the application;
2. The current or former official and trade names used by the business entity, and the dates of use;
3. The reason for filing, including the name of the license applicant and the type of license sought and, if the license applicant is other than the business entity, the nature of the business entity's relationship to the license applicant;
4. The date and place of incorporation or formation;
5. The current or former business addresses and website of the business entity with relevant time frames;
6. A description of the present and any former business engaged in by the business entity and its holding companies, subsidiaries and intermediary companies including, but not limited to:
  - i. Competitive conditions in the industry;
  - ii. The principal products produced, services rendered and methods of distribution;

- iii. Information about raw materials essential to the business entity's operations;
  - iv. Information relating to intellectual property rights;
  - v. A description of any material changes to the business entity's mode of conducting business; and
  - vi. A description of any former business the business entity was engaged in during the last 10-year period and the reasons for the cessation of such business, including relevant time frames;
7. The name, last known address, occupation and date of birth of each incorporator or founding member;
8. The name, home address, business address, date of birth, occupation and title of current and former directors, and trustees and the dates such position was held during the last 10 years and reason for leaving;
9. The name, home address, business address, date of birth and title of current officers of the business entity, and the dates of office;
10. The name, last known home address, current business address, date of birth and occupation of former officers of the business entity for the last 10 years, and the dates of office;

11. The annual compensation of officers;
12. The name, business address, date of birth and position of each person, other than an officer, who receives annual compensation of more than \$100,000, and the length of time employed and amount of compensation;
13. A description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans;
14. A description of the nature, type, number of shares, terms, conditions, rights and privileges of all classes of securities or other ownership interests issued or to be issued including the number of shares of each class authorized or to be authorized and the number of shares of each class outstanding;
15. The name, home address and date of birth of each shareholder, the class held, number of shares held and the percentage of outstanding voting or non-voting securities or other ownership interest held;
16. A description of the nature, type, terms, covenants, conditions and priorities of all outstanding debt and security devices utilized by the business entity;

17. The name, address and date of birth of each person holding the debt or security devices in (a)16 above, the type of debt instrument held, the original debt amount and current balance;
18. A description of the nature, type, terms and conditions of all securities options, including the title and amount of securities subject to option, the name and address of each option holder and the market value at the time of issuance;
19. The following information for each account for the last 10 years held in the name of the business entity or its nominee, or otherwise under the direct or indirect control of the business entity:
  - i. The name and address of the bank, savings and loan or other financial institution whether foreign or domestic;
  - ii. The type of account;
  - iii. The account number; and
  - iv. The dates held;
20. The name and address of all persons with whom the business entity has contracts or agreements of \$100,000 or more in value, including employment contracts of more than one-year duration, or who have supplied goods and services within the past six

months, and the nature of such contract or the goods and service provided;

21. The name and address of each company in which the business entity holds securities or other ownership interest, type of securities or other ownership interest held, purchase price per share or interest, number of shares held, and percentage of ownership, if more than five percent;
22. Information regarding any transaction within the last five years involving a change in the beneficial ownership of the business entity's equity securities on the part of any current or former director, officer or beneficial owner of more than 10 percent of any class of equity security;
23. A description of any civil, criminal, administrative and investigatory proceedings in any jurisdiction, for the business entity and each director, trustee or officer as follows:
  - i. Any arrest, indictment, charge or conviction for any criminal or disorderly persons offense;
  - ii. Any criminal proceeding in which such person has been a party or has been named as an unindicted co-conspirator;

- iii. Existing civil litigation to which the business entity is a party, if damages are reasonably expected to exceed \$100,000, except for claims covered by insurance;
  - iv. Any judgment, order, consent decree or consent order entered against the business entity pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction; and
  - v. Any judgment, order, consent decree or consent order entered against the business entity pertaining to a violation or alleged violation of any other state or Federal statute, regulation or code which resulted in the imposition of a fine or penalty of \$50,000 or more within the past 10 years;
24. For the business entity and any holding or intermediary company, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the property or business of the business entity or any holding or intermediary company within the last 10 years;

25. During the last 10-year period, whether the business entity has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefore and the facts related thereto;
26. During the last 10-year period, whether the business entity or any director, officer, employee or any person acting for or on behalf of the business entity has made any bribes or kickbacks or made payments alleged to have been bribes or kickbacks to any employee, company, organization or government official, foreign or domestic, to obtain favorable treatment or to obtain a competitive advantage;
27. During the last 10-year period, whether the business entity, its parent, any subsidiary or related entity or individual has:
  - i. Donated or loaned the business entity's funds or property for the use or benefit of or in opposing any government, political party, candidate or committee either foreign or domestic;
  - ii. Made any loans, donations or disbursements to its directors, officers or employees for the purpose of making

political contributions or reimbursing such individuals for political contributions either foreign or domestic; or

iii. Maintained a bank account or other account, either foreign or domestic, not reflected on the books or records of the business entity, or maintained any account in the name of a nominee of the business entity;

28. The names and addresses of any current or former directors, officers, employees or third parties who would have knowledge or information concerning (a)27i through iii above;

29. A copy of each of the following:

i. Annual reports to shareholders for the last five years;

ii. Any annual reports prepared within the last five years on Form 10K pursuant to Sections 13 or 15d of the Securities Exchange Act of 1934;

iii. An audited financial statement for the last fiscal year, including, without limitation, an income statement, balance sheet and statement of sources and application of funds, and all notes to such statements and related financial schedules;

iv. Copies of all annual financial statements prepared in the last five fiscal years, any exceptions taken to such

statements by an independent auditor retained by the business entity and the management response thereto;

- v. The most recent quarterly unaudited financial statement prepared by or for the business entity which, if the business entity is registered with the Securities Exchange Commission (SEC), may be satisfied by providing a copy of the most recently filed Form 10Q;
- vi. Any current report prepared due to a change in control of the business entity, acquisition or disposition of assets, bankruptcy or receivership proceedings, changes in the business entity's certifying accountant, or other material events, which, if the business entity is registered with the SEC, may be satisfied by providing a copy of the most recent filed Form 8K;
- vii. The most recent Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934;
- viii. Registration Statements filed in the last five years pursuant to the Securities Act of 1933;
- ix. All reports and correspondence not otherwise submitted in the last five years by independent auditors for the

business entity which pertain to the issuance of financial statements, managerial advisory services or internal control recommendations; and

- x. The name, address and telephone number of the current outside auditor(s);
30. A certified copy of the articles of incorporation, charter and bylaws, and all amendments and proposed amendments thereto;
31. If a business entity:
- i. A current ownership organization chart of the business entity, its parent company and each subsidiary of the business entity; and
  - ii. A functional table of organization for the business entity, including position descriptions and the names of persons holding each position;
32. If a corporation, copies of Internal Revenue Service Forms 1120 (Corporate Income Tax Return) and 941 (Employer's Quarterly Federal Tax Return) filed for the last five years;
33. If a partnership, copies of Internal Revenue Service Forms 1065 (Partnership Return Form) and 941 (Employer's Quarterly Federal Tax Return) filed for the last five years;

34. If a limited liability company, copies of its Federal returns for the last five years; and
35. A listing of any records, documents or other information submitted as appendices to the BED.

(b) In addition to the information in (a) above, a completed BED may include the following documents, which shall be dated and signed by the president, chief executive officer, partner, general partner or sole proprietor, and notarized:

1. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies Federal, state and local, both foreign and domestic, to release any and all information pertaining to the business entity as requested by the Division;
2. A waiver of liability as to the State and its instrumentalities and agents for any damages resulting to the business entity from any disclosure or publication of information acquired during the license or investigation process, in accordance with N.J.S.A. 5:12-80b;
3. Consent to inspection, searches and seizures and the supplying of handwriting exemplars, in accordance with N.J.S.A. 5:12-80c; and
4. An affidavit of truth.

### **13:69A-5.6A Business Entity Disclosure Form—Resubmission**

(a) Pursuant to N.J.S.A. 5:12-87.1, qualifying entities are required to submit documentation demonstrating their continued fitness for licensure at least every five years. In submitting their license retention documentation, business entities should follow the same document submission procedure set forth in N.J.A.C. 13:69A-5.6 for initial licensure, taking into account the following exceptions, as applicable. If any of the following documentation has been submitted to the Division prior to the filing by the business entity of its five-year BED-Resubmission, such documentation can be omitted from the Resubmission so long as it references what documentation was submitted during the intervening five-year period with relevant time frames:

1. Annual reports to shareholders or Form 10K filings in accordance with N.J.A.C. 13:69A-5.6(a)29 and 13:69C-8.6 and 8.7;
2. Annual financial statements along with exceptions taken by an independent auditor and the business entity's response in accordance with N.J.A.C. 13:69A-5.6(a)29 and 13:69C-8.4(b);
3. Registration Statements filed in accordance with the Securities Act of 1933 in accordance with N.J.A.C. 13:69A-5.6(a)29 and 13:69C-8.6;
4. Any other documentation from an independent auditor relating to the business entity's financial statements, managerial advisory services or internal controls that have not otherwise been

submitted to the Division in accordance with N.J.A.C. 13:69A-5.6(a)29 and 13:69C-8.4(d);

5. Copies of the business entity's applicable Federal Tax Returns in accordance with N.J.A.C. 13:69A-5.6(a)32 through 34 as applicable and N.J.A.C. 13:69C-8.5;
6. The minutes, reports and schedule for all of the business entity's board and committee meetings in accordance with N.J.A.C. 13:69C-8.1(b);
7. Any amendments to, restatements of, or superseding versions of the business entity's formation or governing documents in accordance with N.J.A.C. 13:69C-8.2(a);
8. Financial information pertaining to profit sharing agreements in accordance with N.J.A.C. 13:69C-8.3;
9. Annual financial projections in accordance with N.J.A.C. 13:69C-8.4(a); and
10. Quarterly unaudited financial statements in accordance with N.J.A.C. 13:69C-8.4(c).

**13:69A-5.6B Institutional Investor Certification**

(a) Pursuant to N.J.S.A. 5:12-27.1, an institutional investor is:

1. Any retirement fund administered by a public agency for exclusive benefit of Federal, state, or local public employees;
2. Any investment company registered under the Investment Company Act of 1940 (15 U.S.C. §§ 80a-1 et seq.);
3. Any collective investment trust organized by banks under Part Nine of the Rules of the Comptroller of the Currency;
4. Any closed end investment trust;
5. Any chartered or licensed life insurance company or property and casualty insurance company;
6. Any banking or other chartered or licensed lending institution;
7. Any investment advisor registered under The Investment Advisors Act of 1940 (15 U.S.C. §§ 80b-1 et seq.); and
8. Any such other persons as the Division may determine for reasons consistent with the policies of the Act.

(b) An institutional investor shall file a signed and dated certification that includes the following:

1. The name of the person completing the form;
2. The name of the investment company and position the person in (b)1 above holds with that investment company;
3. The principal place of business of the investment company;

4. The number of shares of voting stock held by an investment company of either:
  - i. The applicant for a casino service industry enterprise license or its holding or intermediary company; or
  - ii. The applicant for a casino license or its holding or intermediary company;
5. The percentage of the issue and outstanding common or preferred voting stock that the number of shares held by the investment company constitutes; and
6. A statement as to the specific subsection of (a) above within which the investment company falls.

(c) The investment company shall certify the following:

1. The purchase of the stock was for investment purposes only;
2. It has no involvement in the business activities of the issuer of the stock;
3. It has no intention of influencing or affecting the affairs of the issuer, casino licensee or its holding or intermediary companies;
4. If it determines subsequently to influence or affect the affairs of the issuer, it shall in not less than 30 days before taking any such actions:
  - i. Provide the Division notice of such intent; and
  - ii. File with the Division an application for qualification;

5. It will submit to the jurisdiction of the State of New Jersey the Division, the Commission, the Act and the rules promulgated thereunder; and
6. It will comply with any and all requests for information from the Division.

(d) Notwithstanding (c)4 above, an investment company may vote on matters put to the vote of the outstanding security holders.

**13:69A-5.7 Business Entity Disclosure Form – Casino Hotel Alcoholic Beverage Enterprise**

(a) A Casino Hotel Alcoholic Beverage Enterprise Business Entity Disclosure Form (CHAB BED) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant for the last five years;
2. Whether the application is for initial licensure or submission for retention of the license and, if for retention, the license number of the current license;
3. The name, title and telephone number of a person to be contacted in reference to the application;
4. The current or former business addresses of the applicant enterprise for the last five years;
5. The current telephone and fax number of the applicant enterprise;
6. The business form of the enterprise, and a copy of the certificate of incorporation, charter, bylaws, partnership agreement, trust agreement or other basic documentation of the enterprise;
7. If the enterprise is a publicly traded corporation, the exchange its stock is traded on and its symbol;

8. The nature of the applicant's business, and the type of goods and services being provided to the casino industry;
9. The Federal Employer Identification Number or Social Security Number of the owner;
10. The following information regarding agreements with any casino licensee or applicant:
  - i. The number of written agreements entered into and a sample copy of such an agreement;
  - ii. The terms of any unwritten agreements or purchase order agreements with casino licensees or applicants, including the expected duration and compensation; and
  - iii. Whether any such agreements are in any way subject to or conditioned upon any other agreement between the casino licensee or applicant and the applicant or any other enterprise, or upon other agreements between the applicant and its suppliers, vendors or subcontractors, and the facts related thereto;
11. Any suppliers, vendors or subcontractors of the applicant which are also securities holders or creditors of the applicant;

12. The name and location of any government agency in this State or any other jurisdiction that regulates the applicant, and the nature and extent of regulation;
13. During the last five-year period, whether the applicant has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefor and the facts related thereto;
14. The following financial information:
  - i. Two copies of the applicant's most recent financial statement whether audited or unaudited, the auditor's report and Federal and state tax returns;
  - ii. During the last five-year period, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the applicant's property or business;
15. Civil, criminal, administrative and investigatory proceedings in this State, or any other jurisdiction, as follows:

- i. Information regarding any indictment, charge or conviction for any criminal or disorderly persons offense;
  - ii. Any criminal proceeding in which the applicant has been a party or has been named as an unindicted co-conspirator;
  - iii. Any judgment, order, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction; and
  - iv. During the past 10 years, any judgment, order, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of any other state or Federal statute, regulation or code which resulted in the imposition of a fine or penalty of \$50,000 or more;
16. The name, home address, date of birth, title or position and percent of ownership, where applicable, of each of the following persons or entities:
  - i. Any officer, inside director, trustee, partner or sole proprietor;
  - ii. Each enterprise or natural person that directly holds any beneficial or ownership interest of five percent or more of the applicant;

- iii. Each sales representative or other person who regularly solicits business from a casino licensee or applicant, such person's immediate supervisors and all persons responsible for the office out of which such supervisors work; and
  - iv. Any person authorized to sign any agreement with a casino licensee or applicant; and
17. A copy of a business registration certificate or other proof of valid business registration with the Division of Revenue in the New Jersey Department of the Treasury.

(b) In addition to the information in (a) above, a completed CHAB BED may include the following:

- 1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the applicant is a corporation, the president or any other authorized officer;
  - ii. If the applicant is a partnership, each partner;
  - iii. If the applicant is a limited partnership, each general partner;

- iv. If the applicant is a sole proprietorship, the sole proprietor; or
  - v. If the applicant is any other business form, any authorized officer;
2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division, which shall be dated, notarized and signed by the following:
- i. If the applicant is a corporation, the president or any other authorized officer;
  - ii. If the applicant is a partnership, a partner;
  - iii. If the applicant is a limited partnership, a general partner;
  - iv. If the applicant is a sole proprietorship, the sole proprietor; or
  - v. If the applicant is any other business form, any authorized officer; and

3. An acknowledgment of receipt of notice regarding confidentiality, consent to search and nonrefundability of filing fees, which shall be dated, notarized and signed in accordance with (b)2i through v above.

**13:69A-5.8 Business Entity Disclosure Form – Holding Company Casino  
Hotel Alcoholic Beverage Enterprise**

(a) A Casino Hotel Alcoholic Beverage Enterprise Business Entity Disclosure Form—Holding Company (CHAB BED-HC) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant for the last five years;
2. The enterprise as to which the applicant has been identified as a holding company;
3. The name, title, and telephone and fax numbers of a person to be contacted in reference to the application;
4. The current or former business addresses, current mailing address, and telephone and fax numbers for the last five years of the applicant enterprise;
5. The business form of the enterprise, and a copy of the certificate of incorporation, charter, bylaws, partnership agreement, trust agreement or other basic documentation of the enterprise;
6. If the enterprise is a publicly traded corporation, the stock exchange its stock is traded on and its symbol;

7. The name and location of any government agency in this State or any other jurisdiction that regulates the applicant, and the nature and extent of regulation;
8. The Federal Employer Identification Number of the enterprise;
9. During the last five-year period, whether the applicant has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefor and the facts related thereto;
10. The nature of the business of the enterprise;
11. The following financial information:
  - i. Two copies of the applicant's most recent audited or unaudited financial statement, auditor's report and Federal and state tax returns;
  - ii. Within the last five-year period, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee, reorganization trustee or

similar officer appointed for the applicant's property or business;

12. Within the last 10 years, civil, criminal, administrative and investigatory proceedings in this State or any jurisdiction, as follows:
  - i. Information regarding any indictment, charge or conviction for any criminal or disorderly persons offense;
  - ii. Any criminal proceeding in which the applicant has been a party or has been named as an unindicted co-conspirator;
  - iii. Any judgment, order, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction; and
  - iv. Any judgment, order, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of any other state or Federal statute, regulation or code which resulted in the imposition of a fine or penalty of \$50,000 or more; and
  
13. The name, home address, date of birth, title or position and percentage of ownership, where applicable, of each of the following persons or entities:

- i. Any officer, inside director, trustee, partner or sole proprietor;
- ii. Each enterprise or natural person that directly holds any beneficial or ownership interest of five percent or more of the holding company completing the application; and
- iii. Each natural person who indirectly holds any beneficial or ownership interest of 10 percent or more of the applicant.

(b) In addition to the information in (a) above, a completed CHAB BED-HC may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the applicant is a corporation, the president or any other authorized officer;
  - ii. If the applicant is a partnership, each partner;
  - iii. If the applicant is a limited partnership, each general partner;
  - iv. If the applicant is a sole proprietorship, the sole proprietor; or
  - v. If the applicant is any other business form, the president or any authorized officer;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division, which shall be dated, notarized and signed by the following:
  - i. If the applicant is a corporation, the president or any other authorized officer;
  - ii. If the applicant is a partnership, a partner;
  - iii. If the applicant is a limited partnership, a general partner;
  - iv. If the applicant is a sole proprietorship, the sole proprietor; or
  - v. If the applicant is any other business form, the president, or any authorized officer; and
3. An acknowledgment of receipt of notice regarding confidentiality, consent to search and nonrefundability of filing fees, which shall be dated, notarized and signed in accordance with (b)2i through v above.

**13:69A-5.9 Qualifier Disclosure Form – Casino Hotel Alcoholic Beverage Enterprise**

(a) A Casino Hotel Alcoholic Beverage Enterprise Qualifier Disclosure Form (CHAB QDF) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames;
2. Current telephone number, home and work addresses and residence history for the past five years;
3. Position held with the CHAB Enterprise license applicant or holding company;
4. Date and place of birth;
5. Physical characteristics;
6. Last three jobs, including an indication if gaming was conducted on the premises;
7. Information regarding any license, permit, approval, registration or other authorization to participate in a lawful gambling operation held by or applied for by the applicant in this State or any other jurisdiction; and
8. Arrests, charges or offenses committed by the applicant.

(b) In addition to the information in (a) above, a completed QDF may include the following:

1. An original photograph of the applicant taken within the previous 12 months with the name printed along the bottom border of the front;
2. A signed, dated and notarized certification of truth; and
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.10 New Jersey Supplemental Form –Casino Service Industry Enterprise Qualifiers**

(a) A New Jersey Supplemental Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Physical description including a color photograph taken within the past six months;
4. Current addresses; mailing and home, if different;
5. Home and work telephone numbers;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. The casino licensee or applicant, casino service industry enterprise licensee or applicant, or holding company, as applicable, with which the applicant is affiliated, the address of the entity, the title or position of the applicant in such entity, and the nature of the applicant's position with or interest in such entity;
8. Citizenship and, if applicable, petition number, certification number and date and court that granted naturalization, or

resident alien status, including any employment authorization with expiration date; country of which the applicant is a citizen, place of birth, port of entry to the United States, and name and addresses of sponsor(s) upon the applicant's arrival;

9. Any interest in any business entity which is licensed by the Division or is an applicant therefore;
10. Within the last 10 years, whether any entity in which the applicant has been a director, officer, principal employee or a holder of five percent or more interest has:
  - i. Made or been charged with making bribes or kickbacks, either itself or through third parties acting for it, to any government official, domestic or foreign, to obtain favorable treatment or to any company, employee or organization to obtain a competitive advantage;
  - ii. Held a foreign bank account or has had authority to control disbursements from a foreign bank account;
  - iii. Maintained a bank account or other account, domestic or foreign, which is not reflected on the

books or records of the business or which is in a name other than the name of the business;

- iv. Donated, loaned or used funds or property for the use or benefit of or for the purpose of opposing any government, political party, candidate or committee either domestic or foreign;
- v. Compensated any of its directors, officers or employees for time and expenses incurred in performing services for benefit of or in opposing any government or political party domestic or foreign; or
- vi. Made any loans, donations or other disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions either domestic or foreign;

- 11. Copies of Federal and foreign tax returns with appropriate schedules and related information for the last three years. If the applicant and the applicant's spouse filed separate tax returns for any year in the last five years, also attach a copy of the applicant's spouse's tax returns; and

12. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

**13:69A-5.11 Vendor Registration Form and Vendor Registration Supplemental Disclosure Form**

(a) No vendor registration shall be deemed complete unless a vendor has filed both a completed Vendor Registration Form and a completed Vendor Registration Supplemental Disclosure Form.

(b) Pursuant to N.J.S.A. 5:12-92c, all vendors shall register by filing through the casino licensee or applicant with which such vendor intends to conduct business a Vendor Registration Form in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering vendor:

1. Any official or trade name used by the vendor;
2. The current address and telephone number of the vendor;
3. The nature of the vendor's business and the type of goods and services being provided to the casino industry;
4. The Federal Employer Identification Number;
5. The name, residence address and date of birth of each of the following persons:
  - i. The sales representative(s) or other person(s) who solicit(s) business from a casino licensee or applicant and such person's immediate supervisors; and
  - ii. Any person authorized to sign any agreement with the casino licensee or applicant; and

6. The name(s), address(es) and percentage of ownership held by each entity or person directly owning more than five percent of the enterprise.

(c) Within 30 days of the filing of the Vendor Registration Form, the vendor shall file directly with the Division a Vendor Registration Supplemental Disclosure Form in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering vendor:

1. Whether the vendor or any of its entity or individual holders of an ownership interest or any of the individuals identified in (b)5 above has been denied, suspended, revoked or withdrawn any license, permit, approval or registration in this or any other jurisdiction and the facts related thereto; and
2. Whether the vendor or any of its entity or individual holders of an ownership interest or any of the individuals identified in (b)5 above has been involved in any civil, criminal, administrative or investigatory proceedings in this or any other jurisdiction and the facts related thereto.

(d) If a vendor fails to file a completed Vendor Registration Form or Vendor Registration Supplemental Disclosure Form within 30 days of the filing of a completed Vendor Registration Form, the Division may administratively prohibit such vendor from

conducting business with a casino licensee or an applicant without the need for a hearing before taking such action.

**13:69A-5.11A Casino Service Industry Enterprise - Qualifier Resubmission Disclosure Form**

(a) A Qualifier Resubmission Disclosure Form (QRDF) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name;
2. Address, telephone number and e-mail address;
3. Position held with the casino service industry enterprise;
4. Date and place of birth;
5. Physical characteristics;
6. Arrests, charges, convictions or other offenses committed by the qualifier since the date on which the qualifier last filed a QRDF;
7. Citizenship and, if applicable, resident alien status; and
8. Any and all personal and financial information the Division requires to demonstrate the licensee continues to meet the requirements of N.J.S.A. 5:12-92a and b.

(b) In addition to the information in (a) above, a completed QRDF shall include the following:

1. Copies of Federal and New Jersey tax returns and related information;
2. A signed, dated and notarized certification of truth; and
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards,

employers, educational institutions, banks, financial and other institutions and all government agencies, Federal, state and local, foreign or domestic, to release any and all information pertaining to the qualifier as requested by the Division.

**13:69A-5.12 Registration Form—Non-Supervisory Employees of a Junket Enterprise**

(a) Pursuant to N.J.S.A. 5:12-102c, all non-supervisory employees of a junket enterprise or junket representative shall be registered by filing, directly with the Division, a Registration Form for Non-Supervisory Employee(s) of a Junket Enterprise, in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering employee:

1. Name of the junket enterprise;
2. Current business address and telephone number of the junket enterprise;
3. Name, residence address, telephone number and date of birth for the non-supervisory employee of a junket enterprise registering on his or her own behalf or for each non-supervisory employee being registered by the junket enterprise;
4. Whether the non-supervisory employee registering or each non-supervisory employee being registered has been denied, suspended, revoked or withdrawn any license, permit, approval or registration in this or any other jurisdiction and the facts related thereto; and
5. Whether the non-supervisory employee registering or each non-supervisory employee being registered has been involved in any

civil, criminal, administrative or investigatory proceedings in this  
or any other jurisdiction and the facts related thereto.

**13:69A-5.13 Labor Organization Registration Statement**

(a) A Labor Organization Registration Statement shall be in a format prescribed by the Division and may require the labor organization, union, or affiliate to provide the following information:

1. The name of the registrant as shown on its charter or in its constitution;
2. The current business addresses of the registrant, including the address, telephone and fax numbers of any office where matters pertaining to employees of a casino licensee will be conducted;
3. The name, title, telephone and fax numbers of a person to be contacted in reference to the statement;
4. Whether the submission is an initial or biennial renewal registration;
5. The names of the registrant's parent organization and all affiliates of the registrant or its parent organization, whether chartered by the parent organization or governed by the same constitution or bylaws;
6. The name and nature of the actual or probable involvement of any affiliate which represents or is seeking to represent employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee, or which is involved or

seeking to be involved in the control or direction of such representation;

7. Financial data, including information concerning any financial interests held in a casino hotel, casino, casino simulcasting facility or casino licensee; and
8. The name, address and, where applicable, date of birth, title or position and authority or responsibility, of the following persons or entities:
  - i. Any pension or welfare system maintained by the registrant;
  - ii. Each officer and agent of any pension or welfare system maintained by the registrant;
  - iii. Each officer and officer-elect of the registrant;
  - iv. Each agent authorized to represent the registrant; and
  - v. Each principal employee of the registrant.

(b) In addition to the information in (a) above, a completed Labor Organization Registration Statement may include the following:

1. A notarized affidavit of truth, which shall be dated and signed by the registrant's president or other authorized officer;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the registrant as requested by the Division;
3. A waiver of liability as to the State and its instrumentalities and agents for any damages resulting to the registrant from any disclosure or publication of information acquired during the investigation process, in accordance with N.J.S.A. 5:12-80b; and
4. Consent to inspection, searches and seizures and the supplying of handwriting exemplars, in accordance with N.J.S.A. 5:12-80c.

**13:69A-5.14 Labor Organization Individual Disclosure Form**

(a) A Labor Organization Individual Disclosure Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames;
2. Title or position with the labor organization;
3. Date and place of birth;
4. Physical description including photograph taken within the past 12 months and name printed across the front bottom border;
5. Current address and home telephone number and residence history for the past year;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. Citizenship and, if applicable, information concerning resident alien status;
8. Full name of the labor organization represented;
9. Telephone number at current place of employment;
10. Employment history:

- i. All positions held with a labor organization, union or affiliate, whether or not compensated, for the past five years; and
  - ii. Last three jobs, indicating any gaming-related positions;
- 11. Licenses or other approvals held or applied for which are required to participate in any lawful gambling operation in this State or any jurisdiction;
- 12. Civil, criminal and investigatory proceedings in any jurisdiction as follows:
  - i. Convictions for crimes or disorderly persons offenses; and
  - ii. Convictions for contempt for refusal to testify or cooperate with any legislative investigatory body or other official investigatory body of New Jersey or the United States where the investigatory body was investigating crimes relating to gaming, official corruption or organized crime activity; and
- 13. Financial data, including information concerning any financial interests held in a casino hotel, casino, casino simulcasting facility or casino licensee.

(b) In addition to the information in (a) above, a completed Labor Organization Individual Disclosure Form may include the following:

1. The name, address, occupation and phone number of references;
2. A signed, dated and notarized affidavit of truth;
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the officer, agent or principal employee as requested by the Division; and
4. A waiver of liability as to the State and its instrumentalities and agents for any damages resulting to the officer, agent or principal employee from any disclosure or publication of information acquired during the investigation process, in accordance with N.J.S.A. 5:12-80b.

**13:69A-5.15 Business Entity Disclosure Form – Casino Service Industry Enterprise**

(a) A Business Entity Disclosure Form Casino Service Industry Enterprise (BED CSI) shall be in a format prescribed by the Division and may require the enterprise to provide the following information:

1. The current or former official and trade names used and the dates of use;
2. The current and former business addresses within the last 10-year period and dates of use;
3. The business telephone number;
4. The name, title and telephone number of the contact person;
5. Whether the application is for initial licensure or retention of that license and, if retention, the license number and date of last submission;
6. If the license applicant is other than the enterprise filing this form, the reason for filing and the nature of the filing enterprise's relationship to the license applicant;
7. The business form and, as appropriate, a copy of the certificate of incorporation, charter, bylaws, partnership agreement and all amendments, trust agreement or other documentation relating to the legal organization of the enterprise;

8. If a publicly traded corporation, the stock exchange its stock is traded on and its symbol;
9. The Federal Employer Identification Number;
10. A description of the present and any former business engaged in or intended to be engaged in by the enterprise and any parent, holding, intermediary or subsidiary company within the past five years and similar information for former businesses for the past 10 years;
11. A description of the nature, type, number of shares, terms, conditions, rights and privileges of all classes of stock issued by the enterprise, if any, and the amount outstanding of each, or which the enterprise plans to issue;
12. The name, address, date of birth (if appropriate), class of non-voting stock, number and percentage of shares held by each person or entity having a beneficial interest in any non-voting stock;
13. The name, home address, date of birth, current title or position and, if applicable, number of shares and class of stock and percentage of ownership for the following persons:
  - i. Each officer, director or trustee;
  - ii. Each partner whether general, limited or otherwise;

- iii. A sole proprietor;
  - iv. Each natural person or entity that directly or indirectly holds any beneficial or ownership interest of five percent or more of the entity completing the form;
  - v. Each sales representative or other person who will regularly solicit business from a casino licensee;
  - vi. Each management person who supervises a regional or local office which employs sales or junket representatives or other persons who regularly solicit business from a casino hotel;
  - vii. Any other person not otherwise specified in (a)13i through vi above who has signed or will sign any agreement with a casino licensee;
  - viii. Each natural person who indirectly holds any beneficial or ownership interest of 10 percent or more of an applicant for a junket enterprise license; and
  - ix. If a junket enterprise, each junket representative who will deal directly with casino licensees and their employees;
14. A flow chart which illustrates the ownership of any other enterprise which holds an interest in the filing enterprise;

15. The name, last known address, date of birth, position, dates the position was held, and reason for leaving for any former officers or directors who held such office during the preceding 10 years;
16. The annual compensation of each partner, officer, director and trustee;
17. The name, home address, date of birth, position, length of time employed and the amount of compensation of each person, other than the persons identified in (a)13 above, who is currently expected to receive annual compensation of more than \$300,000;
18. A description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans in existence or to be created by the enterprise;
19. If the enterprise is a partnership, a description of the interest held by each partner, whether limited or general, amount of initial investment, amount of additional contribution, amount and nature of any anticipated future investments, degree of control of each partner, percentage of ownership of each partner, and method of distributing profits to each partner;
20. A description of the nature, type, terms, covenants, and priorities of all outstanding debt and the name, address and date of birth of

each debt holder or security holder, type and class of debt instrument held, original debt amount and current debt balance;

21. A description of the nature, type, terms and conditions of all securities options;
22. Within the last 10 years, the following information for each account held by a bank, savings and loan association or other financial institution, whether foreign or domestic, in the name of the enterprise or its nominee or which is otherwise under the direct or indirect control of the enterprise:
  - i. The name and address of the financial institution;
  - ii. The type of account;
  - iii. The account numbers; and
  - iv. The dates held;
23. A description of the top 10 dollar value contracts or agreements with individuals including name, address and nature of the contract or goods or service provided during the past year;
24. The name and address of each company in which the enterprise holds stock, type of stock held, purchase price per share, number of shares held, and percentage of ownership indicating any holding of five percent or more of ownership held;

25. Information regarding any transaction during the past five years involving a change in the beneficial ownership of the enterprise's securities on the part of an officer or director who owned more than 10 percent of any class of equity security either directly or indirectly;
26. A description of any civil, criminal, administrative and investigatory proceedings in any jurisdiction in which the enterprise or its subsidiaries have been involved as follows:
  - i. Any arrest, indictment, charge or conviction for any criminal or disorderly persons offense;
  - ii. Any criminal proceeding in which the enterprise or its subsidiaries has been a party or has been named as an unindicted co-conspirator;
  - iii. Existing civil litigation if damages are reasonably expected to exceed \$100,000, except for claims covered by insurance;
  - iv. Any judgment, order, consent decree or consent order entered against the enterprise pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any state, province or country; and

- v. Any judgment, order, consent decree or consent order entered against the enterprise pertaining to a violation or alleged violation of any other state or Federal statute, regulation or code which resulted in the imposition of a fine or penalty of \$50,000 or more;
- 27. Within the last 10 years, for the enterprise and any holding or intermediary company, information regarding any judgments or petitions by or against it for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law, and any receiver, fiscal agent, trustee, reorganization trustee, or similar officer appointed for the property or business of the enterprise or its parent, any holding, intermediary or subsidiary company;
- 28. Within the last 10 years, whether the enterprise has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the disposition, the reasons therefor, and the facts related thereto;
- 29. Whether the enterprise has ever applied for a license, permit or authorization to participate in any lawful gaming operation in this State or any other jurisdiction, the agency and its location, date of

application, the nature of the license permit or authorization,  
number and expiration date;

30. Within the last 10 years, whether the enterprise or any director, officer, partner, employee or person acting for or on behalf of the enterprise has made bribes or kickbacks to any employee, company, organization or government official, foreign or domestic, to obtain favorable treatment or to obtain a competitive advantage;
31. Within the last 10 years, whether the enterprise has:
  - i. Donated or loaned its funds or property for the use or benefit of or in opposing or supporting any government, political party, candidate or committee, either foreign or domestic;
  - ii. Made any loans, donations or disbursements to its directors, officers, partners or employees for the purpose of making political contributions or reimbursing such individuals for political contributions either foreign or domestic; or
  - iii. Maintained a bank account or other account, either foreign or domestic, not reflected on its books or records,

or maintained any account in the name of a nominee for the enterprise;

32. The names and addresses of any current or former directors, officers, partners, employees or third parties who would have knowledge or information concerning (a)30 and 31 above;
33. A copy of each of the following:
  - i. Annual reports for the past five years;
  - ii. If the enterprise is a corporation registered under the Securities Act of 1933 or the Securities Exchange Act of 1934, any annual reports prepared within the last five years on Form 10K pursuant to the Securities Exchange Act of 1934;
  - iii. An audited financial statement for the last fiscal year, including, without limitation, an income statement, balance sheet and statement of sources and application of funds, and all notes to such statements and related financial schedules;
  - iv. Copies of all annual financial statements, whether audited or unaudited, prepared in the last five fiscal years, any exceptions taken to such statements by an independent auditor and the management response thereto;

- v. Any current report prepared due to a change in control of the enterprise, an acquisition or disposition of assets, a bankruptcy or receivership proceeding, a change in the enterprise's certifying accountant or any other material event, or, if the enterprise is registered with the SEC, a copy of the most recently filed Form 8K;
  - vi. The most recent Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934; and
  - vii. Registration Statements filed in the last five years pursuant to the Securities Act of 1933;
34. An organizational chart of the enterprise, including position descriptions and the name of the person holding each position;
35. Copies of all Internal Revenue Forms 1120 (corporate income tax return), all Internal Revenue Forms 1065 (partnership return) or all Internal Revenue Forms 1040 (personal return) filed for the last five years; and
36. A copy of a business registration certificate or other proof of valid business registration with the Division of Revenue in the New Jersey Department of the Treasury.

(b) In addition to the information in (a) above, a completed BED CSI shall include the following documents, which shall be dated and signed by either the president, chief executive officer, partners, general partner, sole proprietor or other authorized person and notarized:

1. An Affidavit of Truth;
2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the enterprise as requested by the Division; and
3. An acknowledgment of receipt of notice regarding confidentiality, consent to search and non-refundability of filing fees.

**13:69A-5.16 Casino Hotel Alcoholic Beverage License Application**

(a) A Casino Hotel Alcoholic Beverage (CHAB) Application shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant;
2. The permanent address and telephone number of the applicant;
3. The Atlantic City address and telephone number of the applicant;
4. The name, address and telephone number of a person to be contacted in reference to the application;
5. The name, address and telephone number of the attorney of record;
6. The Federal Employer Identification Number;
7. The date of an application for the issuance of a CHAB Enterprise or, prior to February 2011, of a non-gaming related casino service industry license was filed;
8. A description of the primary and additional uses, hours of operation, and type of CHAB authorization for each location within the facility where alcoholic beverages are to be served;
9. The address of any off-premises facility that will be used for the storage of alcoholic beverages and a copy of the license for the

facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not been issued;

10. A description of where the casino hotel alcoholic beverage license will be displayed;
11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, intermediary company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey or any other jurisdiction and the percentage of that interest;
12. The names of all parties to any lease agreement between the applicant and a casino licensee;
13. Any management agreement, profit-sharing, franchise agreement or service agreement related to the operation of a proposed licensed CHAB facility, whether written or unwritten;
14. A listing of prospective employees containing the information in N.J.A.C. 13:69I-2.3(c), which listing is to be filed 21 days before the business or enterprise commences operations; and

15. An architectural blueprint drawn to one-eighth inch scale or such other scale approved by the Division.

(b) In addition to the information in (a) above, a completed CHAB application form may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the applicant is a corporation, the president or any other authorized officer;
  - ii. If the applicant is a partnership, each partner;
  - iii. If the applicant is a limited partnership, each general partner;
  - iv. If the applicant is a sole proprietorship, the sole proprietor; or
  - v. If the applicant is any other business form, any authorized officer.

**13:69A-5.17 Casino Hotel Alcoholic Beverage License Resubmission**

(a) A Casino Hotel Alcoholic Beverage Resubmission shall be in a format prescribed by the Division and may require the licensee to provide the following information:

1. Any official or trade name used by the applicant;
2. The permanent address and telephone number of the applicant;
3. The Atlantic City address and telephone number of the business or enterprise;
4. The name, address and telephone number of a person to be contacted in reference to the application;
5. The name, address and telephone number of the attorney of record;
6. The Federal Employer Identification Number;
7. The Vendor Identification Number and Casino Hotel Alcohol Beverage casino service industry license number;
8. A description of the primary and additional uses, hours of operation and type of CHAB authorization for each location within the facility where alcoholic beverages are served;
9. The address of any off-premises facility that is or will be used for the storage of alcoholic beverages and a copy of the license for

the facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not yet been issued;

10. A description of where the CHAB license is displayed;
11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, intermediary company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey or any other jurisdiction and the percentage of that interest;
12. The names of all parties to any lease agreement between the CHAB licensee and a casino licensee;
13. Any management agreement, profit-sharing, franchise agreement or service agreement related to the operation of proposed licensed CHAB facility, whether written or unwritten;
14. A current listing of all employees of the licensee pursuant to N.J.A.C. 13:69I-2.3(c);
15. A listing of all alcoholic beverage enterprises, including wholesale distributors, suppliers and manufacturers, with which the licensee conducted business during the previous license term;

16. Within the past five years or since the time of the last submission, any changes to the following:
  - i. Any authorized casino hotel alcoholic beverage locations, which may include a detailed and architectural blueprint drawn to a one-eighth inch scale or such other scale approved by the Division;
  - ii. Organizational structure, which may include the names, addresses and telephone numbers of newly-acquired entities or persons associated with the CHAB licensee; or
  - iii. Lease agreements, which may include the expiration of any such lease agreements;
17. A detailed description of any other written or verbal agreements in effect between the CHAB licensee and any casino licensee during the past five years;
18. The total amount of compensation and a description of the method of calculation paid pursuant to any agreement with a casino licensee; and
19. The total amount of alcoholic beverage sales for the period commencing from the date the CHAB license was granted or the last five-year period and ending within 30 days of the date when this application is filed.

(b) In addition to the information in (a) above, a completed CHAB Resubmission may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the licensee is a corporation, the president or any other authorized officer;
  - ii. If the licensee is a partnership, each partner;
  - iii. If the licensee is a limited partnership, each general partner;
  - iv. If the licensee is a sole proprietorship, the sole proprietor;  
or
  - v. If the licensee is any other business form, any authorized officer.

**13:69A-5.18 Casino Hotel Alcoholic Beverage Permit Application**

(a) A Casino Hotel Alcoholic Beverage (CHAB) Permit Application shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. The type of permit requested;
2. The name, address and telephone number of the organization or business applying for the permit;
3. The name, address and telephone number of a person to be contacted in reference to the permit;
4. Documentation to prove eligibility for a permit, which may include the following:
  - i. The Federal or State tax exemption number;
  - ii. A copy of the applicant's certificate of incorporation;
  - iii. A copy of the applicant's charter, constitution or bylaws;  
or
  - iv. Any other information the Division may deem appropriate;
5. If previously issued a CHAB license, information, including the date and place of the most recent event;

6. If currently licensed, a copy of the 12-digit New Jersey Alcoholic Beverage License or a Bureau of Alcohol, Tobacco, Firearms and Explosives permit;
7. The name of the CHAB licensed facility and the room location where the event will take place;
8. The dates and times when the permit will be in effect;
9. A description of the circumstances, events or purpose for which the permit is requested and supporting documentation, as requested;
10. A description of the activities and the job titles and responsibilities of employees that will involve the sale, service, delivery, or storage of alcoholic beverages;
11. A listing of the alcoholic beverages required for the event and a description of how they will be purchased;
12. A list of the suppliers of the alcoholic beverages;
13. A description of any fees charged and how the proceeds will be collected and used;
14. A description of the measures to be taken to ensure that persons under the legal age do not consume alcohol;
15. A summary of what will take place during the event;

16. An inventory report filed within ten days of the event;
17. An acknowledgement of the conditions and terms of the permit,  
signed and dated by a representative of the applicant; and
18. A certification and agreement signed and dated by a  
representative of the CHAB licensee where the event will be held.

**13:69A-5.19 Internet Gaming Permit Application**

(a) An Internet Gaming Permit Application (IGPA) shall be in a format prescribed by the Division and include the following:

1. The date of filing;
2. The name of the casino licensee or applicant for casino licensee;
3. The name, title, and telephone number of the contact person;
4. Whether the application is for an initial application or renewal; and
5. The signature of an authorized officer of the applicant.

(b) A renewal of an IGPA shall be filed 60 days prior to the expiration of a licensee's current Internet gaming permit.

(c) An IGPA and any renewal thereof shall be filed, accompanied by the appropriate fee, with the Division's Intake Unit.

**SUBCHAPTER 6. (RESERVED)**

## **SUBCHAPTER 7. INFORMATION**

### **13:69A-7.1 Affirmative responsibility to establish qualifications**

It shall be the affirmative responsibility and continuing duty of each applicant, licensee and registrant to produce such information, documentation and assurances as may be required to establish by clear and convincing evidence his or her qualifications, including United States citizenship, lawful status granted by the United States Department of Homeland Security, Citizenship and Immigration Services, or authorization to work in the United States, in accordance with the Act and rules of the Division. No application shall be granted to any applicant who fails to so prove his or her qualifications. The loss of United States citizenship, lawful status from the United States Department of Homeland Security, Citizenship and Immigration Services, or authorization to work in the United States shall be a basis for denial or revocation of registration or any other approval issued by the Division or Commission.

**13:69A-7.1A Application for the issuance of registrations, licenses and natural person qualification**

(a) An application for the initial issuance of a registration, license or for individual qualification shall include the following:

1. A completed original of the appropriate Personal History Disclosure (PHD) Form, as follows:
  - i. An applicant for a casino employee registration shall file a PHD-3 as set forth in N.J.A.C. 13:69A-5.5;
  - ii. An applicant required to qualify pursuant to N.J.S.A. 5:12-85.1a, b or e by virtue of his or her position with a casino licensee or applicant shall file the PHD Form required by N.J.A.C. 13:69C-2.6;
  - iii. An applicant required to qualify pursuant to N.J.S.A. 5:12-85.1c by virtue of his or her position with a holding company or intermediary company of a casino licensee or applicant shall file the PHD Form required by N.J.A.C. 13:69C-2.7;
  - iv. An applicant required to qualify pursuant to subsections 92a and b of the Act by virtue of his or her position with a casino service industry enterprise or junket enterprise shall file a Multi-Jurisdictional Personal History Disclosure

Form and New Jersey Supplemental Form as set forth in N.J.A.C. 13:69A-5.2 and 5.2A, respectively; and

- v. An applicant required to qualify pursuant to N.J.S.A. 5:12-93 by virtue of his or her position with a labor organization or affiliate shall file a Labor Organization Individual Disclosure Form as set forth in N.J.A.C. 13:69A-5.14;
- 2. The documents required for identification by N.J.A.C. 13:69A-7.2A;
- 3. A photograph of the applicant, taken within the preceding 12 months, which shall be attached to the original disclosure form;
- 4. Proof of fingerprinting in accordance with N.J.A.C. 13:69A-7.7; and
- 5. Any applicable fee required by N.J.A.C. 13:69A-9.8 through 9.16.

(b) Each applicant shall file a complete application pursuant to (a) above with the Division by mail or in person at the address specified on the application form.

(c) No application shall be accepted for filing unless the applicant is eligible for employment pursuant to N.J.A.C. 13:69A-1.3 and such application includes all materials required by (a) above, completed in accordance with the requirements of the Act and the rules of the Division and any instructions included with the disclosure form.

**13:69A-7.1B Application for casino employee registration; filing requirements**

(a) A completed application for casino employee registration as set forth in N.J.A.C. 13:69A-7.1A shall be filed as follows:

1. The applicant for registration may provide the casino licensee or applicant for casino license with his or her written authorization to file the application on his or her behalf; or
2. The applicant for registration may submit the completed application directly to the Division by mail or in person at the address specified on the application form.

**13:69A-7.1C Duration of registrations**

- (a) Casino employee registrations shall be issued for an indefinite term.
- (b) If a casino employee registrant has not been employed in a position with a casino hotel facility for a period of three years, the registration of that casino employee shall lapse.
- (c) If a vendor registrant has not conducted business with a casino hotel facility for three years, the registration of that vendor shall lapse.
- (d) Notwithstanding (a) through (c) above, a casino employee registration may be given a conditional expiration date to coincide with any employment authorization issued by the United States Department of Homeland Security, Citizenship and Immigration Services.
- (e) A license or registration issued with a conditional expiration date pursuant to (d) above may be extended upon the presentation of proof of United States citizenship, or upon proof of authorization to work in the United States in accordance with N.J.A.C. 13:69A-1.3.
- (f) Unless extended pursuant to (e) above, a casino employee registration with a conditional expiration date shall expire on that date.

**13:69A-7.2 Duty to disclose and cooperate**

It shall be the affirmative responsibility and continuing duty of each applicant, licensee, registrant and qualifier to provide all information, documentation and assurances pertaining to qualifications required or requested by the Division and to cooperate with the Division in the performance of its duties. Any refusal by any such person to comply with a formal request for information, evidence or testimony shall be a basis for denial, revocation or disqualification. No application shall be granted to any applicant who fails to provide information, documentation and assurances required by the Act or requested by the Division or who fails to reveal any fact material to qualification.

### **13:69A-7.2A Identification**

(a) Each natural person who seeks to apply for a license or registration under the Act, obtain a license credential, modify his or her credential in any manner or obtain employment as a CHAB employee pursuant to N.J.A.C. 13:69A-8.11 shall establish his or her identity to a reasonable certainty.

(b) A natural person may establish his or her identity pursuant to (a) above by providing either:

1. One of the following authentic documents:
  - i. A current and valid United States passport;
  - ii. A Certificate of United States Citizenship, or a Certificate of Naturalization, issued by the United States Department of Homeland Security, Citizenship and Immigration Services (USCIS); or
  - iii. A current and valid identification card issued by the USCIS containing a photograph or fingerprints and identifying information such as name, date of birth, sex, height, color of eyes and address; or
2. A certified copy of a birth certificate issued by a state, county or municipal authority in the United States bearing an official seal, and any one of the following authentic documents:

- i. A current and valid driver's license containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;
- ii. A current and valid identification card issued to persons who serve in the United States military or their dependents by the United States Department of Defense containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;
- iii. A current and valid student identification card containing a photograph, an expiration date, the seal or logo of the issuing institution, and the signature of the card holder;
- iv. A current and valid identification card issued by a Federal, state or local government agency containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address; or
- v. A current and valid casino employee or casino key employee license, a casino employee or casino key employee license that expired within the last five years, or a valid casino service employee registration issued after February 2003; or

3. A current and valid foreign passport with an employment authorization issued by the USCIS, and any one of the following authentic documents:
  - i. A current and valid driver's license containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;
  - ii. A current and valid identification card issued to persons who serve in the United States military or their dependents by the United States Department of Defense containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;
  - iii. A current and valid student identification card containing a photograph, an expiration date, the seal or logo of the issuing institution, and the signature of the card holder;
  - iv. A current and valid identification card issued by a Federal, state or local government agency containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address; or
  - v. A current and valid casino employee or casino key employee license, a casino employee or casino key employee license that expired within the last five years, or

a valid casino service employee registration issued after February 2003.

(c) Any person whose current legal name is different from the name on his or her certified birth certificate (for example, maiden name) must show legal proof of the name change. Legal proof accepted is a certified marriage or civil union certificate, divorce decree or court order linking the new name with the previous name. Note: A divorce decree may be used as authority to resume using a previous name only if it contains the new name and permits a return to use of the previous name.

(d) Any person required to establish his or her identity pursuant to (a) above who is not a United States citizen shall also be required to demonstrate that he or she is authorized to work in the United States in accordance with N.J.A.C. 13:69A-1.3(a).

(e) Any natural person may request that the Division change the name designated on his or her application, license or registration by establishing identity pursuant to (b) above or by providing a certified copy of certificate of marriage, a divorce decree or court order from this or any other state, which evidences the requested name change.

(f) Any person whose application or name change is not accepted for failure to meet the requirements of (b) or (c) above may request a hearing in accordance with N.J.A.C. 13:69B-2.3.

**13:69A-7.3 Duty to promptly furnish information**

It shall be the duty of each applicant to promptly furnish all information, documentation, assurances, consents, waivers, fingerprint impressions, photographs, handwriting exemplars or other materials required or requested by the Division. Failure to furnish same within five days after receipt of request therefore shall constitute grounds for delaying consideration of the application.

**13:69A-7.4 Consent to inspections, searches and seizures**

Each applicant, licensee, registrant, holding company and intermediary company shall consent in writing to inspections, searches and seizures authorized by law.

**13:69A-7.5 Waiver of liability for disclosure of information**

Each applicant, licensee, registrant and person required to be qualified shall, in writing, waive liability as to the State of New Jersey and its instrumentalities and agents for any damages resulting from any disclosure or publication of any material or information acquired during the license consideration process or during any inquiries, investigations or hearings.

**13:69A-7.6 Consent to examination of accounts and records**

Each applicant, licensee, registrant and person required to qualify shall, in writing, consent to the examination of all accounts, bank accounts and records in his possession or under his control and authorize all third parties in possession or with control of such accounts or records to allow such examination thereof as may be deemed necessary by the Division.

**13:69A-7.7 Fingerprinting**

(a) Each applicant, licensee, registrant and natural person required to be qualified shall be fingerprinted under the supervision of the Division without charge. The Division may, for good cause shown, permit an applicant to alternatively submit three sets of classifiable fingerprints on fingerprint impression cards provided by the Division.

(b) Nothing in this section shall relieve a natural person who submits fingerprints pursuant to (a) above from the continuing duty imposed pursuant to N.J.A.C. 13:69A-7.3 or N.J.S.A. 5:12-78.

**13:69A-7.8    Photographing**

Each applicant, licensee, registrant and natural person required to be qualified shall be photographed by the Division without charge.

**13:69A-7.9 Handwriting exemplars**

Each applicant, licensee, registrant, intermediary company, holding company and person required to be qualified shall, in writing, consent to the supplying of handwriting exemplars in the form and manner directed upon the request of the Division.

### **13:69A-7.10 Oath or affirmation and attorney certification**

All application, registration, business enterprise disclosure and personal history disclosure forms and all other papers relating thereto submitted to the Division by or on behalf of an applicant shall be sworn to or affirmed and subscribed and dated by the applicant and, if different, the author of the said form or paper before a person legally competent to take an oath or affirmation, who shall himself subscribe and date the signature of the affiant and indicate the basis of his authority to take oaths or affirmations. The following statement shall immediately precede the signature of the affiant: "I swear (or affirm) that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment". The affiant, if requested, shall again swear to or affirm and subscribe and date any such paper in the presence of a representative of the Division. If required by the applicable form, each such form and papers also shall be signed by the applicant's attorney of record, if any, which shall constitute a certification by him that he has read the said paper and that, to the best of his knowledge, information and belief, its contents are true.

**13:69A-7.11 Untrue information**

The Division shall deny a license or registration to any applicant who shall supply information to the Division which is untrue or misleading as to a material fact pertaining to the qualification criteria.

**13:69A-7.12 Signatures**

(a) All application, registration, business enterprise disclosure and personal history disclosure forms shall be signed by any of the following persons:

1. If of a corporation, by its president, its chairman of the board, any other chief executive officer thereof, its secretary or its treasurer;
2. If of a partnership, by any of its partners; if a limited partnership, only by one of its general partners;
3. If of any other business enterprise, organization or association or of a governmental agency, by its chief executive officer, its secretary or its treasurer; and
4. If of a natural person, by the person himself or herself.

**13:69A-7.13 Form of signature**

All signatures shall be signed in ink and dated on all original papers, but may be photocopied, typed, stamped or printed on any copies of such papers. The name and address of the signatory shall be typed, stamped or printed beneath each signature.

**13:69A-7.14 Duty to submit English translation of documents in foreign language**

Any registrant, applicant, qualifier or licensee that submits a document which is in a language other than English to the Division with an application or in response to a Division request for information shall, at the request of the Division, also submit an English translation of the non-English language document, except that the Division may permit the submission of an English summary in lieu of a complete translation. The translation or summary shall be printed or typed and shall include the signature, printed or typed name, address and telephone number of the person performing the translation or summary.

**13:69A-7.15 Format of papers**

All application papers submitted to the Division shall be on paper approximately 8 1/2 by 11 inches in size of customary weight and quality and bound on the left margin or upper left corner in volumes not to exceed 150 sheets. Where larger sheets are required for exhibits, they shall be folded substantially to the size indicated. All such papers, unless printed, shall be typed in a type size of pica or larger and double-spaced with margins of at least one inch. Copies may be reproduced by any method capable of providing plainly legible copies.

**13:69A-7.16 Number of copies**

(a) Unless otherwise specified by Division rules, an applicant for any license or registration required by the Act shall file an original of each application and all papers submitted as a part thereof.

(b) Additional conformed copies of any such papers shall be supplied upon request of the Division.

**13:69A-7.17 Disclosure requirements for legal, consulting, and lobbying services related to Internet gaming**

(a) Pursuant to section 85h of the Act, each entity or person who is an applicant for or holder of any license, registration, permit, or qualification shall provide an Internet Gaming Disclosure Statement to the Division no later than December 31, 2013 and quarterly thereafter. Each new applicant for any licensee, registration, permit, or qualification shall file an initial Internet Gaming Disclosure Statement with its application and quarterly thereafter.

(b) The initial Internet Gaming Disclosure Statement shall disclose the required information from July 1, 2009 through the date of the initial statement. The statement shall include the following information:

1. The name of any person, entity, or firm to whom or from whom any payment, remuneration, or other benefit or thing of value has been made or conferred for professional services, including, but not limited to legal, consulting, and lobbying services;

i. For each such person, entity, or firm identified in (a)1 above:

(1) The amount of value of such payment(s), remuneration, benefit, or thing of value;

(2) The date on which such payment(s), remuneration, benefit, or thing of value were made or received; and

(3) The reason or purpose for the procurement of such services.

(c) Quarterly Internet Gaming Disclosure Statements required pursuant to this section shall be due no later than 15 days following the end of each calendar quarter in accordance with the following schedule:

First Quarter	April 15
Second Quarter	July 15
Third Quarter	October 15
Fourth Quarter	January 15

## **SUBCHAPTER 8. APPLICATION AND RESUBMISSION**

### **13:69A-8.1 Receipt**

All application and resubmission papers, unless otherwise directed by the Director, with the exception of an application and resubmission papers for a casino key employee license, shall initially be submitted to and received by the Division, or such members of the Division staff as the Director may designate, who shall cause to be endorsed thereon the date of such receipt.

**13:69A-8.2 Filing**

(a) The Director, or such members of the Division staff as the Director may designate, shall determine the date of filing as to each application and resubmission papers received and shall cause to be endorsed thereon the date of such filing. No application or resubmission papers shall be deemed filed until the applicant, licensee or registrant shall satisfy the Director or the Director's designee:

1. That all papers presented conform to all requirements relating to format, signature, oath or affirmation, attorney certification and copies;
2. That all appropriate application, registration, and business entity disclosure, personal history disclosure and qualifier entity disclosure forms have been properly completed and presented;
3. That all required consents, waivers, fingerprint impressions, photographs and handwriting exemplars have been properly presented;
4. That all other information, documentation, assurances and other materials required or requested at that preliminary stage pertaining to qualifications have been properly presented; and
5. That all required fees have been properly paid and all required bonds have been properly furnished.

**13:69A-8.3 Processing**

(a) Upon a determination that all prerequisites for filing have been met the Director, or such members of the Division staff as the Director shall designate, shall:

1. Accept the application and resubmission papers for filing and cause same to be docketed by the Division's Application Unit;
2. Notify the applicant, licensee, registrant or his or her attorney, if any, in writing, of the fact that the application and resubmission papers have been accepted for filing and docketed, the date of such acceptance for filing and the docket number thereof and of the further fact that such acceptance for filing and docketing of the application and resubmission papers shall constitute no evidence whatsoever that any requirement of the Act or of the rules of the Division have been satisfied;
3. The staff of the Division will analyze, obtain, investigate and evaluate such information of either a factual nature or otherwise as may be necessary to determine the qualifications of the applicant, licensee or registrant and any other matter relating to the application or resubmission papers; and
4. The Division shall have the authority, in its discretion, to publish on the Division's website legally available information regarding any application or resubmission papers that have been filed.

**13:69A-8.4 Public inspection of information**

Information in the possession of the Division relating to any application or resubmission papers shall not be made available for public inspection until such time as said application or resubmission papers are the subject of a public proceeding, provided no sealing is appropriate.

**13:69A-8.5 Amendment**

It shall be the continuing duty of each applicant, licensee and registrant to promptly file with the Director, or such members of the Division staff as the Director shall designate, a written amendment to his or her application, license or registration explaining any new or changed facts or circumstances whenever any material or significant new or changed facts or circumstances occur with respect to any matter set forth in the application, registration, resubmission papers or other documents relating thereto. Any applicant, licensee or registrant may be permitted by the Director or the Director's designee to file any other amendment to his or her application, resubmission or registration at any time prior to final action thereon by the Division or Commission.

**13:69A-8.6 Withdrawal**

(a) Except as otherwise provided in (b) below, a written notice of withdrawal of an application or resubmission papers may be filed by an applicant, licensee or registrant at any time prior to final Division action thereon. No application or resubmission papers shall be permitted to be withdrawn, however, unless the applicant, licensee or registrant shall have first established to the satisfaction of the Division that withdrawal of the application or resubmission papers would be consistent with the public interest and the policies of the Act. The Division shall have the authority to direct that any applicant, licensee or registrant so permitted to withdraw his or her application shall not be eligible to apply again for licensure, registration or approval until after the expiration of one year from the date of such withdrawal. Unless the Division shall otherwise direct, no fee or other payment relating to any application or resubmission papers shall become refundable by reason of withdrawal of the application or resubmission papers.

(b) Where a hearing on an application or resubmission papers has been requested by a party or directed by the Division, the Division shall not permit withdrawal of said application or resubmission papers after:

1. The application or resubmission matter has been transmitted to the Office of Administrative Law;
2. The application or resubmission matter has been assigned to any other hearing examiner authorized by law to hear such matter; or

3. The Division has made a determination to hear the application or resubmission matter directly.

(c) Notwithstanding (a) and (b) above, the Division may accept and consider a written notice of withdrawal after the time specified in this section if the Division is satisfied that there exists extraordinary circumstances justifying withdrawal.

(d) Any person or entity holding a credential issued by the Division, including, without limitation, a casino employee registration, vendor registration, or casino service industry enterprise license, may offer to surrender such credential by written request signed by the credential holder or a person authorized to sign on behalf of an entity. Surrender shall be for a term of five years from the date the request is granted by the Division. No refund of any kind shall be authorized or granted in connection with the surrender of a credential. Surrender shall be granted at the sole discretion of the Division.

**13:69A-8.7 Mootness**

Any application or resubmission papers submitted to the Division shall constitute a request by the applicant, licensee or registrant for a determination as to his or her qualifications in accordance with the Act and rules of the Division. The submission of any application or resubmission papers also constitutes consent by the applicant, licensee or registrant to the making of a determination regarding his or her qualifications by the Division, in its discretion, or Commission, as appropriate, even when the application or resubmission materials become moot for any reason.

**13:69A-8.8 Restriction on application and employment after denial or revocation**

(a) Any person whose license, registration, qualification or approval is denied or revoked by the Division or Commission for failure to satisfy the affirmative qualification criteria of the Act or due to a Division or Commission finding that such person is disqualified pursuant to N.J.S.A. 5:12-86 or both, may not, except as otherwise provided by N.J.A.C. 13:69A-8.9, 8.10 or 8.11, reapply for a license, registration, qualification or approval or, pursuant to N.J.S.A. 5:12-106c, be employed by a casino licensee in a position that does not require a license or registration, until five years have elapsed from the date of denial or revocation. Notwithstanding the foregoing:

1. If the denial or revocation was based upon conviction of a disqualifying offense pursuant to N.J.S.A. 5:12-86c and reapplication is to be evaluated under the standards of N.J.S.A. 5:12-89, reapplication is permitted after the lapse of 10 years from the date of conviction;
2. If the denial or revocation was based on acts constituting a disqualifying offense pursuant to N.J.S.A. 5:12-86c and 86g and reapplication is to be evaluated under the standards of N.J.S.A. 5:12-89, reapplication is permitted after the lapse of 10 years from the date of the conduct in question; and
3. If the Division approves an agreement resolving an application for or a complaint seeking the revocation of a license, registration,

qualification or approval which results in denial or revocation but permits reapplication or casino employment after a stated period of less than five years, eligibility for reapplication or casino employment shall be governed by the terms of the agreement and not by the provisions of this section.

(b) Any person whose license, registration, qualification or approval is denied or revoked by the Division or Commission on the basis of any of the statutory or regulatory provisions in (b)1 through 5 below may reapply for a license, registration, qualification or approval upon satisfaction of the relevant requirements specified below. If the denial or revocation is based upon two or more statutory or regulatory provisions, the Division shall permit reapplication only upon compliance with the requirements of this subsection as to each such provision. Any person seeking to reapply pursuant to this subsection shall file a certified petition stating with particularity how the specified requirements have been satisfied.

1. Failure to demonstrate financial stability pursuant to N.J.S.A. 5:12-89b(1): Reapplication is permitted upon achieving financial stability.
2. Failure to satisfy the residency requirement set forth in N.J.S.A. 5:12-89b(4): Reapplication is permitted upon establishment of a New Jersey residence, or upon a Division finding that such residency will be established before the processing of said reapplication has been completed, or upon a Division finding that

the residency requirement should be waived pursuant to N.J.S.A. 5:12-89b(4).

3. Failure to satisfy the age requirement set forth in N.J.A.C. 13:69A-1.3: Reapplication is permitted upon attaining the requisite age or upon a Division or Commission finding that such age will be attained before the processing of said reapplication has been completed.
4. Pending charges for a disqualifying offense pursuant to N.J.S.A. 5:12-86c and 86d: Reapplication is permitted upon disposition of the pending charges provided the charges do not result in conviction of a disqualifying offense pursuant to N.J.S.A. 5:12-86c.
5. Any statutory or regulatory provision which is subsequently repealed or modified: Reapplication is permitted upon a showing that the subsequent repeal or modification of the statutory or regulatory provision obviates the grounds for denial or revocation and justifies the conclusion that the prior decision should no longer bar reapplication.

**13:69A-8.9 Petition for early reapplication**

(a) Any person who is barred from reapplication for five years pursuant to N.J.A.C. 13:69A-8.8 may petition for permission to reapply at an earlier date by filing a Request to Determine Employment or Reapplication Eligibility Form as set forth in N.J.A.C. 13:69A-5.5B at any time after one year has elapsed from the date of denial or revocation or at such earlier date as the Division may order.

(b) The Division shall grant a petition for early reapplication if it finds that the facts and circumstances presented would be reasonably likely to result in licensure, registration, qualification or approval if considered in the context of a plenary hearing. Factors to be considered by the Division may include, where appropriate, evidence which would support a finding of rehabilitation pursuant to N.J.S.A. 5:12- 91d.

(c) A petition filed pursuant to this section shall specify the type of credential sought.

(d) Notwithstanding (c) above, a petition to reapply for a casino employee registration shall be deemed to include a request for permission to obtain employment in a position which does not require a license or registration.

(e) If the Division denies a petition for early reapplication for any license, registration, qualification or approval, the petitioner shall be restricted from reapplying for such credential pursuant to this section for a period of two years from the date that permission to reapply is denied.

(f) If the Division denies a petition for early reapplication or a petition for permission to obtain employment in a position which does not require a license or registration that was filed pursuant to a settlement agreement in accordance with N.J.A.C. 13:69A-8.8(a)3, the petitioner shall be restricted from filing another petition for early reapplication for a casino employee registration for two years from the date that the petition is denied, notwithstanding any provision of the settlement agreement which may permit the filing of a petition for reapplication at an earlier date.

(g) The filing of a petition for early reapplication must be accompanied by the fee charged for obtaining a casino employee registration as set forth in N.J.A.C. 13:69A-9.15. If a petition is denied as to casino employee registration, no refund of such fee is permitted. If the petition is granted as to casino employee registration, then the fee for obtaining a casino employee registration shall be waived if a registration is filed and is deemed a complete filing within 90 days of the date of the Division's grant or permission to reapply early.

**13:69A-8.10 Petition for permission to obtain employment not requiring a license or registration**

(a) Any person who is barred from employment by a casino licensee for five years pursuant to N.J.S.A. 5:12-106c may petition for permission to obtain employment in a position which does not require a license or registration by filing a Request to Determine Employment or Reapplication Eligibility as set forth in N.J.A.C. 13:69A-5.5B. Such petition may be filed at any time after one year has elapsed from the date of denial or revocation or at such earlier date as the Division may order.

(b) The Division may complete a criminal records check.

(c) The Division may grant a petition filed pursuant to this section if it finds that the facts and circumstances presented establish good cause for relief.

(d) If the Division denies a petition for permission to obtain employment not requiring a license or registration filed pursuant to this section or a request for permission to obtain employment in a position that does not require a license or registration filed pursuant to N.J.A.C. 13:69A-8.9(f), the petitioner shall be restricted from filing another petition pursuant to this section for a period of one year from the date that the petition or request is denied.

(e) A petitioner seeking permission to obtain employment in a position which does not require a license or registration prior to expiration of his or her period of prohibition shall pay a fee to the Division to offset the administrative costs incurred in the processing of such petition. The amount of the fee shall be set forth in N.J.A.C. 13:69A-9.18.

**13:69A-8.11 Petition for permission to obtain employment as a casino hotel alcoholic beverage employee**

(a) Any unlicensed or unregistered person who has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c(1), who is not barred from employment pursuant to N.J.S.A. 5:12-106c, may petition for permission to obtain employment as a casino hotel alcoholic beverage (CHAB) employee by filing a Request to Determine Employment or Reapplication Eligibility as set forth in N.J.A.C. 13:69A-5.5B. Such petition may be filed at any time after one year has elapsed from the date of the conviction or release from incarceration, whichever is later.

(b) The Division may complete a criminal records check.

(c) The Division may grant a petition filed pursuant to this section if it finds that the facts and circumstances presented establish good cause for relief.

(d) If the Division denies a petition for permission to obtain employment as a CHAB employee, the petitioner shall not, except as otherwise provided in (e) below, apply for any license, registration, qualification or approval or, pursuant to N.J.S.A. 5:12-106c, be employed by a casino licensee in a position that does not require a license or registration, until five years have elapsed from the date that the petition is denied.

(e) Any person who is barred from reapplication for five years pursuant to (d) above may file a petition for early reapplication pursuant to N.J.A.C. 13:69A-8.9, a petition for permission to obtain employment in a position which does not require a license or registration pursuant to N.J.A.C. 13:69A-8.10 or a petition for permission to

obtain employment as a CHAB employee pursuant to this section after one year from the date that the petition is denied.

## **SUBCHAPTER 9. FEES**

### **13:69A-9.1 General description of fees and policy**

(a) Under the Act, the Division and Commission are required to be financed exclusively from fees charged each fiscal year to applicants, licensees and registrants. Generally, the Act divides fees into two broad categories: those pertaining to casino licenses and those pertaining to all other forms of licensure or approval. Section 139 of the Act requires the Division to establish, by regulation, fees for the issuance and retention of casino licenses. The statutory basis for the casino license issuance fee is the cost of investigation and consideration of the application. The statutory basis for the casino license resubmission fee is the cost of maintaining the control and regulatory activities of the Division and the Commission. In contrast, Section 141 of the Act requires the Division to establish, by regulation, issuance and retention fees for all non-casino licenses, but indicates no cost basis for establishing such fees.

(b) The differing treatment of these categories reflects a legislative recognition and judgment that casino applicants and licensees benefit directly or indirectly from all aspects of the regulatory process and are best suited to bear the largest share of the costs incurred by the agencies in implementing that process. Moreover, the actual cost of investigating and considering applications for individual employee licenses and casino service industry licenses frequently exceeds the amount which those applicants and licensees may fairly be required to pay as fees. The fee structure established by this subchapter is designed to respond to these policies and problems.

(c) To the extent fairly possible, each applicant or licensee should pay the investigatory or regulatory costs attributable to that applicant or licensee. However, since individual employees and casino service industry enterprises cannot always be expected to cover the full amount expended, there will be an amount of the annual combined budgets of the agencies which will not be recoverable through specified fees for particular services. This amount cannot be predicted with precision because of the necessarily variable allocation of Division and Commission efforts.

(d) Given the mandate of the Act to recover the cost of maintaining control and regulatory activities from casino license retention fees and given the fact that all such activities are undertaken for the direct or indirect benefit or protection of casino operations, the obligation to supply additional funds necessary to recover the otherwise uncollected expenditures of the agencies should be allocated among the licensed casino facilities.

(e) In the event that the Casino Control Fund has a surplus as of the close of a fiscal year, other than a surplus due to estimated payments against an expected deficiency, the surplus should be credited to the extent possible to the individual licensees who made the surplus payments. Since, as noted in (c) above, fees charged to persons other than casino licensees are no more than and frequently less than the actual cost of the investigatory and regulatory services actually attributable to them and since the casino licensees, through various hourly and other charges, contribute the overwhelming majority of all fees generated by the agencies, any surplus in the Casino Control Fund may be attributable to payments made by the casino licensees. Further,

since it is not feasible to ascertain precisely the source of the surplus due to the variety of charges levied against the casino licensees and the numerous variables affecting the revenues and expenditures of the agencies, it is reasonable and equitable to distribute the surplus by granting credit to the casino licensees against future fee obligations and to allocate the credit among the licensees in proportion to the relative amount of total fees incurred or paid by each casino licensee with respect to the fiscal year.

**13:69A-9.2 Fiscal year**

For purposes of this subchapter, a fiscal year shall be the period commencing on July 1 and ending the subsequent June 30.

### **13:69A-9.3 Payment of fees and civil penalties**

(a) No application shall be accepted for filing by the Division or processed by the Division except upon proper and timely payment of all required fees and civil penalties in accordance with the Act and the rules of the Division. Any portion of a fee which is incurred or determined after the filing of the application or resubmission papers or which is estimated in accordance with this subchapter, and any civil penalty imposed by the Division, shall be payable upon demand made by the Division. Failure to promptly remit any amount so demanded shall be deemed a failure to timely pay the required fee or civil penalty unless the Division finds cause to permit an extension of time in which to remit the demanded amount.

(b) Any fee or civil penalty required to be paid in accordance with this subchapter or pursuant to an order of the Division shall be paid before the Division shall consider the application for issuance or retention of licensure, unless the Division finds cause to permit an extension of time in which to pay such fee or civil penalty.

(c) All fees and civil penalties shall be paid by check or money order made payable, in the case of fees, to the "Casino Control Fund" and in the case of civil penalties to the "Casino Revenue Fund." The Division also may accept credit cards and debit cards for payment of any fee or civil penalty that does not exceed \$5,000. No check, credit card or debit card so presented shall be deemed payment until the Division shall be satisfied that the appropriate funds have been credited to the Division's account.

(d) Unless otherwise directed by the Division, all payments of fees or civil penalties received from licensees, registrants or applicants shall be credited against, in chronological order (the oldest shall be paid first), any outstanding debts for fees or civil penalties that the person owes pursuant to the Act and the rules of the Division.

(e) A required fee or civil penalty shall be considered paid only if the Division is satisfied that the person obligated to pay the fee or civil penalty owes no other debts for fees or civil penalties.

(f) Any required fee or civil penalty that a person fails to pay despite demand therefore shall constitute cause for the Division to take the following administrative actions, as applicable, with regard to such person:

1. Dismiss any application or resubmission papers submitted by such person;
2. Suspend any license or registration held by such person;
3. Suspend any permission granted to such person pursuant to N.J.A.C. 13:69A-8.10 or 8.11;
4. Prohibit the filing of an application for or retention of any license or registration;
5. Prohibit employment by a casino licensee or applicant in a position that does not require a license or registration;

6. Prohibit the transaction of any direct or indirect business with a casino licensee or applicant;
7. Prohibit the holding of a position with any casino service industry enterprise licensee or applicant for which such person would be required to establish his or her qualification pursuant to N.J.S.A. 5:12-92b; and
8. Prohibit the holding of a position with any casino licensee for which such person would be required to establish his or her qualification pursuant to N.J.A.C. 13:69C-2.2.

(g) The provisions of (f) above shall apply without regard to whether the license or registration was issued, the permission was granted, the application was submitted or the Vendor Registration Form was filed before the debt arose.

**13:69A-9.4 Casino license fees**

(a) For the purposes of this section, the following words and terms shall have the meanings herein ascribed to them unless a different meaning clearly appears from the context:

1. "Casino license" means a plenary casino license issued under Section 87 of the Act;
2. "Licensed casino facility" means a casino hotel facility as to which a casino license has been issued to authorized gaming operations;
3. "Casino operator" means a casino licensee is designated as the primary obligor for payment of gross revenues taxes and Internet gaming revenue taxes in accordance with N.J.A.C. 13:69L;
4. "Internet gaming permit fee" means the total fee that is required by the Act and this subchapter to be paid prior to issuance or renewal of an Internet gaming permit;
5. "Initial license fee" or "issuance fee" means the total fee, which is required by the Act and this subchapter to be paid prior to consideration or issuance of a plenary casino license to an unlicensed applicant and which is based upon the cost of investigating and considering the application; and
6. "Responsible Internet Gaming Fee" means the total fee that is required by the Act and this subchapter to be paid annually to the Department of Human Services and allocated pursuant to N.J.S.A. 5:12-95.29.d.

(b) No application for the issuance or retention of a casino license or an Internet gaming permit shall be accepted for filing by the Division unless a nonrefundable deposit of \$100,000 shall first have been paid in full for each application. For a casino license, such deposit shall be applied to the initial license fee or retention fee. For the issuance or renewal of an Internet gaming permit, such deposit shall be applied to the initial permit fee or renewal fee.

(c) No casino license shall be issued unless the applicant shall first have paid in full an issuance fee of not less than \$200,000. No initial Internet gaming permit shall be issued unless the applicant shall first have paid in full a permit fee of not less than \$400,000 and a Responsible Internet Gaming Fee of \$250,000. No Internet gaming permit shall be renewed unless the permit holder shall first have paid a renewal fee of not less than \$250,000 and an annual Responsible Internet Gaming Fee of \$250,000. The Responsible Internet Gaming Fee shall be deposited into the State General Fund pursuant to the Act.

(d) Each applicant, licensee, or permit holder shall be required to pay for the efforts of the Division and the Commission on matters directly related to the applicant, licensee, or permit holder at hourly rates to be set by the Division in accordance with this subsection, and to reimburse any unusual costs or out-of-pocket expenses incurred by the Division or the Commission in regard to such matters.

1. Prior to the start of each fiscal year, the Division shall determine the hourly fee rates to be paid by licensees, applicants, and permit holders pursuant to this subchapter. These rates shall be

based upon the hourly costs of services provided by Division professional staff and the Commission professional staff during the fiscal year, as estimated from the projected fiscal year budget for the Division and the Commission.

2. The projected hourly fee rates established pursuant to (d)1 above may be adjusted by the Division during the fiscal year based upon the final fiscal year budget approved for the Division and the Commission by the Legislature.
3. Notice of the hourly fee rates established pursuant to (d)1 above shall be published in the New Jersey Register.

(e) A licensed casino facility shall be required to pay a share of the amount of any liability of the Casino Control Fund existing as of the close of business on June 30 of each fiscal year. The share for each licensed casino facility shall be the amount which bears the same proportion to the total liability of all licensees as the proportion which that licensed casino facility's average daily authorized casino room and casino simulcasting facility square footage bears to the total average daily authorized casino room and casino simulcasting facility square footage for all licensed casino facilities. For purposes of this calculation any part of a calendar day shall be considered a full day. Any days during which a necessary casino license or operation certificate for a licensed casino facility has been suspended shall also be counted in determining the share of such facility. Further, the operation of the facility by a conservator or trustee shall be deemed continued operation by the casino operator for these purposes. The obligation

to pay the assessed share of a licensed casino facility shall be that of the casino operator; provided, however, that if a change of casino operators occurs during the fiscal year, each such operator shall be liable for an amount of the share apportioned according to the time during which each operator functioned. Any share calculated in accordance with this section shall be paid in full by December 31 of the year following the fiscal year. The Division may estimate from time to time during the fiscal year the share for each licensed casino facility incurred to that time and require payment of such estimated share on a monthly or other periodic basis during the fiscal year.

**13:69A-9.5 Fees for testing of gaming and simulcast wagering equipment and related devices and software**

(a) Any person seeking to have prototype gaming or simulcast wagering equipment or related devices or software approved pursuant to N.J.A.C. 13:69E shall be required to pay the following fee:

1. An initial minimum charge of \$500.00, which shall be credited to the total fee;
2. Payment for the efforts of the Division on matters directly related to the examination, testing and consideration of the prototype at hourly rates to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d); and
3. Payment for all unusual or out-of-pocket expenses incurred by the Division for matters directly related to the examination, testing and consideration of the prototype.

**13:69A-9.6 Slot machine fees**

In addition to any other tax or fee imposed by the Act or the rules of the Division and as required by Section 140 of the Act, each casino operator shall pay an annual license fee of \$500.00 upon every slot machine maintained for use in or in use in the licensed casino establishment. The annual slot machine license fee shall be imposed as of the first day of July of each year with regard to all slot machines maintained for use or in use on that date, and a pro rata basis thereafter during the year with regard to all slot machines maintained for use or placed in use after July 1.

**13:69A-9.7 Casino hotel alcoholic beverage licenses**

(a) Under Section 103(f) of the Act, no business may expose for sale, solicit or promote the sale of, possess with intent to sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages in, on or about any portion of the premises of a casino hotel unless said business possesses an appropriate casino hotel alcoholic beverage license.

(b) The fee for the issuance or retention of a casino hotel alcoholic beverage license for a casino licensee conducting alcoholic beverage activity in a casino hotel shall be assessed as follows:

1. Payment for the efforts of the Division on matters directly related to the casino hotel alcoholic beverage license or application at hourly rates to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d); and
2. Payment for any unusual or out-of-pocket expenses incurred by agents or employees of the Division on matters directly related to the casino hotel alcoholic beverage license or application.

(c) The fee for the issuance or retention of a casino hotel alcoholic beverage license for a casino hotel alcoholic beverage casino service industry enterprise licensee which is not affiliated with any casino licensee shall be \$1,000 for each location approved by the Division for any or all of the activities listed in Section 103(g) of the Act.

(d) The fee for the issuance or retention of a restricted brewery authorization shall be assessed as follows:

1. For a casino licensee, in accordance with (b) above; and
2. For a casino hotel alcoholic beverage casino service industry enterprise licensee which is not affiliated with any casino licensee, a fee of \$1,000.

(e) The fee for the issuance of any permit or approval required by the Act or Title 33 of the Revised Statutes for alcoholic beverage activity which is not included within a casino hotel alcoholic beverage license shall be assessed:

1. For a casino licensee, in accordance with (b) above; and
2. For all other persons, at a rate of \$50.00 per day.

**13:69A-9.8 Casino service industry enterprise license fee**

(a) In accordance with subsections 92a and b of the Act, all casino service industry enterprises offering goods and services that directly relate to casino, simulcast wagering, gaming activity, or Internet gaming activity, including gaming equipment manufacturers, suppliers, and repairers, independent testing laboratories, junket enterprises, and junket representatives and any person employed by a junket enterprise or junket representative in a managerial or supervisory position, shall meet the standards established for casino key employees in order to be licensed. Such a license shall be issued with subsequent resubmissions not later than every five years thereafter. In addition, in accordance with subsection 92c(2) of the Act, and at the direction of the Director, all casino service industry enterprise applicants or licensees required to hold a casino hotel alcoholic beverage license shall meet the standards established for casino key employees.

(b) In order to recover the cost of the investigation and consideration of license applications by enterprises engaged in these industries, other than enterprises engaged in Internet gaming activity, the initial license application and issuance fee for a casino service industry enterprise license, with the exception of an applicant or licensee of a casino hotel alcoholic beverage license, shall be assessed as follows:

1. A minimum application charge of \$5,000 shall be due at the time of application;
2. An additional application charge of \$5,000 shall be due when the total number of hours of Division professional staff time

expended on matters directly related to the applicant exceeds 333 hours;

3. An additional application charge of \$5,000 shall be due when the total number of hours of Division professional staff time expended on matters directly related to the applicant exceeds 667 hours;
4. An additional application charge, at an hourly rate to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d), shall be due and payable upon demand by the Division for each hour of Division professional staff time that is expended on matters directly related to the applicant that is in excess of 1,000 total hours; and
5. Payment for all unusual or out-of-pocket expenses incurred by the Division for matters directly related to the processing and investigation of the application.

(c) Companies providing services to casino licensees regarding Internet gaming shall be responsible for the full cost of their licensure, including any investigative costs, at the hourly rate set by the Division pursuant to N.J.A.C. 13:69A-9.4(d).

(d) In order to recover costs for monitoring compliance with the Act and the rules of the Division and for assuring the continued fitness of enterprises engaged in casino service industries, the fee for the retention of a casino service industry enterprise

license, other than enterprises engaged in Internet gaming activity, shall be assessed in accordance with (b) above.

(e) Any enterprise required to apply for the issuance or retention of a casino service industry enterprise license, other than enterprises engaged in Internet gaming activity, may request an installment plan for payment of the application fee. The Division shall propose a payment plan for the applicant, which shall include, if the applicant chooses to accept the payment plan, an additional fee of \$100.00 for the cost of processing the payment plan

**13:69A-9.9 Casino hotel alcoholic beverage casino service industry enterprise license fee**

(a) Pursuant to Section 92c(2) of the Act, the Director of the Division may, at his or her discretion, direct a casino service industry enterprise engaged in alcoholic beverage activities to apply for a casino service industry enterprise license pursuant to Section 92a of the Act. Such an enterprise shall then be licensed to the standards established by the Division for casino service industry enterprises with resubmissions not later than every five years thereafter, pursuant to Section 94h of the Act.

(b) The fee for a casino hotel alcoholic beverage casino service industry enterprise (CHAB CSI) license shall be \$3,000.

(c) The fee for retention of a CHAB CSI license shall be \$3,500.

(d) Any CHAB CSI required to apply for the issuance or retention of a CHAB CSI license may request an installment plan for payment of the application fee in accordance with the following schedule:

1. Upon filing of the application, an initial installment payment equal of the total application fee and an additional fee of \$100.00 for the cost of processing such payment plan; and
2. Three subsequent payments each equal to one-fourth of the total application fee, to be paid within 90 days, 180 days and 270 days from the date that the application is filed.

**13:69A-9.9A (Reserved)**

**13:69A-9.10 Labor organization registration fee**

Under Section 93 of the Act, each labor organization seeking to represent employees licensed or registered under the Act and employed by a casino hotel or a casino licensee shall register with the Division biennially. The fee for each biennial registration of a labor organization shall be \$250.00.

**13:69A-9.11 through 9.14 (Reserved)**

**13:69A-9.15 Casino employee registration fee**

(a) Under Section 91 of the Act, no person may be employed as a casino employee unless such person is registered with the Division. A casino employee registration shall remain in effect unless revoked, suspended, limited, or otherwise restricted by the Division in accordance with the provisions of the Act. The one time registration fee for a casino employee shall be \$95.00.

(b) The Division may waive the fee in (a) above for an applicant for initial licensure if:

1. The applicant chooses to have such application filed on his or her behalf by or through an agency funded by State or Federal funds, the purpose of which agency is the administration or operation of job training or retraining programs; and
2. Such agency certifies to the Division that its job training or retraining programs would customarily absorb the initial license fee on behalf of the applicant.

(c) A petition for early reapplication shall require a fee of \$95.00.

**13:69A-9.16 Fee for conversion of a license to a registration**

(a) Pursuant to N.J.A.C. 13:69A-15, a casino employee license shall be converted to a casino employee registration upon the expiration date of that casino employee license. The one-time fee for converting such licenses is \$95.00.

(b) A casino key employee may convert to a casino employee registration at any time. The one-time fee for converting such a license is \$95.00.

(c) Notwithstanding (a) and (b) above, a casino employee licensee who also has a valid registration is not required to pay a conversion fee.

**13:69A-9.17 Miscellaneous administrative fees**

- (a) Lost licenses shall be replaced for a fee of \$6.00.
- (b) Requests to change a name or address on a license shall require a fee of \$6.00.
- (c) A processing fee of \$15.00 shall be imposed upon any applicant for a casino service industry enterprise license which submits a check in payment of an application fee which is dishonored and returned by a bank after deposit.

**13:69A-9.18 Fee for non-credentialed employment**

A petitioner seeking non-credential employment with a casino licensee pursuant to N.J.A.C. 13:69A-8.10 shall pay a \$95.00 fee.

**13:69A-9.19 Obligation to pay fees; nonrefundable nature of fees; credits**

(a) Any fee obligation arising in accordance with the Act and this subchapter shall be due and payable notwithstanding the withdrawal or abandonment of any application or the termination in any manner of an existing license. In accordance with N.J.S.A. 5:12-82c(10), each party to an agreement to lease the casino hotel or the land thereunder, to jointly own a casino hotel or the land thereunder, or to manage a casino, shall also be liable for any amounts chargeable to the casino operator except as otherwise provided in the Act.

(b) Except as otherwise provided in (e) below, amounts actually paid by an applicant or licensee in accordance with the Act and this subchapter shall not be refundable.

(c) Payments made by a casino licensee for its estimated share under N.J.A.C. 13:69A-9.4(e) which exceed its actual share as finally determined by the Division for the fiscal year shall be credited toward the payment of additional fees by that casino licensee.

(d) Any surplus which exists in the Casino Control Fund as of the close of a fiscal year which is not due to excess payments of estimated shares collected pursuant to N.J.A.C. 13:69A-9.4(e) shall be credited toward the payment of additional fees by casino licensees. The share for each casino licensee shall be the amount which is in the same proportion to the total surplus subject to this subsection as the proportion of the total amount of fees incurred or paid by the casino licensee with respect to the fiscal

year is to the total amount of all fees incurred or paid by all casino licensees with respect to the fiscal year.

(e) Any former casino licensee which would be entitled to a credit toward the payment of additional fees pursuant to (c) or (d) above and which ceases to hold any license and which does not owe and will not accrue additional fee or other obligations to the State under the Act may claim a refund of any amount to which it is found to be entitled to a credit.

**13:69A-9.20 Fees for services provided to other governmental bodies**

(a) Whenever the Division is authorized by law to provide services to any State, county or municipal department, board, bureau, commission, authority or agency, and to receive compensation for the performance of such services, the Division shall assess fees for the cost and expense of providing these services as follows:

1. Payment for the efforts of the Division on matters directly related to other governmental bodies at hourly rates to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d); and
2. Payment for any unusual or out-of-pocket expenses incurred by agents or employees of the Division on matters directly related to the performance of the services which are being provided.

**13:69A-9.21 Powers and duties of Division**

Nothing in this subchapter shall be construed to limit the powers and duties of the Division as provided in the Act or the rules of the Division.

**SUBCHAPTERS 10. AND 11. (RESERVED)**

## **SUBCHAPTER 12. LABOR ORGANIZATIONS REGISTRATION**

### **13:69A-12.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Affiliates" means labor organizations chartered by the same parent body, or governed by the same constitution and bylaws, or labor organizations having the relation of parent and subordinate.

"Certified bargaining representative" means a labor organization which has been certified as the representative of employees under the National Labor Relations Act, as amended.

"Fiduciary to pension or welfare system" means a person is a fiduciary with respect to a pension or welfare system to the extent he or she:

1. Exercises any discretionary authority or discretionary control respecting management of such plan or exercises any authority or control respecting management or disposition of its assets;
2. Renders investment advice for a fee or other compensation, direct or indirect, with respect to any moneys or other property of such plan, or has any authority or responsibility to do so; or
3. Has any discretionary authority or discretionary responsibility in the administration of such plan.

"Labor organization" means any organization of any kind, any union, any agency, or employee representation committee, group, association, or plan in which employees

participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or systems board, or joint council which is subordinate to a national or international labor organization.

"Labor organization agent" or "agent" means any person, whether compensated or not, who is authorized or allowed to represent a labor organization in any employment matter relating to employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee, or who undertakes on behalf of the labor organization to promote, facilitate or otherwise influence the relations between the labor organization and the casino licensee.

"Labor organization officer" or "officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary/treasurer or other executive functions of a labor organization, and any member of its executive board or similar governing body.

"Labor organization principal employee" or "principal employee" means any employee of a labor organization who, by reason of remuneration or of a management, supervisory or policy making position exercises any authority, discretion or influence with regard to any matter relating to employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee.

"Officers and agents of pension or welfare systems" means all elected officials and key administrative personnel, whether elected or appointed, including

administrators, trustees, and all other fiduciaries to the system.

"Pension or welfare system maintained by a labor organization" means any pension or welfare system created or established by a labor organization or one or more of the trustees or one or more members of the governing body of which is selected or appointed by the labor organization.

"Pension system" means any plan, fund or program which is maintained by a labor organization, or by a labor organization and an employer, to the extent that by its express terms or as a result of surrounding circumstances such plan, fund or program provides retirement income to employees or results in a deferral of income by employees for periods extending to the termination of covered employment or beyond, regardless of the method of calculating the contributions made to the plan, the method of calculating the benefits under the plan or the method of distributing benefits from the plan.

"Welfare system" means any plan, fund or program which is maintained by a labor organization or by a labor organization and an employer, to the extent that such plan, fund or program was established or is maintained for the purposes of providing for its participants, or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hospital care or benefits, or benefits in the event of sickness, accident disability, death or unemployment, or vacation benefits, apprenticeship or other training programs, or day care centers, scholarship funds, or prepaid legal services, or any other such benefit other than pension on retirement or death, and insurance to provide such pensions.

**13:69A-12.2 Registration required**

Each labor organization, union or affiliate representing or seeking to represent employees who are employed in a casino hotel, casino, or casino simulcasting facility by a casino licensee shall register with the Division biennially in accordance with N.J.S.A. 5:12-93.

**13:69A-12.3 Registration exemption; standards and findings**

(a) The Division may in its discretion exempt any labor organization, union, or affiliate from registration in accordance with the requirements of N.J.S.A. 5:12-93a.

(b) The Division may find that a labor organization which is an affiliate of a registered labor organization is exempt from the registration requirements of Section 93 of the Act based upon the information provided to the Division by the registrant labor organization. Where the Division bases an exemption finding on such information, the exemption shall be subject to revocation upon disclosure to the Division either by the registrant or otherwise of any information which indicates that the affiliate does not meet the standards for exemption.

**13:69A-12.4 Initial filing of registration statement**

(a) Within 30 days of the date on which it begins organizing activities directed at the employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee, or within such additional time as the Division may permit, upon a showing of good cause, a labor organization, union or affiliate shall file with the Division a labor organization registration in accordance with N.J.A.C.

13:69A-12.5.

(b) For purposes of this section, organizing activities shall include, without limitation, soliciting membership by means of any direct personal contact, or any public notices such as the posting or distribution of fliers, posters or advertisements.

**13:69A-12.5 Initial and renewal labor registration filing requirements**

(a) Initial and renewal labor organization registration shall consist of the fee established by the Division along with a completed and one copy of a Labor Organization Registration Statement and Labor Organization Individual Disclosure Form for each officer, agent and principal employee.

(b) Renewal registration shall be filed biennially pursuant to N.J.S.A. 5:12-93a and no later than 120 days prior to the expiration of the current registration period.

(c) Each officer, agent or principal employee required to file a Labor Organization Individual Disclosure Form shall do so initially at the time the pertinent labor organization, union or affiliate registers or should register, or within 30 days of the date on which the individual is elected, appointed or hired, whichever is later, or within such additional time as the Division may, upon a showing of good cause, permit.

(d) Notwithstanding (a) and (c) above, a Labor Organization Individual Disclosure Form need not be filed by an officer of a national or international labor organization who exercises no authority, discretion or influence over the operation of such labor organization with regard to any employment matter relating to employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee provided that the Division may direct such officer to file such form or to provide any other information in the same manner and to the same extent as may be required of any other officer of a labor organization which is required to register pursuant to N.J.S.A. 5:12-93.

(e) Each individual who has filed an initial Labor Organization Individual Disclosure Form shall file the following with the Division biennially at the time the pertinent labor organization files for renewal of its registration in accordance with (b) above:

1. An original and one copy of a Labor Organization Individual Disclosure Form; and
2. Proof of having been fingerprinted in a manner approved by the Division.

(f) Notwithstanding the requirements of N.J.S.A. 5:12-93 and this section, the Division may waive any disqualification criterion of N.J.S.A. 5:12-86 with respect to any officer, agent or principal employee of a labor organization, union or affiliate in accordance with the standards set forth in N.J.S.A. 5:12-93b.

**13:69A-12.6 Continuing duty to disclose**

Every registered labor organization shall be under a continuing duty to promptly disclose any change in the information contained in the Labor Organization Registration Statement or any information otherwise requested by the Division.

**13:69A-12.7 Federal reports exception**

Notwithstanding the reporting requirements imposed by N.J.S.A. 5:12-93, no labor organization, union, affiliate or person shall be required to furnish any information which is included in a report filed by any labor organization, union, affiliate or person with the Secretary of Labor pursuant to 29 U.S.C. §§ 431 et seq. (Labor-Management Reporting and Disclosure Act) or 29 U.S.C. §§ 1001 et seq. (Employee Retirement Income Security Act) if a copy of such report, or if the portion thereof containing such information, is furnished to the Division pursuant to the aforesaid Federal provisions.

**13:69A-12.8 Interest in casino hotel or casino licensee prohibited**

In accordance with N.J.S.A. 5:12-93c, neither a labor organization, union or affiliate nor its officers and agents not otherwise individually licensed under the Act and employed by a casino licensee may hold any financial interest whatsoever in the casino hotel, casino, casino simulcasting facility or casino licensee whose employees they represent.

**13:69A-12.9 Failure to comply; consequences**

(a) The Division may impose any sanction permitted by the Act including the imposition of fines or the revocation of any registration, if:

1. A labor organization, union or affiliate fails to properly register with the Division or fails to provide all information requested by the Division in accordance with the provisions of the Act;
2. Any officer, agent or principal employee of such labor organization, union or affiliate has been found disqualified by the Division in accordance with the provisions of the Act;
3. The labor organization, union, affiliate or any officer or agent thereof holds a prohibited interest in a casino hotel, casino, or casino simulcasting facility, or casino licensee; or
4. An officer, agent or principal employee of a labor organization, union or affiliate fails to properly register with the Division or fails to provide all information requested by the Division in accordance with the provisions of the Act.

**SUBCHAPTER 13. (RESERVED)**

**SUBCHAPTER 14. RETENTION OF PHD-1 QUALIFICATION**

**13:69A-14.1 (Reserved)**

**13:69A-14.2 Time for filing**

(a) A PHD-1 resubmission form shall be submitted in connection with a casino license resubmission by a person, such as a trustee or beneficiary, who previously filed a PHD-1.

(b) No submission for retention of such qualification shall be considered filed in accordance with (a) above unless:

1. The submission contains all materials required by N.J.A.C. 13:69A-14.3; and
2. All materials have been completed in accordance with the requirements of the Act, the Division's rules and any instructions included with the materials.

(c) Any qualifier who files an incomplete submission shall be promptly notified by the Division of any deficiency in the materials. To qualify as incomplete for purposes of this section, the materials must include, at a minimum, a Casino Key Employee License Resubmission Form, pursuant to N.J.A.C. 13:69A-14.3. Any qualifier filing an incomplete application shall have 21 days from the date of service of the deficiency notice to file a complete submission.

(d) Failure of a qualifier to file a complete submission with the Division in accordance with (a) through (c) above shall be deemed a failure to submit for retention of his or her qualification.

**13:69A-14.3 Contents of submission**

- (a) A PHD-1 submission for retention of qualification shall include:
1. A completed Personal History Disclosure Resubmission Form, as set forth in N.J.A.C. 13:69A-5.4, signed by the applicant and notarized by a person authorized to administer oaths. This form shall contain all information since the initial filing for qualification or his or her most recent submission;
  2. A Release Authorization signed by the qualifier and notarized by a person authorized to administer oaths in the State of New Jersey, which Release Authorization shall direct all courts, probation departments, selective service boards, employers, education institutions, banks, financial and other institutions, and all governmental agencies, Federal, state and local both foreign and domestic, to release any and all information pertaining to the qualifier as requested by the Division;
  3. The documents required for identification by N.J.A.C. 13:69A-7.2A as needed; and
  4. Additional information and/or documentation that the Division may require.
- (b) An application for retention of qualification also may include:

1. A Personal Financial Statement certified and signed by the qualifier containing a detailed, itemized list of the qualifier's assets and liabilities in a form required by the Division; and
2. Copies of any Federal and New Jersey income tax returns filed by the qualifier with the Internal Revenue Service and State of New Jersey since the qualifier's initial qualification was granted or most recent Resubmission Form was filed, whichever occurred later.

## **SUBCHAPTER 15. CONVERSION OF CASINO EMPLOYEE LICENSE**

### **13:69A-15.1 Scope of subchapter; converting a casino employee license to a casino employee registration**

(a) This subchapter shall govern the submission for conversion of a casino employee license to a casino employee registration.

(b) No casino employee licensee may, after the expiration date of that license, be employed on the basis of that license by a casino licensee in any position that requires the employee to be registered as a casino employee, unless the former licensee is currently a casino employee registrant.

(c) A casino employee registrant, who has been suspended or revoked, may not be employed on the basis of that registration by a casino licensee in any position that requires the possession of a current and valid casino employee registration.

**13:69A-15.2 Time for filing**

(a) Materials to convert a casino employee license to a casino employee registration shall be mailed to each casino employee licensee at the address on file with the Division at least five months prior to the expiration date of the current casino employee license term. The completed application to convert shall be filed with the Division no later than the last day of the month that is two months prior to the month in which the current license term expires. The filing deadlines for employee submissions to convert a casino employee license are as follows:

<b>If the current license ends Must On the Last Day of:</b>	<b>Then the Conversion Application Be Filed by the Last Day of:</b>
January	November of prior year
February	December of prior year
March	January of current year
April	February of current year
May	March of current year
June	April of current year
July	May of current year
August	June of current year
September	July of current year
October	August of current year
November	September of current year
December	October of current year

(b) No submission for conversion of a casino employee license shall be considered filed in accordance with (a) above unless:

1. The submission contains all materials required by N.J.A.C. 13:69A-7.1A(a);
2. All materials have been completed in accordance with the requirements of the Act and the Division's rules; and

3. Any casino employee licensee seeking to convert his or her casino employee license who files an incomplete application for conversion within the filing deadline specified in (a) above shall be promptly notified by the Division of any deficiency in the materials. Any casino employee licensee filing an incomplete application to convert his or her casino employee license to a casino employee registration shall have until the filing deadline established in (a) above or 21 days from the date of service of the deficiency notice, whichever is later, to file a complete application to convert his or her casino employee license to a casino employee registration.

(c) Failure of a casino employee licensee to file a complete application to convert his or her casino employee license to a casino employee registration with the Division in accordance with (a) through (b) above shall be deemed a failure to apply for a casino employee registration.

**13:69A-15.3 Contents of an application to convert a casino employee license to a casino employee registration**

(a) An application to convert a casino employee license to a casino employee registration shall include:

1. A completed Casino Employee License Conversion Application, as set forth in N.J.A.C. 13:69A-5.5C, signed by the applicant and notarized by a person authorized to administer oaths. This form shall contain all information since the applicant's initial application for licensure or action date on that license's last submission;
2. A Release Authorization signed by the applicant and notarized by a person authorized to administer oaths in the State of New Jersey, which Release Authorization shall direct all courts, probation departments, selective service boards, employers, education institutions, banks, financial and other institutions, and all governmental agencies, Federal, state and local, both domestic and foreign, to release any and all information pertaining to the applicant as requested by the Division;
3. Payment of the appropriate registration fee due in accordance with N.J.A.C. 13:69A-9.16; and
4. The documents required for identification by N.J.A.C. 13:69A-7.2A.



**13:69A-15.4 Duration of a casino employee registration**

(a) A casino employee registration shall remain valid unless it is suspended, revoked, expired or is voided by law.

(b) The Director may at any time revoke, suspend, limit, or otherwise restrict a casino employee registration upon a finding that the registrant is disqualified on the basis of the criteria contained in N.J.S.A. 5:12-86.

(c) A casino employee registration shall lapse if the registrant has not been employed in any position within a casino hotel facility for a period of three years.

## **SUBCHAPTER 16. MULTI-CASINO EMPLOYEES**

### **13:69A-16.1 Procedures**

(a) If a casino licensee wishes to make one or more of its employees available for assignment on a per diem basis to an affiliated casino, it shall maintain internal control procedures setting forth the methodology of assigning employees and of maintaining inter-casino financial obligations for salary and benefits of such employees. Such procedures shall ensure that each person is counted as only one employee for any statistical purpose.

(b) Casinos shall maintain accurate records regarding each employee designated for assignment to an affiliated casino.

(c) The IT Director of each casino shall ensure that employees designated for assignment from an affiliated casino are properly granted and removed from computer access as appropriate.

**SUBCHAPTER 17. REGISTRATION; CASINO FLOOR ACCESS**

**13:69A-17 (RESERVED)**

**13:69A-17.1 Registration; casino floor access**

(a) A person employed by a casino service industry enterprise or vendor registrant may register with the Division as a casino employee in order to perform gaming related job functions as approved by the Division. A person so registering shall be subject to the provisions of N.J.S.A. 5:12-91 and 106.

(b) Any person who registers as a casino employee pursuant to (a) above shall be issued an access badge by a casino licensee subject to the same restrictions as required by the rules of the Division for casino employees.

(c) A casino service industry enterprise or vendor registrant shall file with the Division a list of all employees registered as a casino employee pursuant to (a) above on a monthly basis. The list shall include for each employee:

1. The registration number;
2. The Social Security number, if such information has been voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. § 522a;
3. The last name, first name, and middle initial;
4. The date of birth;
5. The address, including zip code; and
6. The casino code assigned by the Division to the casino licensee.

(d) For each employee registered as a casino employee who is terminated, the casino service industry enterprise or vendor registrant shall:

1. Notify each casino licensee where the employee was issued an access badge of the termination;
2. Return all access badges to the issuing casino licensee; and
3. File a monthly report with the Division listing all terminated employees.

# **CHAPTER 69B**

## **HEARINGS**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69B-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Final Action" means a decision or order issued by the Director or hearing examiner which may be appealed to the Commission pursuant to N.J.S.A. 5:12-63(1)b.

"Hearing examiner" is the "judge" as defined by the UAPR and shall include the Director, the designee of the Director, or any other qualified person, including an employee of the Division, designated to hear facts and issues relating to a particular matter.

"Exclusion list" is defined at N.J.A.C. 13:69G-1.1.

"Report" means a written report from the Division of Gaming Enforcement setting forth its position on an initial or resubmission license application.

"OAL" means the Office of Administrative Law.

"Party" means any person or entity directly involved in a contested case, including petitioner, respondent, intervenor, or State agency proceeding in any such capacity.

"UAPR" means the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

**13:69B-1.2 Applicability of rules**

(a) This chapter shall govern the procedural aspects pertaining to the conduct of all contested cases including:

1. Initial and retention applications for casino service industry licenses;
2. Complaints against casino service industry licensees, casino employee registrants and labor organization registrants seeking revocation of such license or registration;
3. Complaints against licensees and registrants for violations of the Casino Control Act;
4. Complaints seeking forfeiture of cash winnings or anything of value obtained in a gaming transaction by a person prohibited by law from engaging in such transaction; and
5. Petitions to place a candidate on the exclusion list.

(b) Contested cases shall be governed by the UAPR, in addition to the provisions of the Casino Control Act and the rules in this chapter.

(c) To the extent that the Act and the rules in this chapter are inconsistent with the UAPR, the former shall apply.

**13:69B-1.3 Right to a hearing**

(a) The Division shall not deny, refuse to allow retention of or revoke any license or registration or place a candidate on the exclusion list unless it has first afforded the licensee, registrant or candidate for exclusion an opportunity for a settlement conference, followed by a hearing upon failure to reach a settlement with the Division, in accordance with law and the rules of the Division.

(b) When the Division has authority under the Act or the rules of the Division to suspend a license or registration without first holding a hearing, it shall promptly upon exercising such authority afford the licensee or registrant an opportunity for:

1. A settlement conference with the Division; and
2. Upon failure to reach a settlement with the Division, a hearing in accordance with law and the rules of the Division.

(c) This section shall not apply where:

1. The Act provides that the Division is not required to grant a hearing in regard to the refusal to allow retention of a license or registration; or
2. The Division is required by law to refuse to allow retention of a license or registration without exercising any discretion in the matter on the basis of a judgment of a court of competent jurisdiction.

## **SUBCHAPTER 2. CONDUCT OF CONTESTED CASES**

### **13:69B-2.1 Commencement of a contested case**

(a) A contested case shall be commenced at the direction of the Division or by the filing of one of the following by the Division:

1. A report recommending that an application for initial or resubmission licensure, registration or qualification should not be granted or continued;
2. A written complaint or statement of charge, which sets forth in ordinary and concise language the charges against a licensee, registrant or applicant and the acts or omissions supporting such charges;
3. A written petition to place a candidate on the exclusion list, which sets forth in ordinary and concise language the grounds for exclusion; or
4. A written complaint seeking forfeiture of winnings or things of value obtained in a gaming transaction by a prohibited person as defined in N.J.A.C. 13:69G-3.1.

(b) A filed report recommending that an application be granted, or taking no position on an application, will not commence a contested case unless otherwise directed by the Division.

(c) A contested case shall commence incident to a Notice of Violation pursuant to N.J.A.C. 13:69B-2.9 upon:

1. A request of a licensee, registrant, or applicant after failing to enter into a written agreement with the Division to resolve the violation; or
2. The failure of a licensee, registrant, or applicant to timely respond to the Notice of Violation in accordance with N.J.A.C. 13:69B-2.9(c).

**13:69B-2.2 Notice of right to hearing**

(a) The Division shall serve upon the applicant or respondent a copy of the pleading and a written notice of the right to a hearing and the responsibility to request a hearing, as follows:

1. Complaints shall be served upon a licensee, applicant or registrant either personally or by certified mail;
2. Reports regarding a contested application shall be served upon an applicant by ordinary mail;
3. Petitions for exclusion shall be served on the candidate for exclusion personally, by certified mail at the last known address of the candidate for exclusion or by publication daily for one week in a newspaper of general circulation in Atlantic City, New Jersey; and
4. A forfeiture complaint shall be served upon the prohibited person, as defined in N.J.A.C. 13:69G-3.1, either personally or by regular mail at the mailing address provided by the prohibited person pursuant to N.J.A.C. 13:69G-3.2(b).

**13:69B-2.3 Request for a hearing**

(a) Any request for a hearing before the Division shall be filed with the Division, with one copy to each other party, within 30 days of receipt of notice of a petition for exclusion, or within 15 days of receipt of notice of a contested application or complaint. Such request shall include a notice of defense which sets forth:

1. Admission or denial of the allegations in whole or in part;
2. Affirmative defenses, new matters or explanations by way of defense;
3. All information regarding rehabilitation, where applicable; or
4. Any legal objection to the allegations contained in the petition, contested application or complaint.

(b) A party's request for hearing shall be filed with the Division's Contested Case Intake Unit at:

1300 Atlantic Avenue  
4th Floor  
Atlantic City, NJ 08401

**13:69B-2.4 Failure to request a hearing; withdrawal of a request; final action**

(a) If a party fails to timely file a request for a hearing pursuant to N.J.A.C.

13:69B-2.3, or withdraws a request for a hearing, the Division may:

1. Order a hearing on its own motion; or
2. Determine that such action constitutes a waiver of the right to a hearing and admission of all material allegations of fact in the complaint or petition for exclusion or failure to affirmatively demonstrate qualification or absence of disqualification for licensure or registration. The Division may take final action including, without limitation:
  - i. Denial of any pending initial or resubmission application;
  - ii. Revocation of a license or registration;
  - iii. Prohibition of direct or indirect business with casino licensees or applicants;
  - iv. Imposition of a monetary penalty;
  - v. Placement on the exclusion list;
  - vi. Order forfeiture of any winnings or things of value obtained by a prohibited person and seized pursuant to N.J.A.C. 13:69G-3.2; or
  - vii. Other relief that is consistent with the policies of the Act and in the public interest.



**13:69B-2.5 Scheduling of settlement conference; purpose of settlement conference; multiple settlement conferences**

(a) Upon a party's request for a hearing, the Division shall schedule a settlement conference at the Division's offices.

(b) The purposes of the settlement conference are to:

1. Afford the Division and the applicant or respondent an opportunity to amicably resolve all outstanding issues raised in the Division's letter report, revocation or violation complaint or exclusion or forfeiture petition;
2. Identify all unresolved issues to be addressed at a hearing; and
3. Resolve any discovery issues in advance of the hearing.

(c) In the interests of the efficient administration of a contested case, the Division may schedule additional conferences to achieve either of the purposes in (b) above, but absent extraordinary circumstances, no more than three conferences shall be scheduled.

(d) All requests to reschedule a settlement conference shall be directed to the Division's Contested Case Intake Unit.

(e) If an applicant fails to appear for a settlement conference and fails to show good cause within five days of the scheduled date of the settlement conference for his or her failure to appear, the applicant's request for hearing may be deemed withdrawn and the Division may take final action, including, without limitation:

1. Denial of any pending initial or resubmission application;

2. Revocation of a license or registration;
3. Prohibition of direct or indirect business with casino licensees or applicants;
4. Imposition of a monetary penalty;
5. Placement on the exclusion list;
6. Order forfeiture of any winnings or things of value obtained by a prohibited person and seized pursuant to N.J.A.C. 13:69G-3.2; or
7. Other relief that is consistent with the policies of the Act and in the public interest.

**13:69B-2.6 Transmission to the OAL or designation of a hearing examiner**

(a) Upon the failure of the parties to enter into a stipulation of settlement, the matter shall be a contested case and be transmitted to the Director for further proceedings.

(b) Unless the Director hears a contested case directly, the Director may refer the matter to the OAL or designate a staff member of the Division or other qualified person other than an employee of the Division to serve as hearing examiner.

(c) A hearing examiner appointed by the Director shall be an Assistant Attorney General or a Deputy Attorney General who is not assigned to the bureau of the Division from which the contested case arises and who shall have had no prior involvement with the contested case.

(d) If a hearing examiner becomes unavailable at anytime after the commencement of a hearing but prior to the filing of the initial decision, the Director may in his or her discretion hear the matter directly, appoint another hearing examiner or transfer the contested case to the OAL. The Director or the new hearing examiner may either continue the hearing and render a decision upon the entire record or begin the hearing anew.

**13:69B-2.7 Contested case hearings**

(a) The Director or hearing examiner appointed by the Director shall identify all legal issues unresolved through the settlement conference.

(b) All requests to reschedule a contested case hearing in a case scheduled before the Director or a hearing examiner shall be directed to the Division's Contested Case Intake Unit.

(c) If an applicant fails to appear for a contested case, the applicant's request for hearing may be deemed withdrawn and the Division may take final action, including, without limitation:

1. Denial of any pending initial or resubmission application;
2. Revocation of a license or registration;
3. Prohibition of direct or indirect business with casino licensees or applicants;
4. Imposition of a monetary penalty;
5. Placement on the exclusion list;
6. Order forfeiture of any winnings or things of value obtained by a prohibited person and seized pursuant to N.J.A.C. 13:69G-3.2; or
7. Other relief that is consistent with the policies of the Act and in the public interest.

(d) The Director or a hearing examiner appointed by the Director or an administrative law judge shall have the power and authority to order any person to answer a question or questions or produce evidence of any kind and confer immunity as

provided in N.J.S.A. 5:12-107g, in any contested case hearing.

(e) If the applicant or respondent chooses not to testify on his or her own behalf, the Division shall have the right to call the applicant or respondent to testify, and he or she may be questioned as if under cross-examination.

(f) The parties shall complete discovery and supply all discovery materials to be used at the hearing no later than 14 calendar days before the first scheduled date for a hearing. If a party fails to supply complete discovery 14 calendar days before the first scheduled hearing date, the Director or hearing examiner may bar the use at the hearing of any material not provided in a timely manner, including, without limitation:

1. Expert or other testimony;
2. Any documentation; or
3. Any other evidence of any kind.

**13:69B-2.8 Burden of proof**

(a) The Division shall have the affirmative obligation to establish by a preponderance of the evidence violations of the Act or disqualification pursuant to N.J.S.A. 5:12-86.

(b) The Division shall have the affirmative obligation to establish by a preponderance of the evidence that a candidate for exclusion satisfies the criteria for exclusion set forth in N.J.S.A. 5:12-71 and N.J.A.C. 13:69G-1.3. In a hearing pursuant to N.J.A.C. 13:69G-1.8, the excluded person shall have the affirmative obligation to show cause why he or she should be removed from the list.

(c) Matters pertaining to candidates for preliminary exclusion shall be handled in accordance with N.J.S.A. 5:12-71, N.J.A.C. 13:69G-1.5A and N.J.A.C. 13:69B-4.1 and 4.2.

(d) An applicant or respondent shall have the affirmative obligation to establish by clear and convincing evidence affirmative qualification for licensure.

(e) An applicant or respondent shall have the affirmative obligation to establish by clear and convincing evidence rehabilitation in accordance with N.J.S.A. 5:12-91d.

(f) The Division, in a hearing seeking forfeiture, shall have the affirmative obligation to establish by a preponderance of the evidence that the respondent is a prohibited person as defined in N.J.A.C. 13:69G-3.1 and was engaged in a gaming transaction. Any winnings or other things of value resulting from a gaming transaction that are not claimed within six months of the date of the transaction shall be presumed

to have been won by a prohibited person who has waived his or her right to a hearing. There shall be a rebuttable presumption that the winnings or things of value seized from the respondent were obtained from engaging in a gaming transaction and therefore subject to forfeiture. In order for the respondent to rebut this presumption the respondent shall have the affirmative obligation to prove by a preponderance of the evidence that the winnings or things of value, or any portion thereof, were not obtained from engaging in a gaming transaction.

### **13:69B-2.9 Notice of Violation**

(a) The Division may notify a licensee, registrant, or applicant of a regulatory violation by serving a Notice of Violation, which writing shall state, in ordinary and concise language, the nature of the violation and the acts or omissions supporting such violation.

(b) The Notice of Violation may include a proposed civil monetary penalty authorized pursuant to N.J.S.A. 5:12-129(5), in an amount not to exceed \$ 2,000, and/or any other penalty or requirement allowed by N.J.S.A. 5:12-129.

(c) Upon receipt of a Notice of Violation that includes a proposed penalty, a licensee, registrant, or applicant shall within 30 days respond to the Division in writing and either:

1. Acknowledge the violation and agree to the proposed penalty; or
2. Deny the allegation and request that the matter proceed as a contested case.

(d) The failure of a licensee, registrant, or applicant to notify the Division as required in (c) above, shall cause the matter to proceed as a contested case under N.J.A.C. 13:69B-2.4.

(e) If the licensee, registrant, or applicant acknowledges the violation and agrees to the proposed penalty, the parties shall, within 30 days of the date of acknowledgement referenced in (c)1 above, enter into an agreement, which shall include remedial action to be undertaken by the licensee, registrant, or applicant.

Failure to enter into an agreement within the required time shall cause the matter to proceed as a contested case under N.J.A.C. 13:69B-2.4.

**13:69B-2.10 Decision of Director**

(a) Within 45 days from the close of the record, the Director shall issue a written decision to the parties resolving all aspects of a contested case. Any extension of this time period shall be granted by the Director for good cause and shall be limited to an additional period of 45 days; however, additional numbers of extensions may be granted. The parties shall be notified of any extension.

(b) After reviewing the complete record in the case, the Director may:

1. Approve the decision for publication by signing the draft opinion of the hearing examiner and publishing it to the parties as a Final Action of the Division;
2. Require the hearing examiner to reopen the proceedings and adduce additional evidence on one or more matters; or
3. Modify the decision, and sign and publish it to the parties as a Final Action of the Division.

**13:69B-2.11 (Reserved)**

**13:69B-2.11A Wage executions**

(a) The Division may condition the granting or retention of a license or registration or the granting of a petition pursuant to N.J.A.C. 13:69A-8.9 or 8.10 upon compliance with a court order or a consent agreement with the Division pursuant to which a portion of an applicant's, licensee's, registrant's or petitioner's wages will be withheld as an installment payment against a financial obligation owed or secured, directly or indirectly, to this State or any subdivision thereof or other governmental entity.

(b) Any individual who is subject to a Division order pursuant to (a) above shall:

1. Submit a copy of the Division order and the relevant court order or consent agreement to his or her current employer and to any future casino employer until the obligation is paid in full; and
2. Notify the Division when the terms of the court order or consent agreement have been satisfied, including evidence that the obligation has been paid in full. Such notice shall be directed to the Division at the address specified in N.J.A.C. 13:69B-2.3.

**13:69B-2.12 Motions for reconsideration; motions to reopen the record; motions for relief; dispositive motions; protective orders**

(a) Any party may, within 10 days after the service of a final Division order, file a motion for reconsideration which motion may seek to reopen the record. The motion shall be in writing and shall state the grounds upon which relief is sought. The Division may grant such motion, under such terms and conditions as the Division may deem appropriate, when the Division finds just cause for reconsideration of the order based upon legal, policy or factual argument advanced by the movant or raised by the Division on its own motion.

(b) Any party may, within one year after the service of a final Division order, file a motion to reopen the record based upon newly discovered evidence. The motion shall be supported by an affidavit of the moving party or counsel showing with particularity the materiality and necessity of the additional evidence and the reason why such evidence was not presented at the original hearing or on a motion for reconsideration pursuant to (a) above. The Division may grant such motion upon a showing that the newly discovered evidence is material and necessary, that sufficient reason existed for failure to present such evidence and that the evidence is reasonably likely to change the final decision of the Division. Upon reconsideration, the Division may modify its decision and order as the additional evidence may warrant.

(c) Any party may, within one year of the service of a final Division order, file a motion for relief from such an order. The motion shall be in writing and shall state the grounds upon which relief is sought. The Division may grant such motion and vacate or

modify the order, reopen the record, or grant a hearing pursuant to N.J.S.A. 5:12-107, upon a showing of the following:

1. Mistake, inadvertence, surprise or excusable neglect;
2. Fraud, misrepresentation or other misconduct of an adverse party; or
3. Any other reason consistent with the public policy of the Act and in the interests of justice.

(d) No motion filed pursuant to this section, and no order granting such motion, shall suspend the operation of any Division order unless otherwise specified by order of the Division.

(e) Dispositive motions may be filed by a party to the hearing in accordance with N.J.A.C. 1:1-12.1. Dispositive motions shall be supported by briefs and, when appropriate, certifications in support of factual claims relating to the motion; or

(f) The following concern protective orders:

1. Upon motion filed with the Director and for good cause shown, the Director may at any time order that the name, address or any other identifying facts about a witness be denied or restricted.
2. Upon motion filed with the Director and for good cause shown, the Director may order the identity of a witness while testifying at a contested case hearing be concealed from the parties and the public.

3. In determining the motion, the Director may consider the following factors: protection of witnesses and others from physical harm, bribes, economic reprisals and other intimidation; protection of confidential relationships and privileges recognized by law; and any other relevant considerations.

**13:69B-2.13 Appeal from Division decision**

Within 20 days from the issuance of a Division decision by the Director or a hearing examiner appointed by the Director, a party may appeal the decision, upon notice to the Division, to the Casino Control Commission which may review and decide any appeal of a final Division decision pursuant to N.J.S.A. 5:12-63b.

## **SUBCHAPTER 3. EMERGENCY RELIEF**

### **13:69B-3.1 (Reserved)**

### **13:69B-3.2 Orders granting emergency relief; form; service**

(a) An order suspending a license or registration shall be effective from the date of Division action or within such additional time as the Division may, upon a showing of good cause, permit.

(b) An order temporarily prohibiting business between a casino service industry or vendor registrant and casino licensees or applicants, or any agent or employee thereof, shall become effective 15 days from the date of Division action unless the Division extends the time period for good cause shown.

**13:69B-3.3 Emergency orders; hearings; complaints**

Within five days after issuance of an emergency order pursuant to section 109 of the Act, the Division shall cause a complaint to be filed and served upon the person involved in accordance with the provisions of the Act and the rules of the Division. Thereafter, the person against whom the emergency order has been issued and served shall be entitled to request a hearing before the Division.

## **SUBCHAPTER 4. PRELIMINARY EXCLUSION HEARINGS**

### **13:69B-4.1 Preliminary placement on the exclusion list**

(a) In accordance with the provisions of N.J.A.C. 13:69G-1.5A, the Division may preliminarily place a candidate on the exclusion list pending completion of the plenary hearing for exclusion.

(b) Unless otherwise ordered by the Division, a plenary hearing on the exclusion shall be initiated within 30 days after the receipt of a request for a plenary hearing or the date of the preliminary placement on the list, whichever is later.

**13:69B-4.2 Preliminary exclusion; burden of proof; service of order**

(a) An action for preliminary exclusion shall be a limited pre-exclusion proceeding. The purpose of such action is to determine if there is a reasonable possibility that a candidate satisfies the criteria for exclusion established by section 71 of the Act and N.J.A.C. 13:69G-1.3.

(b) Preliminary exclusion shall be decided on the basis of the reliable documentary or other supporting evidence.

(c) A preliminary order of the Division designating a candidate as an excluded person shall, within five days of its entry, be served upon the candidate and all casino licensees.

(d) A Division order denying an application for preliminary placement of a candidate on the list shall be served upon the candidate.

## **SUBCHAPTER 5. (RESERVED)**

## **SUBCHAPTER 6. INVESTIGATIVE HEARINGS**

### **13:69B-6.1 Investigative hearings**

Pursuant to N.J.S.A. 5:12-66 and 76, the Division may conduct investigative hearings concerning the conduct of gaming and gaming operations, the operation and administration of casino control laws in this and in other jurisdictions, and any other matters within the scope of the powers, duties and responsibilities of the Division.

## **SUBCHAPTER 7. (RESERVED)**

## **SUBCHAPTER 8. ADMINISTRATIVE REVIEW OF UNPAID FEES AND CIVIL PENALTIES**

### **13:69B-8.1 Commencement**

(a) The Division may, on its motion, administratively review the failure to pay any civil penalty where cause exists to question whether all required fees or civil penalties have been paid.

(b) The Division shall initiate the administrative review by notifying any person who apparently has failed to pay a required fee or civil penalty that the Division may impose the sanctions set forth in N.J.A.C. 13:69A-9.3(f) unless the person requests that an administrative review conference be scheduled by the Division.

(c) If any person notified pursuant to (b) above that they have failed to pay a required fee or civil penalty fails within 20 days to either pay the outstanding amount due or to request that the Division schedule an administrative review conference, the Division may impose the sanctions set forth in N.J.A.C. 13:69A-9.3(f) without further notice or opportunity to be heard.

(d) If a person notified pursuant to (b) above requests an administrative review conference, the notice scheduling an administrative review conference shall be served by regular or certified mail, return receipt requested. The notice shall specify a date for the conference that is not earlier than 15 days after the date the notice is served and shall schedule a date subsequent to the date of the conference on which the

Division shall take further action pursuant to N.J.A.C. 13:69A-9.3(f).

(e) Notwithstanding any other provision of this subchapter, the question of an outstanding fee or civil penalty may be consolidated with a contested case matter and scheduled for a hearing pursuant to N.J.A.C. 13:69B-2.

### **13:69B-8.2 Repayment plans**

If, at any time after the administrative review is initiated, the person admits the debt but reasonably demonstrates that it cannot immediately pay in full, then the Division may structure a repayment schedule consistent with the ability to pay. If the person agrees to the terms of the repayment schedule, further action in the administrative review shall be postponed in order to afford the person the opportunity to satisfy the terms of the repayment agreement. If a default occurs under a repayment agreement, the administrative review shall be reinstated; provided, however, that no further repayment plan shall be allowed unless the debtor demonstrates that extraordinary circumstances exist. The administrative review shall cease and the matter shall be closed once the Division is satisfied that the person has fully complied with the terms of the repayment agreement.

**13:69B-8.3 Administrative review conference**

(a) The administrative review conference is an informal proceeding designed to facilitate a fair, expeditious and orderly disposition of the Division's administrative review of unpaid fees and civil penalties. Any person that is notified to attend such a conference is required to appear and may be represented by counsel. If the person so notified is a corporation, it may appear without counsel provided it does so through one of its principals.

(b) Attendance at a scheduled administrative review conference is mandatory. The failure to attend such a conference shall constitute cause to dismiss immediately all applications, or suspend all licenses, registrations or permissions held, submitted by or granted to the person served with notice pursuant to N.J.A.C. 13:69B-8.1.

(c) During the administrative review conference, the person required to attend the conference may present any information that would demonstrate that all required payments have been made.

**13:69B-8.4 Disposition of fee matters and civil penalties**

(a) If, after the administrative review is initiated, the Division determines that no debt is owed, or the debtor pays the debt in full, the matter shall be closed.

(b) Any issues concerning a debt that are not resolved by an administrative review conference shall either proceed to a hearing before the Division on the date specified in a notice served pursuant to N.J.A.C. 13:69B-8.1(c) or be consolidated with a contested case, unless, prior to the Division hearing the matter, the debt is paid in full or a repayment plan is accepted by the Division.

(c) At any hearing held pursuant to this section or pursuant to N.J.A.C. 13:69B-2, the Division may impose the applicable sanctions set forth in N.J.A.C. 13:69A-9.3(f) on any person who has failed to pay all required fees or civil penalties owed by that person.

**13:69B-8.5 Restoration upon payment**

(a) Upon payment of any outstanding fee or civil penalty, the Division shall reinstate any license, registration or permission administratively suspended by the Division pursuant to N.J.A.C. 13:69A-9.3(f), or rescind any administrative order prohibiting employment or the conduct of business entered pursuant to N.J.A.C. 13:69A-9.3(f).

(b) Any application that has been administratively dismissed shall be reactivated if, within 45 days of the dismissal, all outstanding amounts are paid. If full payment is received after the expiration of this 45-day period, the following application requirements shall apply:

1. If the dismissed application requested the issuance of a license or registration, a new application shall be filed, including the payment of the appropriate fee set forth in N.J.A.C. 13:69A-9; or
2. If the dismissed filing related to a vendor or junket registration filing, business may be conducted with casino licensees and applicants upon the filing of a Vendor Registration Form or a Junket Enterprise Registration, as appropriate, in accordance with N.J.A.C. 13:69C-10.4.

# **CHAPTER 69C**

## **CASINO LICENSEES**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69C-1.1    Applicability of rules to noncorporate entities**

The rules set forth in this chapter shall apply to the extent appropriate with the same force and effect with regard to casino license applicants and casino licensees that have a legal existence other than corporate, and all noncorporate entities shall comply with all relevant requirements applicable to corporate entities.

**13:69C-1.2 Casino operation**

(a) It is the policy of the Division to require that all establishments wherein gaming is conducted in this State be operated in a manner suitable to protect the public health, safety, morals, good order and general welfare of the State of New Jersey.

(b) Responsibility for the implementation and maintenance of a suitable manner of operation rests with the licensee, and willful or persistent use or toleration of manners of operation deemed unsuitable will constitute grounds for license revocation or other disciplinary action.

**13:69C-1.3 Grounds for disciplinary action**

(a) The Division deems any activity on the part of any licensee, its agents or employees, that is inimical to the public health, safety, morals, good order and general welfare of the State of New Jersey, or that would reflect or tend to reflect discredit upon the State of New Jersey or the gaming industry, to be an unsuitable manner of operation and shall be grounds for disciplinary action by the Division in accordance with the Casino Control Act and the rules of the Division and the Commission. Without limiting the generality of the foregoing, the following acts or omissions may be determined to be unsuitable manners of operation:

1. Failure to exercise discretion and sound judgment to prevent incidents which might reflect on the reputation of the State of New Jersey and act as a detriment to the industry;
2. Failure to comply with or make provision for compliance with all Federal, State and local laws and regulations pertaining to the operations of a licensed establishment; or
3. Failure to abide by a provision or policy of the Act or any of the rules promulgated thereunder.

## **SUBCHAPTER 2. PERSONS REQUIRED TO BE LICENSED OR QUALIFIED**

### **13:69C-2.1 Persons required to be licensed**

No person shall own or operate a casino unless a casino license shall have first been issued to every person eligible and required to apply for a casino license pursuant to the provisions of N.J.S.A. 5:12-82.

**13:69C-2.2 Persons required to be qualified**

(a) Except as otherwise provided in N.J.A.C. 13:69C-2.7, no casino license shall be issued or remain in full force and effect unless the individual qualifications of every person required by the Act and the Director to qualify as part of the application for the issuance or retention of the casino license shall have been established in accordance with all relevant standards set forth in the Act and the rules of the Division and, in the instance of the issuance of a casino license, the rules of the Commission.

(b) The following persons shall be required to qualify as part of the application for the issuance or retention of a casino license:

1. All persons eligible and required to apply for a casino license pursuant to the provisions of N.J.S.A. 5:12-82;
2. All financial backers, investors, mortgagees, bondholders, or holders of indentures, notes or other evidences of indebtedness, in effect or proposed, which bear relation to the applicant or casino licensee, required to qualify pursuant to the provisions of N.J.S.A. 5:12-85.1e; and
3. All persons required to qualify pursuant to the provisions of N.J.S.A. 5:12-85.1b, c and g.

(c) The Director may at any time require an applicant or casino licensee to establish the qualification of any person that the Director may deem appropriate for qualification pursuant to N.J.S.A. 5:12-84, 85, 85.1 and 105. Any person deemed appropriate for qualification shall promptly file the required application form.

(d) It shall be the affirmative responsibility of each applicant or casino licensee to ensure that all persons required by the Act and the rules of the Division to establish their qualifications in connection with an initial application for a casino license or the retention thereof have filed any required application forms in accordance with this subchapter and, in the instance of the issuance of a casino license, such persons shall abide by the rules of the Commission.

**13:69C-2.3 Notification of anticipated or actual changes in directors, officers or equivalent qualifiers of casino licensees and holding companies**

Each casino licensee or applicant or holding company shall immediately notify the Division, in writing, as soon as is practicable, of the proposed appointment, appointment, proposed nomination, nomination, election, intended resignation, resignation, incapacitation or death of any member of, or partner in, its board of directors or partnership, as applicable, or of any officer or other person required to qualify pursuant to N.J.S.A. 5:12-85 and 85.1. Such notice shall be addressed to the Intake Unit, attention casino licensing bureau, of the Division at its address set forth in N.J.A.C. 13:69-3.5(a) with a copy, either printed or electronic, to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-2.4 Notification of new financial sources**

Each casino licensee or applicant shall immediately notify the Division, in writing, as soon as it becomes aware that it intends to enter into a transaction bearing any relation to its casino project which may result in any new financial backers, investors, mortgagees, bondholders, or holders of indentures, notes, or other evidences of indebtedness who may be subject to the provisions of N.J.S.A. 5:12-85.1e and Article 6B of the Act. Such notice shall be addressed to the Intake Unit, attention Casino Licensing Bureau, of the Division at the address set forth in N.J.A.C. 13:69-3.5(a) and, in the instance of a casino license applicant, in compliance with the rules of the Commission, with a copy, either printed or electronic, to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-2.5 Notification concerning certain new qualifiers of holding companies and new qualifying entities**

(a) A casino licensee or applicant shall immediately notify the Division if the casino licensee or applicant becomes aware that, with regard to any holding company of the casino licensee or applicant, any person has acquired:

1. Five percent or more of any class of equity securities;
2. The ability to control the holding company; or
3. The ability to elect one or more directors of the holding company.

(b) If any holding company of a casino licensee or applicant either files or is served with any Schedule 13D, Schedule 13G or Form 13F filing under the Securities Exchange Act of 1934, copies of any such filing shall be immediately submitted to the Division by the casino licensee or applicant or the holding company.

(c) If any new entity is formed in the organizational structure of any casino licensee or applicant which would be a holding company, an intermediary company, a subsidiary thereof, an entity qualifier or a subsidiary of the casino licensee or applicant, the casino licensee or applicant or such affiliate shall immediately notify the Division.

(d) Notice pursuant to (a), (b) and (c) above shall be addressed to the Intake Unit, attention Casino Licensing Bureau, of the Division at its address set forth in N.J.A.C. 13:69-3.5(a) and, in the instance of an applicant, with a copy, either printed or electronic, to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-2.6 Qualification of new directors, officers or other qualifiers of a casino licensee**

(a) The Director of the Division shall designate persons that must qualify in connection with a casino license in accordance with N.J.S.A. 5:12-85.1, and any natural person so required to qualify pursuant to N.J.S.A. 5:12-85.1 by virtue of his or her position with a casino licensee shall not perform any duties or exercise any powers relating to such position until qualified by the Commission or, where appropriate, until he or she is temporarily licensed by the Commission as a casino key employee pursuant to N.J.S.A. 5:12-89e in accordance with the rules of the Commission.

(b) Each person subject to (a) above shall file a multi-jurisdictional personal history disclosure form (PHD-MJ) as set forth in N.J.A.C. 13:69A-5.2 and a New Jersey supplemental form as set forth in N.J.A.C. 13:69A-5.2A or a personal history disclosure form #1 (PHD-1) as set forth in N.J.A.C. 13:69A-5.3 upon application for qualification or for a casino key employee license.

**13:69C-2.7 Qualification of new directors, officers or other qualifiers of a holding company**

(a) The Director of the Division shall designate persons that must qualify in connection with a holding company in accordance with N.J.S.A. 5:12-85.1, and any proposed new director, partner, officer or other natural person so required to qualify pursuant to N.J.S.A. 5:12-85.1, by virtue of his or her position with a holding company of a casino licensee, shall not perform any duties or exercise any powers related to such position until he or she has been found qualified by the Commission to the standards, except for residency, of a casino key employee in accordance with the rules of the Commission.

(b) Each person subject to (a) above shall file a PHD-MJ as set forth in N.J.A.C. 13:69A-5.2 and a New Jersey supplemental form as set forth in N.J.A.C. 13:69A-5.2A with the Division prior to or immediately upon being elected or appointed to such position, except that persons required to qualify by virtue of the following positions may alternatively file a PHD-1 as set forth in N.J.A.C. 13:69A-5.3:

1. An outside director of a holding company;
2. A trustee pursuant to N.J.S.A. 5:12-95.12;
3. A trustee required to be qualified; and
4. A beneficiary of a trust required to be qualified.

(c) The Commission may, upon the written petition of a casino licensee filed with the Division, permit a person otherwise subject to (a) above to perform any duties or exercise any powers relating to his or her position pending qualification, provided that:

1. Such person files a personal history disclosure form 3 (PHD-3), as set forth in N.J.A.C. 13:69A-5.5;
2. At least 30 days have elapsed from the date on which the PHD-3 was filed; and
3. Such person files a PHD-MJ or PHD-1 in accordance with (b) above, within 15 days of the date on which the Commission's permission is granted as provided in N.J.S.A. 5:12-89e.

(d) Notwithstanding the provisions of (a) above, any person permitted to perform duties or exercise powers pursuant to (c) above shall:

1. Be immediately removed from his or her position if at any time the Division provides information which the Commission determines to indicate reasonable cause to believe that such person may not be qualified; and
2. Only be permitted to perform duties or exercise powers without having been qualified for a maximum period of nine months from the date on which permission to assume duties was first granted unless the Commission determines, upon a showing of good cause by the casino licensee, to extend the nine-month period. Such request shall be by written petition filed with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), with a copy to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-2.7A Continuing qualification**

(a) All persons who have been found qualified by the Commission shall:

1. If a person whose position requires both qualification and a key employee license, not later than five years after obtaining a casino key employee license pursuant to N.J.S.A. 5:12-89 and every five years thereafter, that person shall submit the documentation and information as by rule required to demonstrate that the requirements of N.J.S.A. 5:12-89 continue to be met in accordance with the rules of the Commission.
2. If a person whose position does not require a key employee license but qualification, not later than five years after obtaining qualification and every five years thereafter, that person may elect to file consistent with N.J.S.A. 5:12-87.1 and N.J.A.C. 13:69C-11.1 either a completed Multi-Jurisdictional Personal History Disclosure Form as set forth in N.J.A.C. 13:69A-5.2 with a New Jersey Supplemental Form as set forth in N.J.A.C. 13:69A-5.2A, or a PHDF-1 Resubmission Form as set forth in N.J.A.C. 13:69A-5.5A.

**13:69C-2.8 Issuance or transfer of interests**

The issuance or transfer of any security or ownership interest in a casino licensee or any nonpublicly traded subsidiary or holding company thereof shall not be effective unless five business days prior written notice of the issuance or transfer has been provided to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a) and such issuance or transfer has not been disapproved by the Commission within such five days. A copy of such notice also shall be provided to the Division at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-2.9 Holding companies, intermediary companies, entity qualifiers and subsidiaries**

(a) Each casino licensee or applicant or holding company thereof shall report immediately, in writing, to the Division, at its address set forth in N.J.A.C. 13:69-3.5(a), the formation or dissolution of, or any transfer of a nonpublicly traded interest in, any holding company, intermediary company, an entity qualifier or a subsidiary of the casino licensee or applicant or any subsidiary of any holding company of the casino licensee or applicant which bears any relationship to the casino project and, in the instance of a casino license applicant, with a copy to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

(b) Each casino licensee or applicant shall file with the Division adopted charter provisions that comply with the requirements of N.J.S.A. 5:12-82d(7) through (10), as applicable, for each holding company, intermediary company and subsidiary of the casino licensee or applicant and, in the instance of a casino license applicant, a copy of such filing shall be submitted to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**SUBCHAPTER 3. STANDARDS FOR LICENSURE OR QUALIFICATION**

**13:69C-3.1 (Reserved)**

**13:69C-3.2 Applicable standards**

Each person seeking casino licensure or qualification in connection with such licensure shall establish by clear and convincing evidence the criteria set forth in N.J.S.A. 5:12-80 through 87.1.

## **SUBCHAPTER 4. FINANCIAL STABILITY OF CASINO LICENSEES AND APPLICANTS**

### **13:69C-4.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings:

"Affiliate" is defined at N.J.A.C. 13:69-1.2.

"Capital and maintenance expenditures" means expense items related to the approved casino hotel which are incurred in connection with furniture, fixtures, equipment and facilities, and capitalized costs. Such term shall include acquisition; replacement; repairs; refurbishment; renovation; improvements; and maintenance, including public area housekeeping, and labor.

"Casino bankroll" means cash maintained in the casino, excluding any funds necessary for the normal operation of the casino, such as change banks, slot hopper fills, slot booths, cashier imprest funds and redemption area funds.

"Equivalent provisions" means lines of credit, parent company guarantees, or other arrangements approved by the Division through which funds can be accessed on a timely and as needed basis.

"Gross operating profit" means net revenues less operating expenses, as reflected on the casino licensee's or applicant's Division Statement of Income.

"Material debt" means debt of \$50,000,000 or more, whether in a single transaction or cumulative transactions during any 12-month period, or such other amount as the Division may determine is appropriate to ensure the continued financial stability of a casino licensee or applicant. Material debt includes a guarantee of the debt

of an affiliate, whether by cosignature or otherwise; an assumption of the debt of an affiliate, or an agreement to place any encumbrance on its approved casino hotel facility to secure the debts of an affiliate.

"Operating expenses" means the total of cost of goods and services; selling, general and administrative expenses, and the provision for doubtful accounts as indicated on the casino licensee's or applicant's Division Statement of Income.

**13:69C-4.2 Financial stability**

(a) Each casino licensee or applicant shall establish its financial stability by clear and convincing evidence in accordance with N.J.S.A. 5:12-84(a) and this subchapter.

(b) The Division and, where applicable, the Commission may consider any relevant evidence of financial stability; provided, however, it is presumed that a casino licensee or applicant shall be considered to be financially stable if it establishes by clear and convincing evidence that it meets each of the standards set forth in N.J.S.A. 5:12-84a(1) through (5).

**13:69C-4.3 Material debt transactions and continuing assessment of financial condition**

(a) No casino licensee shall consummate a material debt transaction without the prior approval of the Division. Any transaction not specified in this subsection shall require prior Division review and approval with regard to the financial stability standards set forth in N.J.S.A. 5:12-84(a). The following types of transactions shall not require prior Division review and approval with regard to the financial stability standards:

1. An agreement which provides for any borrowing for capital and maintenance expenditures;
2. An agreement which is for a refinancing of existing debt that includes a borrowing for capital and maintenance expenditures of at least \$50 million;
3. An agreement which provides for any borrowing that does not result in an increase in annual debt service requirements; or
4. An agreement that reflects a licensee's pro rata share of debt maintained at an affiliate, intermediary, or holding company.

(b) In the event that a casino licensee contemplates consummation of a material debt transaction which does not require prior Division review and approval under this subsection and (a) above, the casino licensee nevertheless shall notify the Division in writing, not less than 10 days prior to entering an arrangement, of a transaction subject to one of the above exceptions. The notice shall, at a minimum, include the reasons the debt transaction is an allowable exception and all relevant

calculations relating to the debt transaction.

(c) In reviewing any transaction pursuant to (a) and (b) above, the Division shall consider whether the transaction would deprive the casino licensee of financial stability, as defined by N.J.S.A. 5:12-84a, taking into account the financial condition of any affiliates of holding companies thereof, and the potential impact of any default on the licensee.

(d) Any subsequent use of the proceeds of a transaction previously approved by the Division pursuant to (a) and (b) above, including subsequent drawings under previously approved borrowings, shall not require further Division approval.

(e) The Division may restrict or prohibit the transfer of cash to, or the assumption of liabilities on behalf of, an affiliate if, in the judgment of the Division, such transfer or assumption would deprive the casino licensee of financial stability as defined by N.J.S.A. 5:12-84a.

(f) Any amendments or changes to a material debt transaction previously approved pursuant to (a) and (b) above must be filed with the Division at least 10 business days prior to executing such amendment or change. A supplemental submission should be filed detailing the impact of each proposed amendment or change and, where applicable, the overall impact of the proposed amendments or changes on debt balances, maturity dates, annual debt service requirements, and debt covenants. If the changes are deemed material, the licensee may not consummate the change or amendment without further Division approval.

#### **13:69C-4.4 Continuing financial stability reporting requirements**

(a) Each casino licensee shall file with the Division a statement of compliance with the criteria in N.J.S.A. 5:12-84a(1) through (5), which shall be included in the quarterly reports filed by the casino licensee pursuant to N.J.A.C. 13:69D.

(b) Prior to the end of each fiscal year, each casino licensee and holding company thereof shall file its financial projections for its upcoming fiscal year in a format acceptable to the Division. The Division's Office of Financial Investigations will advise each casino licensee or holding company of the contents of the financial package, which, at a minimum, shall include a statement of income, balance sheet and statement of cash flows.

(c) At the end of each calendar year, each casino licensee shall file with the Division a detailed analysis of compliance with N.J.S.A. 5:12-84a(4).

(d) In addition to the requirements of (a) through (c) above, each casino licensee and holding company thereof shall file such other information as the Division shall deem material to a showing of financial stability for a particular casino licensee and holding company thereof.

(e) Any event of default related to any debt obligation maintained by the licensee, affiliate, or holding company thereof shall be immediately reported to the Division in writing, along with any plans to address or cure such default.

(f) Each casino licensee shall electronically file its monthly internal financial statements with the Division within five days of completion and in no event later than the end of the subsequent month.

(g) Each casino licensee, affiliate, or holding company thereof shall electronically file a copy of any compliance certificates when provided to lenders pursuant to any loans or debt instruments to the Division's Office of Financial Investigations.

**13:69C-4.5 Failure to demonstrate financial stability**

In the event that a casino licensee fails to demonstrate financial stability, the Division may take such action as is necessary to fulfill the purposes of the Act and to protect the public interest, including, but not limited to: establishing an appropriate cure period; imposing reporting requirements in excess of those otherwise mandated by the Division's rules; placing such restrictions on the transfer of cash or the assumption of liabilities as is necessary to insure future compliance with the standards set forth in N.J.S.A. 5:12-84a(1) through (5); and/or requiring the maintenance of reasonable reserves or the establishment of dedicated or trust accounts to insure future compliance with the standards set forth in N.J.S.A. 5:12-84a. The Division also may move before the Commission in such instances, to seek action, including, but not limited to: the imposition of licensure conditions, revocation of licensure, and appointment of a conservator pursuant to Sections 130.1 et seq. of the Act.

## **SUBCHAPTER 5. INVESTIGATION REQUIREMENTS**

### **13:69C-5.1 General investigative standards**

The Division shall conduct an investigation of a casino license applicant, and each person required to be qualified as part of the application. The casino license applicant and each such person shall provide all information, documentation and assurances required by N.J.S.A. 5:12-80, 80.1, 80.2, 82, 83, 84, 85, 85.1, 85.2, 86, 87 and 87.1 or as otherwise may be required for the Division's investigation pursuant to the Act and the rules of the Division.

**13:69C-5.2 Continuing licensure**

(a) In accordance with N.J.S.A. 5:12-87e and 87.1, a casino license, once issued, is held with no expiration date.

(b) A casino license will continue in full force and effect subject to the requirements of the Act, the Commission's rules, and the Division's rules, including, but not limited to, N.J.A.C. 13:69C-5A, 5B and 11.

(c) The retention of a casino license shall be subject to the submission, no later than five years after the date of the issuance of a casino license and every five years thereafter, or within such lesser periods as the Division may direct, of the filings required by N.J.S.A. 5:12-87.1 and N.J.A.C. 13:69C-11.

**13:69C-5.3 Materials required to be submitted in connection with a casino license**

(a) The investigative materials required to be submitted in connection with a casino license shall include, without limitation, the following information, which shall be completed and submitted in accordance with the requirements of the Act and the rules of the Division and any instructions included with the materials:

1. A Business Entity Disclosure Form (BED) as set forth in N.J.A.C. 13:69A-5.6 for each of the following:
  - i. The casino license applicant;
  - ii. Each holding company or intermediary company of the applicant required to be qualified pursuant to N.J.S.A. 5:12-85b, 85.1b, or 85.1c; and
  - iii. Each entity required to be qualified pursuant to N.J.S.A. 5:12-85.1b or, if the circumstances warrant and the Director so determines, N.J.S.A. 5:12-85.1e;
2. The appropriate Personal History Disclosure Form (PHDF) for the following:
  - i. For each natural person required to be qualified pursuant to N.J.S.A. 5:12-85.1a or 85.1b by virtue of his or her relationship to the applicant, the PHDF required by N.J.A.C. 13:69C-2.6;
  - ii. For each natural person required to be qualified pursuant to N.J.S.A. 5:12-85.1c by virtue of his or her relationship to

a holding company or intermediary company of the applicant, the PHDF required by N.J.A.C. 13:69C-2.7;

3. Such information and documentation as may be required by the Division to investigate the qualification of any person required to be qualified as a financial source pursuant to N.J.S.A. 5:12-85.1e, g and h and N.J.A.C. 13:69C-5B;
4. Such information and documentation as may be requested by the Division to investigate the financial stability, integrity and responsibility of the casino license applicant and each holding company or intermediary company of the applicant required to be qualified pursuant to N.J.S.A. 5:12-84a, 85, and 85.1 and N.J.A.C. 13:69C-4, the integrity of its financial sources and adequacy of its financial resources pursuant to N.J.S.A. 5:12-85.1e, g and h and N.J.A.C. 13:69C-5B, and sufficient business ability and the likelihood of successful and efficient casino operations pursuant to N.J.S.A. 5:12-84d;
5. Such information and documentation as may be required by the Division to establish compliance with N.J.S.A. 5:12-103, N.J.A.C. 13:69I, Title 33 of the Revised Statutes (N.J.S.A. 33:1-1 et seq.), and the regulations, rulings and bulletins of the Division of

Alcoholic Beverage Control. This information and documentation shall include, without limitation, the following:

- i. A description of each casino hotel alcoholic beverage location, including the floor or level and the type of location as set forth in N.J.S.A. 5:12-103g and N.J.A.C. 13:69I-1.4; and
  - ii. Architectural blueprints, floorplans or other such drawings, drawn to one-eighth inch scale or such other scale approved by the Division, highlighting and identifying by name each alcoholic beverage location on those floors or levels containing such locations;
6. Such information and documentation as may be required by the Division to establish compliance with N.J.S.A. 5:12-83, 84e and all other relevant facilities requirements of the Act and the rules of the Division including, without limitation, the following:
  - i. A description of the proposed casino hotel site, including site plans, total acreage, total square footage, frontages and elevation;
  - ii. A description of the proposed casino hotel, including floor plans; and the total number of qualifying and non-qualifying sleeping units pursuant to N.J.S.A. 5:12-27 and

- 83, the number of sleeping units on each floor, the square footage of each unit and the average size of all units;
- iii. A description of the casino room and casino simulcasting facility, including floor plans;
  - iv. The construction program, including estimated construction time and anticipated date of opening; the status of all required governmental and regulatory approvals and any conditions thereto; the project budget; and the architect, general contractor, construction manager and primary subcontractors, environmental consultant and interior designer; and
  - v. An impact statement and related material which establishes to the satisfaction of the Division the suitability of the casino and related facilities in accordance with the standards set forth in N.J.S.A. 5:12-84e;
7. The information required in N.J.A.C. 13:69K-2.4, 2.5, 2.6, 4.6 and 6.7 and such other information, documentation and assurances as may be requested by the Division to ensure compliance with the equal employment and business opportunity and affirmative action requirements of N.J.S.A. 5:12-134 and 135 and N.J.A.C. 13:69K;

8. The initial license fee required by N.J.S.A. 5:12-139 and N.J.A.C. 13:69A-9.4; and
9. Any other information or documentation which the Division may deem material to the qualification of the applicant, or of any person required to be licensed or qualified, pursuant to the Act and the rules and regulations of the Commission and of the Division.

(b) The applicant shall file an original, two copies, and a computer disc of each BED and PHDF required by (a) above, and of all other information required by (a) above, with the Division Intake Unit in accordance with N.J.A.C. 13:69-3.5(b).

**13:69C-5.4 Petitions for waiver**

Upon the petition of a casino license applicant, the Division may designate the qualification status of, or waive compliance with the qualification requirements of, N.J.S.A. 5:12-85.1c for an officer, director, lender, underwriter, agent, employee or security holder of a holding or intermediary company of a casino licensee pursuant to N.J.S.A. 5:12-85.1c, or for an institutional investor thereof pursuant to N.J.S.A. 5:12-85.1g. Such matters shall be determined in accordance with the provisions of N.J.A.C. 13:69C-5A.

**13:69C-5.5 Petitions for statements of compliance**

A casino licensee, a casino license applicant, a person required to qualify in connection with a casino license or casino license application or a proposed security holder that would need to qualify, pursuant to N.J.S.A. 5:12-81, may file a petition with the Division for the Division investigate and report upon a statement of compliance request that the applicant has established compliance with one or more of the eligibility criterion required by the Act for a casino license. Before initiating an investigation of the matters pertaining to the petition, the Director may require that the person requesting a statement of compliance establish to the Director's satisfaction such person's intent as set forth in N.J.S.A. 5:12-81. Upon the conclusion of the Division's investigation and its review of the petition, it shall issue a report and recommendation in response to the petition.

## **SUBCHAPTER 5A. DESIGNATION OF QUALIFIERS AND WAIVER FROM QUALIFICATION**

### **13:69C-5A.1 Exceptions to qualification**

(a) Qualification of persons as required in N.J.S.A. 5:12-85.1b and c shall apply unless the Director, by ruling upon written request, grants an exception as provided in this subchapter. No other exceptions to qualification are valid.

(b) All such requests shall contain, at a minimum:

1. A marking at the top of the writing clearly and prominently displaying the requested ruling;
2. Citations to the specific statute and rule under which the request is made and under which the Director has the authority to rule on the request;
3. The full name of the person for whom the ruling is requested, the person's full address, a full description of the person's business(es), the identity of the applicant or casino licensee with which the person has a relationship, and a full description of that relationship;
4. Pertinent facts and circumstances involved in the matter;
5. Reason(s) in support of the requested ruling;
6. Written and irrevocable acknowledgement that the person submits to the jurisdiction of the State of New Jersey, the Division, the Commission, the Casino Control Act and the rules promulgated thereunder;

7. A representation, in writing, that the person agrees to promptly comply with all requests for information by the Division; and
8. Any other information that the Director may direct.

(c) As to a request for waiver under N.J.S.A. 5:12-85.1d, the Director may waive the requirement for a person to qualify if:

1. With respect to a holding, intermediary and subsidiary company of an applicant or casino licensee, the person is a corporate officer, director, or a direct or indirect holder of a beneficial interest or ownership interest of five percent or more in such holding, intermediary or subsidiary company; and
2. The information as set forth in (b) above is submitted.

(d) As to a request for exemption under N.J.S.A. 5:12-85.1f, the Director may exempt a person from the requirement to qualify if:

1. It is established that the person is a bank or licensed lending institution acting in the ordinary course of business with respect to its relationship with the applicant or casino licensee; and
2. The information as set forth in (b) above is submitted.

(e) As to a request for waiver under N.J.S.A. 5:12-85.1g, the Director may waive the requirement for a person to qualify if:

1. It is established that the person is an institutional investor as defined in N.J.S.A. 5:12-27.1 and:
  - i. As to equity securities of a casino licensee's

holding or intermediary companies, it is established that the person holds under 25 percent thereof; or

- ii. As to debt securities of a casino licensee's holding or intermediary companies or another subsidiary company of the casino licensee's holding or intermediary companies which is related in any way to the financing of the casino licensee, it is established that the person holds under 25 percent of the outstanding debt of the company and under 50 percent of any issue thereof unless the full issue is in the amount of \$150 million or less;
2. The information as set forth in (b) above is submitted;
  3. It is established that the person's holdings of such securities were acquired for investment purposes only;
  4. The person files a certified statement by an individual authorized to fully act on behalf of the person:
    - i. That the person has no intention of influencing or affecting the affairs of the issuer, the casino licensee or its holding or intermediary companies; and
    - ii. That the person specifically acknowledges all statutory conditions set forth in N.J.S.A. 5:12-85.1g and h and agrees to promptly comply with all such provisions, specifically including but not limited to, the provision to provide not

less than 30 days notice to the Division before taking any action that may influence or affect the affairs of the issuer, the casino license or its holding or intermediary companies and files a completed Institutional Investor Form as set forth in N.J.A.C. 13:69A-5.6B; and

5. As to a request for the Director to waive the requirement for a person to qualify holding a percentage of 25 percent or more of equity securities of a casino licensee's holding or intermediary companies or 25 percent or more of the outstanding debt securities of the company or 50 percent or more of any issue thereof, the Director may waive if:
  - i. The person complies with (e)1 through 4 above; and
  - ii. The person establishes good cause to the satisfaction of the Director.

(f) As to a request for a ruling on the exercise of the Director's discretion under N.J.S.A. 5:12-85.1e, the Director may decide not to require a person to qualify if:

1. It is established that the person holds less than 25 percent of financial instruments or evidences of indebtedness which bear relation to the casino operation or casino hotel premises;
2. The information as set forth in (b) above is submitted; and
3. The person acknowledges in writing that, consistent with the provisions of N.J.S.A. 5:12-85.1e, the person will be required to

qualify pursuant to N.J.S.A. 5:12-85.1c if, in circumstances of default, foreclosure or other similar event, the person holds 10 percent or more of such instruments or evidences of indebtedness.

## **SUBCHAPTER 5B. QUALIFICATION OF FINANCIAL BACKERS**

### **13:69C-5B.1 Qualification of financial backers and others delineated in N.J.S.A. 5:12-85.1e**

(a) Notwithstanding any other rule to the contrary, financial backers and others delineated in N.J.S.A. 5:12-85.1e that are required to be qualified shall submit the following documentation and information to the Division:

1. The full name, address and complete description of all businesses of the person for whom qualification is required;
2. The identity of all entities and individuals who own or control the person for whom qualification is required;
3. A complete description of the relationship the person has with the casino licensee, its holding, intermediary and subsidiary companies, the casino operation, and the casino hotel premises, and documentation in support thereof;
4. Together with supporting documentation, a description of the complete financing which bears relation to the casino operation or casino hotel premises and the particular and quantitative part therein by the person;
5. If not a natural person, the documents creating and governing the person;
6. Evidence of authority to conduct business in the State of New Jersey;

7. Written authorization in the form and manner prescribed by the Division authorizing the Division to access and obtain information and documentation concerning the person from any and all sources including, but not limited to, local, state and Federal law enforcement and regulatory agencies;
8. Written and irrevocable acknowledgment that the person submits to the jurisdiction of the State of New Jersey, the Division, the Commission, the Casino Control Act and the rules promulgated thereunder;
9. A representation, in writing, that the person agrees to promptly comply with all requests for information by the Division;
10. The name, title/position, address, phone number and email address of an individual designated by the person as the person's contact with the Division and who is authorized to speak and act for the person;
11. The identity of all governmental agencies that oversee or regulate the person; and
12. Any other information that the Division may direct, including, but not limited to, the submission of a Business Entity Disclosure Form, if the circumstances should so warrant.

## **SUBCHAPTER 6. CASINO HOTEL FACILITY REQUIREMENTS**

### **13:69C-6.1 Definitions**

The following words and terms, as used in this subchapter, shall have the following meanings:

"Qualifying sleeping unit" (QSU) means a hotel room which satisfies the standards set forth in Section 27 of the Act.

**13:69C-6.2 The casino hotel**

(a) No casino license shall be issued unless the casino and, if applicable, the casino simulcasting facility, are located within an approved hotel as defined in Sections 27 and 83 of the Act, and unless the facilities conform to the facilities requirements in Sections 1, 6, 27, 80.1, 80.2, 83, 84, 98, 100, 103 and 136 of the Act and the rules of the Division, including, without limitation, the following:

1. The casino hotel shall contain a CCTV system approved by the Division;
2. Restricted areas shall be designated for the inspection, repair and storage of gaming equipment which, in the case of each slot machine repair room, shall include, at a minimum, CCTV coverage of the room;
3. Each emergency exit from the casino floor or, if applicable, from the casino simulcasting facility, shall be equipped with an audible alarm system, approved by the Division, that produces a loud warning sound, discernible in the vicinity of the exit, whenever the emergency door is opened and that can only be deactivated and reset by a key maintained and controlled by the casino security department;
4. The casino licensee shall maintain adequate facilities for the detention of individuals taken into custody by its security department, the Division or any authorized law enforcement

agency, which facilities shall include, at a minimum, a bench or other apparatus which is permanently affixed to the facility and to which the person in custody can be handcuffed with as little discomfort to that person as is reasonably possible under the circumstances; and

5. The casino licensee shall adequately maintain suitable space, including an onsite office, equipment, partitions and supplies to meet the Division's continuing needs at the approved hotel in order for the Division to perform its duties and responsibilities effectively, including, at a minimum, the following:
  - i. Within the onsite Division office, a direct telephone line between the Division's office in the approved hotel and the monitoring rooms required by N.J.A.C. 13:69D-1.10 and the casino licensee's security podium;
  - ii. Adequate parking spaces in the approved hotel, or in lots or a parking garage ancillary thereto, which are clearly marked for Division use only;
  - iii. Adequate computer equipment in the office of the Division, to meet the Division's continuing data-processing and related needs; and
  - iv. Such other facilities and office space elsewhere in the approved hotel as the Division shall require during the

course of performing audit, compliance or other reviews at  
the approved hotel.

(b) Notwithstanding anything in (a) above to the contrary, each approved hotel containing a casino and, if applicable, a casino simulcasting facility for which a casino license is issued shall satisfy the facilities requirements enumerated in (a) above throughout the duration of the license and during the period of any applicable conservatorship.

**13:69C-6.3 Declaratory rulings as to proposed casino hotel facilities**

Upon the petition of any person who owns, has a contract to purchase or construct, leases or has an agreement to lease any building or site located within the limits of Atlantic City and who intends to and is able to complete a proposed casino hotel facility therein or thereon, the Division may in its discretion issue a declaratory ruling as to whether that person has established by clear and convincing evidence that the proposed casino hotel facility conforms to any or all of the facilities requirements of the Act and the rules of the Division.

**13:69C-6.4 Casino facilities**

(a) Each approved hotel shall contain a casino of not more than the amount of casino space permitted by Section 83 of the Act.

(b) A casino licensee shall file a written petition with the Division at the Division's principal office located in Atlantic City, requesting permission for any increase in the amount of casino space in its approved hotel. Such petition shall include, without limitation, the following:

1. The current total square footage of its casino space;
2. The proposed increase in total square footage of its casino space;
3. The current total number of QSUs in the approved hotel;
4. A description of any proposed hotel addition, including, without limitation, the following:
  - i. The number of additional QSUs proposed;
  - ii. Identification of the site, including block and lot number as depicted on the Tax Map of the City of Atlantic City; and
  - iii. Evidence which establishes that the proposed hotel addition meets the standards for QSUs and for an approved hotel set forth in Section 27 of the Act;
5. The construction schedule for the proposed casino expansion and proposed hotel addition, including:
  - i. The anticipated date for commencement of construction;
  - ii. The anticipated date for completion of construction; and

- iii. The anticipated date on which the additional QSUs will be available for the regular lodging of guests;
  6. The requested date for the commencement of gaming operations in the additional casino space;
  7. Any approvals required from governmental and regulatory authorities which have been obtained to date;
  8. The estimated budget for the proposed hotel addition and the proposed casino expansion, including construction, furniture, fixtures and equipment, and the anticipated means of funding such costs; and
  9. A copy of the written agreement by the casino licensee approved by the Commission, if required by the Division.
- (c) A casino expansion pursuant to (b) above must meet the following:
1. The proposed hotel addition meets the standards for QSUs and for an approved hotel in Section 27 of the Act;
  2. The total number of QSUs and proposed QSUs permit the requested increase in casino space;
  3. The proposed QSUs can be constructed on the schedule represented by the casino licensee in its petition, including a construction completion date no later than two years from the date of commencement of gaming operations in the additional casino space pursuant to (d) below;

4. Construction of the proposed hotel addition and the proposed casino expansion, for the cost and on the schedule represented by the casino licensee in its petition, will not deprive the casino licensee of its financial stability in accordance with N.J.S.A. 5:12-84a and N.J.A.C. 13:69C-4; and
5. The casino licensee has demonstrated that it has site control over the location of the proposed hotel addition, either by an executed and binding contract for any necessary purchase or lease of real property required for construction, or such other agreement.

(d) The Division may permit a casino licensee to commence gaming in the additional casino space approved pursuant to (c) above, provided that:

1. The specific layout, design and contents of the additional casino space:
  - i. Comply with the requirements set forth in N.J.A.C. 13:69E-1.27; and
  - ii. Are approved by the Division for gaming operations; and
2. All other governmental approvals regarding the casino space, including a certificate of occupancy, are obtained.

(e) Notwithstanding the provisions of (d) above, the Division may at any time require a casino licensee to immediately cease gaming operations in the additional casino space if any of the following conditions have not been satisfied:

1. The casino licensee shall obtain all necessary building permits and construction code plan releases;
2. The casino licensee shall submit the following to the Division, on a monthly basis:
  - i. A report of its compliance with the construction schedule and budget submitted pursuant to (b)5 and 8 above; and
  - ii. A report of the status of each application for governmental or regulatory approval, until such time as all required approvals are obtained;
3. On or before two years from the date of commencement of gaming operations:
  - i. Construction of the hotel addition shall be completed;
  - ii. All necessary furniture, fixtures and equipment shall be installed; and
  - iii. The proposed additional QSUs are offered as available for the regular lodging of guests; and
4. Any other condition which the Division deems necessary and appropriate has been satisfied.

(f) The standards of (c) and (d) above shall not be construed to limit the authority of the Division to determine the suitability of facilities as provided in the Act.

## **SUBCHAPTER 7. OPERATION CERTIFICATE**

### **13:69C-7.1 Standards for issuance**

(a) Except for a test period pursuant to N.J.A.C. 13:69C-7.2, each casino licensee responsible for the operation of a casino and a related casino simulcasting facility, if any, shall obtain an operation certificate prior to opening such casino or casino simulcasting facility to the public, and prior to conducting:

1. Gaming in such casino; or
2. Simulcast wagering or any gaming permitted in such casino simulcasting facility.

(b) To obtain an operation certificate, each casino licensee shall establish to the satisfaction of the Division that:

1. The casino and, if applicable, the casino simulcasting facility comply in all respects with the applicable requirements of the Act and the rules and regulations of the Division;
2. The casino licensee has implemented necessary management controls and security precautions for the efficient operation of the casino and any applicable casino simulcasting facility;
3. The casino and simulcasting personnel are licensed and/or registered for the performance of their respective responsibilities; and
4. The casino and casino simulcasting facility are prepared in all respects to receive and entertain the public.

(c) Each operation certificate granted by the Division to a casino licensee shall include, at a minimum, the following information:

1. A list itemizing the authorized games, by category and number, that are permitted in the casino and, if applicable, the casino simulcasting facility; and
2. A list of those areas, not otherwise enumerated explicitly in N.J.S.A. 5:12-43.1 or elsewhere in the regulations of the Division, which the Division has specifically designated as a restricted area.

**13:69C-7.2 Test period**

(a) Prior to the issuance of an operation certificate for its casino and casino simulcasting facility, if any, each casino licensee shall successfully complete an evaluation or test period in accordance with such terms and conditions as are reasonably calculated to allow the Division to assess the licensee's ability to hold such certificate.

(b) The evaluation or test period shall commence on such date and at such time as the Division shall establish, and shall continue thereafter until further order of the Division.

(c) The Division shall:

1. Establish the original length of time and the hours during which such test shall be conducted;
2. Terminate, restrict, limit, extend or otherwise modify such test period or the hours thereof;
3. Upon determining that the casino licensee has successfully completed the test period, establish the effective date of the operation certificate and the scope of the casino licensee's authority to conduct gaming and, if applicable, simulcast wagering thereunder; and
4. Order the casino licensee to take whatever actions are necessary to preserve the policies of the Act and to assure an effective evaluation of the casino licensee during such test period

including, among other things, permitting, limiting, restricting or prohibiting the casino licensee from:

- i. Accepting approved instruments used for wagering at the slot machines or the table games during all or any part of such period; and
- ii. Allowing the count rooms to process approved instruments used for wagering.

**13:69C-7.3 Floor plans of the casino floor, casino simulcasting facility and any restricted areas**

(a) Prior to the issuance or amendment of an operation certificate and the commencement of gaming or simulcast wagering, each casino licensee shall obtain Division approval for the floor plans of its casino floor, casino simulcasting facility, if any, public keno areas which include keno booths or satellite keno booths, and any restricted areas.

(b) Each floor plan required by (a) above shall be filed with the Division, shall be drawn to one-eighth inch scale (1/8 inch = one foot) or such other scale approved by the Division, shall be prepared by an architect licensed to practice in New Jersey, shall be approved by the New Jersey Department of Community Affairs and evidence such approval, and shall depict, at a minimum, the location of the following:

1. The casino floor, any casino simulcasting facility, any public keno area which includes a keno booth or satellite keno booth, including, at a minimum, the proposed total square footage thereof and a clear delineation of the respective perimeter of each;
2. Each gaming pit and its pit location number and, at the casino licensee's option, a maximum of four alternate configurations or locations for that pit, and the alternate pit location number for each (for example, Pit 2A);
3. Each table game, noting its pit and table game location number;

4. Each CCTV camera, noting its type and camera number;
5. Each slot booth, noting its booth number;
6. Each cashier's cage and its component offices and areas;
7. Each separate master coin bank;
8. Each window at the cashiers' cage, noting its window number;
9. Each count room;
10. Each slot zone, its slot zone location letter or number and the total number of authorized slot machine locations within that slot zone, and at the casino licensee's option, a maximum of four alternate configurations or locations for that slot zone and the alternate slot zone location number for each (for example, Slot Zone 2A);
11. Each authorized slot machine location, which location shall contain no more than one slot machine and bill changer at a time, noting its slot machine location number and any slot zone location letter or number;
12. Each slot stool authorized for use, noting its stool number, if any;
13. Each automated coupon redemption machine, noting its location number;
14. Each automated jackpot payout machine, noting its location number;

15. Each gaming voucher redemption machine, noting its location number;
16. Each satellite cage and its component offices and areas;
17. Each coin vault;
18. Each area approved for the storage of gaming chips or plaques pursuant to N.J.A.C. 13:69E-1.6;
19. Each room or area approved for the storage of dice or playing cards;
20. Each other room or area that is accessible directly from the casino floor;
21. Each keno booth and satellite keno booth;
22. Each television screen that is intended for public viewing and is visible on or from the casino floor or simulcasting facility;
23. For those establishments with a casino simulcasting facility:
  - i. Each simulcast counter and any ancillary simulcast counter, along with their component offices, areas and equipment required by N.J.A.C. 13:69D-1.14A(b) or (d);
  - ii. Each credit voucher machine, noting its location number;  
and
  - iii. Each self-service pari-mutuel machine, noting its location number; and
24. Each other area or room designated by the Division.

(c) Each casino licensee, after obtaining Division approval of its floor plan, shall not commence gaming or simulcast wagering in the areas depicted on the floor plan until a copy thereof that has been certified and sealed by the architect has been delivered to the Division's Regulatory Enforcement Bureau office in the establishment, an electronic copy has been sent to the Division's Regulatory Enforcement Bureau and a printed copy thereof has been delivered to each of the following:

1. The casino licensee's security podium; and
2. The casino licensee's monitoring rooms required by N.J.A.C.

13:69D-1.10.

**13:69C-7.4 Master lists of approved slot machines and table games; movement of gaming equipment; amendments of operation certificates upon filing of updated master lists**

(a) Prior to the issuance of an operation certificate and the commencement of gaming or simulcast wagering, each casino licensee shall file with the Division's Regulatory Enforcement Bureau office in the establishment comprehensive lists of:

1. The table games in its casino and casino simulcasting facility, if any (the Table Games Master List);
2. The slot machines and bill changers on its casino floor (the Slot Machine Master List);
3. The slot machines possessed by the casino licensee in restricted casino areas off the casino floor but on the premises of its casino hotel facility; and
4. The slot machines possessed by the casino licensee at locations in New Jersey off the premises of its casino hotel facility.

(b) At a minimum, each list of slot machines required by (a)2 through 4 above shall contain the following information, as applicable, which information shall be presented, for each slot machine and any accompanying bill changer on the Slot Machine Master List, in consecutive order by location number:

1. The date on which the list was prepared;
2. A description of each slot machine by:
  - i. Asset, model and serial number;
  - ii. Computer program number;

- iii. Denomination;
  - iv. Manufacturer and machine type, noting with particularity whether the machine is a high-boy, has a bill changer attached, is a progressive slot machine, or is equipped with tokenization;
  - v. Whether the slot machine has an activated electronic transfer credit feature; and
  - vi. Whether the slot machine has an activated gaming voucher feature, and if so, whether such feature is in lieu of a hopper and either a slot drop bucket or slot drop box;
3. A cross reference for each slot machine by zone and serial number;
  4. The restricted casino area within the casino hotel facility where the slot machine is located for each slot machine included on the list required by (a)3 above;
  5. The address of the slot machine storage facility where the slot machine is located for each slot machine included on the list required by (a)4 above; and
  6. Such other information as the Division may require.

(c) At a minimum, each Table Game Master List shall contain the following information:

1. The date on which the list was prepared;

2. A description of each table by:
  - i. Type of authorized game;
  - ii. Location number; and
  - iii. Serial and table number; and
3. Such other information as the Division may require.

(d) Whenever a casino licensee proposes that gaming tables, slot machines or bill changers be brought into, removed from or moved within a casino or casino simulcasting facility, as applicable, the casino licensee shall first:

1. Obtain any amendment to its operation certificate required by N.J.A.C. 13:69C-7.6 or 7.7; and
2. Provide an authorized agent of the Division with written notice at least 72 hours prior to the actual movement of each gaming table, slot machine and bill changer.

(e) Immediately after each gaming table, slot machine and bill changer is brought into, removed from or moved within a casino or casino simulcasting facility, as applicable, the casino licensee completing the move shall file and serve, in accordance with (a) above, updated master lists of its table games and slot machines to the extent that the move causes a change in the information contained on the most recent version of the applicable list on file with the Division. In addition, each casino licensee shall, on a monthly basis, file updated lists of slot machines required pursuant to (a)2 through 4 above with the Division.

(f) The number of each type of authorized game included in

(g) the casino licensee's operation certificate or any approved amendments thereto shall be amended, upon the filing of an updated Table Games Master List or Slot Machine Master List, to conform to the correct number of each type of authorized game that is specified in the applicable list.

**13:69C-7.5 Effective date; duration**

(a) Upon the successful completion of the test period, the Division shall establish the effective date of each operation certificate and the scope of the casino licensee's authority to conduct gaming and, if applicable, simulcast wagering thereunder.

(b) Subject to the Division's authority to revoke, suspend, limit or otherwise alter an operation certificate in accordance with the terms of the Act and the rules of the Division, each such certificate, once issued, shall remain in full force and effect indefinitely under such terms and conditions as the Division may impose, and shall not be altered, modified or amended except in accordance with the Act and the rules of the Division.

(c) The continued effectiveness of each operation certificate shall be a prerequisite for the casino or casino simulcasting facility to which it applies to remain open to the public for the conduct of gaming or simulcast wagering.

(d) Each casino licensee to which an operation certificate is issued shall operate its casino or casino simulcasting facility strictly in accordance with the terms of its original operation certificate and the approved floor plans submitted in support thereof, and shall not change any of the items to which the operation certificate applies except in accordance with the Act and the rules of the Division and after obtaining any required amendments to its operation certificate.

**13:69C-7.6 Amendment to conform to approved changes**

(a) Each casino licensee shall file with the Division, in a manner and in a format prescribed by the Division, an application to amend its operation certificate whenever the casino licensee proposes to make an application to conduct keno in a public keno area in accordance with N.J.A.C. 13:69D-1.47B or a physical change to the casino, casino simulcasting facility or a restricted area that requires Division approval in order for its original operation certificate or any approved amendments thereto to continue in force and effect. Any amendment to the application shall be processed in accordance with this section. The application shall include, without limitation, the following:

1. A description of any proposed changes in any public keno area or in the number of authorized games, by category, to be played in the casino or casino simulcasting facility; provided, however, that the filing of an application pursuant to this section shall not preclude that casino licensee from obtaining amendments to its operation certificate pursuant to N.J.A.C. 13:69C-7.4(f);
2. A revised floor plan of the casino, casino simulcasting facility, any public keno area which includes a keno booth or satellite keno booth or restricted area reflecting the proposed change, which revised floor plan shall be:
  - i. Filed with the Division's Regulatory Enforcement Bureau office located in Atlantic City; and

- ii. Submitted in the format required by N.J.A.C. 13:69C-7.3;
3. If applicable, a comparison showing the authorized square footage of the casino room or casino simulcasting facility:
  - i. Immediately prior to initiating the proposed change; and
  - ii. That will result if the proposed change is made;
4. A clear delineation of any proposed change to the perimeter of the casino room or, if applicable, the casino simulcasting facility;
5. A narrative from the architect who is certifying the floor plan that clearly describes the change to be made by the proposal, noting with particularity any such change to the perimeter of the casino floor or of the casino simulcasting facility; and
6. A description of any alternate gaming pit or slot zone configurations of locations, submitted in the format required by N.J.A.C. 13:69C-7.3. Prior to any change to and offering to the public of an approved alternate configuration or location:
  - i. The casino licensee shall provide the Division with at least 72 hours prior written notice of the change; and
  - ii. A physical and CCTV inspection of the alternate configuration or location shall be performed and approved by the Division.

(b) Within seven business days of a casino licensee filing an application governed by (a) above, or any amendments thereto, the Division shall review the

proposed change set forth in the application or any amendments thereto for compliance with the Act and the rules of the Division. Unless the Division notifies the casino licensee in writing that the proposed change is to be scheduled for a full hearing by the Director or his designee or is disapproved, the casino licensee, after obtaining all approvals required by Federal, State or local government officials and providing a copy or other acceptable written evidence of such approvals to the Division, may begin implementing such change upon the earlier of the following:

1. The expiration of the seven-day period; or
2. Receipt of written Division approval for the change.

The casino licensee that submitted an application governed

(c) by (a) above shall notify the Division in writing upon final completion of any proposed change set forth in the application or any amendment thereto and for which the casino licensee is prepared to seek approval pursuant to (d) below; provided, however, that a notice shall be filed upon final completion of all proposed changes. A floor plan that depicts the actual changes made shall accompany the notice and be filed in the manner prescribed by N.J.A.C. 13:69C-7.3(c). Each such floor plan shall be in a format consistent with N.J.A.C. 13:69C-7.3 and, in addition to depicting the change that is made to the applicable items enumerated in N.J.A.C. 13:69C-7.3(b), shall include updates, based on the actual changes made, for each item required to be included in the application pursuant to (a) above and described in the notice; provided, however, that a floor plan of the entire casino or casino simulcasting facility that depicts all

changes proposed in the application and any amendment thereto shall accompany the notice of final completion.

(d) Promptly after the filing of a notice pursuant to (c) above, the Division shall inspect the physical changes actually made to the casino, casino simulcasting facility and any restricted area to ensure that those changes conform to the floor plan accompanying the notice and the description previously submitted to the Division, as modified by any properly filed amendments thereto. Following such inspection, the Division shall notify the casino licensee in writing as to which physical change is approved and which is rejected, whereupon:

1. The casino licensee, in the event any change is rejected, shall either:
  - i. Correct any rejected change to conform with the floor plan accompanying the notice and the description previously submitted to the Division, as modified by any properly filed amendments thereto, which correction shall be completed and inspected pursuant to this section;
  - ii. Submit for approval, pursuant to (a) above, a new application for the proposed change; or
  - iii. Take such other action as the Division may direct to ensure that the currently approved floor plan accurately depicts the physical layout of the casino, the casino simulcasting facility, if any, and any restricted area; and

2. The operation certificate shall be amended to conform to each inspected and approved physical change.

(e) For purposes of this subchapter, a "business day" shall be a calendar day other than:

1. A Saturday or Sunday; or
2. Any day on which the Division's main offices are closed because of Federal, State or local holiday, inclement weather, or like circumstance.

**13:69C-7.7 Temporary amendments for pit and slot zone reconfigurations or reconstitutions**

(a) Except as otherwise provided in this section or in N.J.A.C. 13:69C-7.4(f), each casino licensee shall configure the pits and slot zones in its casino or casino simulcasting facility, as to types, number and location of games, strictly in accordance with the floor plans approved by the Division at the time the operation certificate originally was issued or as amended pursuant to N.J.A.C. 13:69C-7.6.

(b) Each casino licensee may temporarily reconfigure one or more pits or slot zones by filing a notice with the Division at the Division's Regulatory Enforcement Bureau office in the establishment, to temporarily reconfigure for each pit or slot zone specified in the notice, which shall be filed at least three business days prior to implementing such alternate configuration. In addition, pursuant to the above notice procedure, each casino licensee may also temporarily reconstitute one or more pits as a slot zone(s) or one or more slot zones or a portion thereof as a pit. Within that three-day period, the Division shall notify the casino licensees whether the reconfiguration or reconstitution is rejected.

(c) In accordance with the specific terms of the notice, the casino licensee shall implement the reconfiguration or reconstitution for a period of no more than 120 consecutive days. Notwithstanding the foregoing, the Division may approve the implementation of a reconfiguration of a pit in conjunction with the test of a new table game or table game wager pursuant to N.J.A.C. 13:69F-8.4 for a period up to 270 days from the day such test commences. Each such reconfigured pit shall not:

1. Exceed the dimensions approved for the pit that existed immediately prior to the reconfiguration; nor
2. Include any change requiring the approval of any Federal, State or local government building code official without having first obtained that approval and the approval of the Division in accordance with N.J.A.C. 13:69C-7.6.

(d) Each casino licensee shall obtain approval for any changes, other than those permitted by this section, to the configuration of the pits or slot zones in its casino and casino simulcasting facility, if any, in accordance with N.J.A.C. 13:69C-7.6.

(e) Each pit operating under an approved configuration shall have an electrical system, approved by the Division, which enables a pit clerk or a pit supervisor to transmit a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:

1. The monitoring rooms required by N.J.A.C. 13:69D-1.10; and
2. The casino security department.

**13:69C-7.8 Access to public and restricted areas**

(a) No casino licensee shall permit any person to have access to any restricted area in its establishment unless such access is permitted in accordance with the casino licensee's internal controls.

(b) Each casino licensee may deny or limit access to any public areas in order to preserve the policies of the Act, including, but not limited to, the following:

1. Persons excluded or excludable under N.J.S.A. 5:12-71, 71.1 and 71.2 and N.J.A.C. 13:69G;
2. Employees of casino licensees prohibited from wagering at any game or on casino simulcasting under N.J.S.A. 5:12-100n and N.J.A.C. 13:69M-2.8;
3. Underage persons prohibited from gaming and simulcast wagering under N.J.S.A. 5:12-119a and N.J.A.C. 13:69B-5.9;
4. Persons seeking to play the game of blackjack to whom the provisions of N.J.A.C. 13:69F-2.3(j) apply; and
5. Players required by a casino licensee to leave the game of poker under N.J.A.C. 13:69F-14.16.

(c) Nothing in this section shall limit the authority of Division employees or agents and Commission members or employees from obtaining access to restricted areas during the performance of their respective duties and responsibilities in accordance with the Act and the rules of the Division.

## **SUBCHAPTER 8. CONTINUING OBLIGATIONS OF CASINO LICENSEES AND QUALIFIERS**

### **13:69C-8.1 Minutes of meetings of boards and committees**

(a) Each applicant or casino licensee or holding company thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), copies of the minutes of all meetings of its board of directors or equivalent governing authority, as applicable, and of all committee meetings including, without limitation, the audit committee, within 45 days of the meeting regardless of their formal adoption and in the instance of a casino license applicant, with a copy to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a). Upon formal adoption of previously-submitted board and committee minutes, a copy of such final minutes shall be filed with the Division at its address set forth in N.J.A.C. 13:69-3.5(a) and, if the final minutes relate to a casino license applicant, with a copy to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

(b) Each applicant or casino licensee or holding company thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), a schedule for its board and committee meetings on an annual basis. If the schedule relates to a casino license applicant, a copy of the schedule shall be provided to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

**13:69C-8.2 Governing documents**

(a) Each applicant or casino licensee or holding company thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), copies of any amendments to, restatements of, or superseding versions of the governing documents of the business entity, within seven days of their formal adoption and in the instance of a casino license applicant, with a copy to the Commission at its address set forth in N.J.A.C. 13:69-3.5(a).

(b) The governing documents described in (a) above include, but are not limited to:

1. If a corporation:
  - i. Articles of incorporation;
  - ii. Charter; and
  - iii. Bylaws;
2. If a partnership:
  - i. Partnership agreements; and,
  - ii. Certificates of limited partnership, if applicable; and

**13:69C-8.3 Profit sharing agreements**

(a) Agreements between a casino licensee and its employees which provide for casino employee registrant or casino key employee licensee profit sharing shall be lawful if the agreement is in writing and filed with the Division prior to its effective date. Such agreements may be reviewed by the Division under any relevant provision of the Act.

(b) Payments by a casino licensee under a profit sharing agreement shall only be made to properly registered casino employees or licensed casino key employees.

(c) Concurrent with the filing of a profit sharing agreement, casino licensees shall submit the following information to the Division:

1. The number of participants in the profit sharing agreement and the associated positions; and
2. Projected payments under the profit sharing agreement for the next two calendar years.

(d) Changes or amendments to previously filed profit sharing agreements will be effective upon filing such changes or amendments with the Division, provided that a narrative description of the changes to the profit sharing agreement is filed, including any changes to anticipated payments under the plan.

(e) On an annual basis, each casino licensee shall submit the following information regarding profit sharing agreements to the Division no later than March 31:

1. An attestation that the casino licensee has complied with N.J.A.C. 13:69-8.3(b); and

2. The total amount paid under each profit sharing agreement for the prior calendar year, with a grand total for all profit sharing agreements.

(f) The cancellation of any profit sharing agreement shall be reported to the Division within five days of termination.

**13:69C-8.4 Financial statements and projections**

(a) Each applicant or casino licensee or holding company thereof shall file, with the Division's Office of Financial Investigations, its financial projections for its upcoming fiscal year in a format acceptable to the Division in accordance with N.J.A.C. 13:69C-4.4. The Division's Office of Financial Investigations will advise each applicant or casino licensee or holding company of the contents of the financial package, as well as the deadline for its annual submission.

(b) Each applicant or casino licensee or holding company thereof shall file, with the Division's Office of Financial Investigations, its audited financial statement for the prior fiscal year when it is prepared in accordance with N.J.S.A. 5:12-70a(15).

(c) Each applicant or casino licensee or holding company thereof shall file, with the Division's Office of Financial Investigations, its quarterly unaudited financial statement when it is prepared in accordance with N.J.S.A. 5:12-70a(15).

(d) Each applicant or casino licensee or holding company thereof shall file, with the Division's Office of Financial Investigations, any other reports prepared by the independent auditors of the entity in accordance with N.J.A.C. 13:69D-1.7.

**13:69C-8.5 Tax return filings**

Each applicant or casino licensee or holding company, intermediary company, qualifying subsidiary and entity qualifier thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), copies of its Federal and state tax returns and related forms, at the time such returns are submitted to the taxing authority.

**13:69C-8.6 Securities filings**

Each applicant or casino licensee or holding company, intermediary company, qualifying subsidiary or entity qualifier thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), copies of all filings submitted to Federal and state regulatory authorities regarding any of its securities, either in existence or proposed. Those filings shall include annual reports prepared on Form 10k, any interim reports, registration statements and any proxy or information statements filed with the Securities Exchange Commission.

**13:69C-8.7 Annual reports**

Each applicant or casino licensee or holding company, intermediary company, qualifying subsidiary or entity qualifier thereof shall file, with the Division at its address set forth in N.J.A.C. 13:69-3.5(a), copies of any annual reports when prepared in accordance with N.J.A.C. 13:69D-1.6.

### **13:69C-8.8 Compliance system**

(a) The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Affiliate" is defined in N.J.A.C. 13:69-1.2.

"Compliance committee" means a group of natural persons who are responsible for the review and evaluation of the conduct of the casino licensee, its holding companies and affiliates in accordance with an approved compliance review and reporting system and this section.

"Compliance officer" means the individual who is responsible for the daily operations of the approved compliance review and reporting system in accordance with this section.

"Compliance review and reporting system" means a written plan to be implemented by each casino licensee or a holding company thereof in accordance with this subchapter, for purposes of ensuring the good character, honesty and integrity of the casino licensee, its holding companies, affiliates and employees in accordance with the Act.

"Executive employee" means an employee who by reason of his or her management or policy-making position exercises authority, discretion or influence over decisions concerning the operations of the company, whether or not such individual is required to be qualified by the Commission.

"Gaming authority" shall mean the applicable gaming board, commission, or other governmental gaming regulatory authority, body or agency of any state of the

United States that has an established system of regulation of casino gaming activities and responsible for interpreting, administering and enforcing gaming laws.

“Gaming laws” shall mean all applicable constitutions, treatises, laws and statutes pursuant to which any gaming authority possesses regulatory, licensing or permitting authority over gaming, gambling or casino or casino-related activities and all rules, rulings, orders, ordinances and regulations of any gaming authority applicable to the gambling, casino, gaming businesses or casino or casino-related activities of a casino licensee, or any of its subsidiaries or affiliates, in any jurisdiction.

“Public official” with respect to New Jersey means any “person” as defined in N.J.S.A. 5:12-102n. With respect to other jurisdictions, “public official” means the governor and lieutenant governor of a state and their chief counsels and chiefs of staff; members of the legislative and judicial branches of state government; any person holding a position or employment as head of any department, division, board, bureau, office, commission or other instrumentality of the executive, legislative or judicial branches of state government; any person holding any position or employment in state government or any independent state authority, commission, agency or instrumentality with responsibility for matters affecting any casino activity or proposed casino activity except clerical and non-professional employees; any member of the governing body, or a judge, or an attorney of a municipality or county, or an equivalent political subdivision, wherein a casino is located or may become located; and, any member of or attorney or planner or engineer for or consultant to any planning board or other land-use instrumentality wherein a casino is located or may become located.

(b) Each casino licensee or a holding company thereof shall implement a compliance review and reporting system for the casino licensee, its holding companies and affiliates in accordance with a written plan that meets the requirements of this subchapter.

(c) The compliance review and reporting system shall, at a minimum, establish standards and procedures for the following:

1. The monitoring of policies, procedures, material transactions and proposed transactions for purposes of avoiding impropriety or the appearance thereof;
2. Ensuring compliance with all applicable Federal, State and local laws and regulatory requirements;
3. Protecting against unethical or unlawful behavior by employees;
4. The conduct of due diligence reviews and investigations of the following:
  - i. Corporate officers, directors and executive employees or their non-corporate equivalents except if the person is currently licensed or qualified by a public agency pursuant to standards essentially equivalent to those in the Casino Control Act, N.J.S.A. 5:12-1 et seq.; and
  - ii. All entities and individuals including, but not limited to, consultants, having any material association or proposed association with efforts by the company to pursue gaming

opportunities in any jurisdiction not having a distinct system which regulates such activity; and

5. Requiring prior compliance committee approval or prior compliance officer approval with prompt notice to the compliance committee in such instances, and prompt notice to the Division, of all payments to, business associations with, or provision of services, gifts or any thing of value to or on behalf of any public official of a jurisdiction in which the casino licensee, its holding companies or affiliates conducts gaming or new development or ballot initiative activities. For purposes of this subchapter, "thing of value" shall not include any service or item offered to the general public at the usual rate; complimentaries based on gaming activity; lawful political contributions; plaques, certificates or other ceremonial items; and, other services or items the aggregate value of which does not exceed \$1,000 annually.

(d) The written compliance plan, and any amendments thereto, shall be provided to the Division.

(e) The casino licensee or holding company, as applicable, shall designate an individual to serve as a compliance officer in accordance with this subchapter. The compliance officer shall be an individual who has been found qualified by the Commission under the Act.

1. The compliance officer shall report directly to the Compliance committee on matters related to this subchapter. All reports prepared by the compliance officer relating to the compliance review and reporting system shall be filed with the compliance committee.
2. The compliance officer shall have no functions which are incompatible with his or her duties and responsibilities as a compliance officer as set forth in this subchapter. Such incompatible functions shall include, without limitation, market development activities.
3. The compliance officer shall:
  - i. Notify the compliance committee in writing of the following:
    - (1) All efforts by the casino licensee, its holding companies, affiliates or employees in connection with the development of gaming activities in any jurisdiction not having a distinct system which regulates such activity, and the names of all individuals and business entities including, but not limited to, consultants, having any material association or proposed association with such efforts; and

(2) All outstanding material litigation involving the casino licensee, its holding companies or affiliates or any executive employee, which is not routine business litigation such as, without limitation, negligence, workers compensation and employment claims; and

ii. Provide the Division with notice of the information in (e)3i above at least semi-annually on or before January 1st and July 1st of each year.

(f) The casino licensee or holding company, as applicable, shall establish a compliance committee consisting of at least three members, each qualified by the Commission under the Act. At least one member thereof shall not hold any employee, officer, executive or operational position with the casino licensee, its holding companies or affiliates, and one or more members of the committee shall be familiar with the New Jersey gaming regulatory process.

1. The compliance committee shall meet at least once a calendar quarter.
2. The compliance committee shall not report to any employee, officer, executive or operational person or entity within the casino licensee, its holding companies or affiliates, and shall file its reports and recommendations with the company's board of directors and the general counsel.

3. The written agenda for each meeting of the compliance committee shall be promptly filed with the Division, and the minutes for each such meeting, whether or not ratified or adopted, shall be filed with the Division in accordance with N.J.A.C. 13:69C-8.1.
4. Any casino licensee or holding company thereof which has a compliance committee constituted in accordance with gaming laws shall be entitled to utilize that committee for purposes of this subchapter, provided that the charter for such committee expressly imposes responsibility for compliance with this subchapter and the committee and its members meet the requirements of this subchapter.

(g) Any information or documents obtained, maintained, prepared or communicated by, to or on behalf of the compliance officer, compliance committee, general counsel, or board of directors or their agents, in connection with any policy implemented in accordance with this subchapter shall be maintained in accordance with N.J.S.A. 5:12-74.1.

(h) Nothing in this subchapter shall be construed to preclude any casino licensee from utilizing:

1. Its independent audit committee, formed in accordance with N.J.A.C. 13:69D-1.11(c), to assume the duties and perform the functions of the compliance committee mandated by this

subchapter, provided that the charter for such committee expressly imposes responsibility for compliance with this subchapter; and.

2. Its audit department executive required by N.J.A.C. 13:69D-1.11(b)2 to assume the duties and perform the functions of the compliance officer required by this subchapter.

(i) No person shall concurrently serve in the following three positions of a casino licensee, its holding companies, or affiliates:

1. Compliance officer;
2. Member of the compliance committee; and
3. Legal officer.

## **SUBCHAPTER 9. EMPLOYMENT REQUIREMENTS**

### **13:69C-9.1 Employee internal controls submission**

(a) Each applicant for a casino license shall, in accordance with N.J.S.A. 5:12-99, submit an original and three copies to the Division of a description of its internal procedures and administrative and accounting controls concerning employee licensing requirements. Unless otherwise directed by the Division, an initial submission shall be made at least 30 days prior to the projected date of issuance of a certificate of operation. Each such submission shall address, without limitation, the following employee licensing requirements:

1. Procedures used to process and submit applications for casino key employee licenses and casino service employee registrations;
2. Procedures used to prepare and submit petitions for temporary key employee licenses;
3. Procedures for assuring that only properly licensed or registered persons are employed in each position for which a license or registration is required;
4. Procedures for assuring that no person whose license, registration, qualification or approval has been denied or revoked or whose license or registration has been suspended is employed in any position which does not require a license or registration, except as expressly authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11;

5. Procedures for assuring that no unlicensed or unregistered person who has committed a disqualifying offense pursuant to N.J.S.A. 5:12-86c is employed as a CHAB employee, except as expressly authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11; and
6. Procedures for notice, verification and implementation of wage executions in accordance with N.J.A.C. 13:69C-9.6.

(b) Each casino licensee shall maintain on its premises a complete, updated copy of its employee internal controls submission, which shall be made available for review upon request of the Division.

(c) Unless otherwise directed by the Division, an amendment to a previously approved employee licensing internal controls submission may be implemented by the casino licensee without the prior approval of the Division, provided that the amendments are immediately recorded in the copy of the employee internal controls submission maintained by the licensee on its premises.

(d) The Division may review any internal controls submission required to be maintained by this section.

**13:69C-9.2 Obligation to terminate, suspend or refuse employment; form of notice**

(a) Except as authorized by the Division pursuant to N.J.A.C. 13:69A-8.9, 8.10 or 8.11:

1. Each casino licensee shall terminate or suspend the employment of any person whose license, registration, qualification or approval has been denied, revoked or suspended by the Commission and/or the Division;
2. No casino licensee shall employ any person whose license, registration, qualification or approval has been denied, revoked or suspended during the period such person is restricted from employment pursuant to N.J.A.C. 13:69A-8.8; and
3. No casino licensee shall knowingly employ any unlicensed or unregistered person as a CHAB employee if such person has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c.

(b) Any casino licensee required to terminate or suspend the employment of any such person shall do so within 24 hours of receipt of notice from the Commission and/or the Division as defined in (c) below.

(c) The Division shall, on a weekly basis, notify each casino licensee of the name, date of birth, license, registration or application number and employment eligibility status of each person whose license, registration or application has been revoked, suspended or denied by the Commission and/or the Division.

1. This notice shall be provided to each casino licensee by hard copy (printed) communication or electronic data transfer by no later than 3:00 P.M. each Thursday, unless Thursday is a State or Federal holiday, in which case notice shall be provided by no later than 3:00 P.M. on the first weekday thereafter that is not a State or Federal holiday.
2. Notwithstanding N.J.A.C. 13:69-3.3(d), this notice shall be deemed received by the casino licensee at 9:00 A.M. on the second weekday following the issuance of the notice, unless that weekday is a Friday or State or Federal holiday, in which case notice shall be deemed received at 9:00 A.M. on the first weekday thereafter that is not a State or Federal holiday.

**13:69C-9.3 Employee reporting and recordkeeping requirements**

(a) Each casino licensee shall maintain a complete, accurate and current record of each employee including, without limitation, the information in (b) below.

(b) Each casino licensee shall file the following reports with the Division by electronic data transfer on the first and the 15th calendar day of each month:

1. For each current employee:
  - i. License or registration number, if applicable;
  - ii. Social Security number, if such information has been voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. § 522a;
  - iii. Last name, first name and middle initial;
  - iv. Date of birth;
  - v. Address, including zip code;
  - vi. Job title;
  - vii. Initial date of hire in the position;
  - viii. The casino code assigned by the Division to the casino licensee;
  - ix. The access code, if any, assigned to the employee, which code designates the restricted casino areas that the employee is permitted to enter and remain in for the purposes of performing his or her normal duties; and

- x. For any CHAB employee who does not hold a valid license or registration, whether such employee has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c;
- 2. For each individual whose employment has been terminated since the date of the most recent report filed with the Division pursuant to this subsection:
  - i. The information in (b)1i through x above; and
  - ii. The effective date of termination;
- 3. A record of any and all designations used by a casino licensee to describe categories of its employees, for example "full time," "part time," or "seasonal," the number of employees in each such category and the total number of all employees in all categories; and
- 4. The date on which the information provided in the report was compiled.

**13:69C-9.4 and 9.5 (Reserved)**

**13:69C-9.6 Notice, verification and implementation of wage execution**

(a) The Division shall, on a weekly basis, notify each casino licensee of the name, date of birth, and, if applicable, the license or registration number of each person who has become subject to a Commission or Division order pursuant to N.J.A.C. 13:69B-2.11A.

1. This notice shall be provided to each casino licensee by hard copy (printed) communication or electronic data transfer by no later than 3:00 P.M. each Thursday, unless Thursday is a State or Federal holiday, in which case notice shall be provided by no later than 3:00 P.M. on the first weekday thereafter that is not a State or Federal holiday.
2. Notwithstanding N.J.A.C. 13:69-3.3(d), this notice shall be deemed received by the casino licensee at 9:00 A.M. on the second weekday following the issuance of the notice, unless that weekday is a Friday or State or Federal holiday, in which case notice shall be deemed received at 9:00 A.M. on the first weekday thereafter that is not a State or Federal holiday.

- (b) Upon receipt of the notice in (a) above, a casino licensee shall either:
1. Verify that, except as provided in (c)1 below, a wage execution is in place for each employee whose name appears on the list; or
  2. If a wage execution is not in place for any such employee, the casino licensee shall:

- i. Obtain a copy of the Commission or Division order and relevant consent agreement or court order from the employee or immediately request copies from the Commission or Division; and
- ii. Within 10 days of receipt of the notice, implement the Commission or Division order by remitting the required amount of the employee's wages to the agency identified in the consent agreement or court order until the amount specified has been remitted or until the employee provides evidence that the debt has been paid in full.

(c) Notwithstanding (b) above:

1. A casino licensee shall notify the Commission or Division in writing of any prior wage execution orders, final decrees in bankruptcy proceedings or any other reason which prevents compliance with the Commission's or Division's order, including the terms and priorities of such orders or decrees.
2. A casino licensee shall be permitted, upon written notice to the Commission or Division, to cease implementation of any consent agreement imposed pursuant to N.J.A.C. 13:69B-2.11A, if it receives a subsequent court order directing a wage execution for that employee or a final decree in a bankruptcy proceeding which discharges the underlying debt.

## **SUBCHAPTER 10. REQUIREMENTS FOR DOING BUSINESS WITH VENDORS**

### **13:69c-10.1 Requirements for doing business; Active Vendors Record; Prohibited Vendors Record**

(a) No agreement entered into with any person by or on behalf of a casino licensee or applicant shall be performed or in force or effect unless the casino licensee or applicant has filed a Master Purchasing and Disbursement Report, and:

1. The person is licensed as a casino service industry pursuant to N.J.S.A. 5:12-92a or is an applicant for a casino service industry license pursuant to N.J.S.A. 5:12-92a and has been granted a transactional waiver pursuant to N.J.A.C. 13:69J-1.2B; or
2. The person is licensed as a casino service industry pursuant to N.J.S.A. 5:12-92a or is an applicant for a casino service industry license pursuant to N.J.S.A. 5:12-92a and has been granted a transactional waiver pursuant to N.J.A.C. 13:69J-1.2B; or

(b) The Division shall maintain an Active Vendors Record of persons with whom a casino licensee or applicant may do business for the reasons set forth in (a) above.

(c) Notwithstanding any other provision of this subchapter, no casino licensee or applicant shall enter into an agreement with any person who:

1. Has been found disqualified pursuant to N.J.S.A. 5:12-86;
2. Has failed to comply with the filing requirements of N.J.A.C. 13:69C-10.4;

3. Has been subject to a suspension, revocation or denial of a casino service industry license or dismissal of an application pursuant to N.J.A.C. 13:69A-9.3 or 13:69J-1.5 or 1.10;
4. Is restricted from application pursuant to N.J.A.C. 13:69A-8.6; or
5. Has been temporarily prohibited from doing business with casino licensees and applicants pursuant to N.J.A.C. 13:69B-3.

(d) The Division shall maintain a Prohibited Vendors Record of persons with whom casino licensees and applicants are prohibited from doing business for the reasons set forth in (c) above. Such record shall be made available to casino licensees and applicants on a regular basis.

(e) No person shall be removed from the Prohibited Vendors Record except as follows:

1. By order of the Division;
2. Upon expiration of the applicable period of restriction; or
3. For a person who is placed on the Prohibited Vendors Record for failure to comply with all applicable filing requirements, upon compliance therewith or after a period of five years from the date of prohibition unless the Division determines that such person should remain on the Record to protect the public interest and further the policies set forth in N.J.S.A. 5:12-1(b)6, 1(b)9, 92 and 104.

### **13:69C-10.2 Maintaining agreements; filing of agreements**

(a) Pursuant to N.J.S.A. 5:12-104b, each casino licensee or applicant shall be required to maintain a fully signed copy of every written agreement and records with respect to any unwritten agreement, which provide, at a minimum, the terms thereof, the parties thereto and a description of the goods or services provided regarding the following, whether or not the casino licensee or applicant is a party to such agreement and whether or not the agreement provides for the exchange of direct compensation:

1. The realty of the casino hotel or related facility, including construction, maintenance, renovation, expansion or demolition;
2. Any person doing business with or for the benefit of the casino licensee or applicant; or
3. Any person doing business on the premises of the casino hotel.

(b) Each casino licensee or applicant shall submit a copy of any written agreement or a precise written description of any unwritten agreement for which records are maintained pursuant to (a) above upon oral or written request from the Division based upon a determination that such filing is necessary to protect the public interest and accomplish the policies of the Act.

(c) A written agreement between a casino licensee holding an Internet gaming permit and a casino service industry enterprise licensed pursuant to section 92a of the Act, or an eligible applicant for such a license, in connection with the conduct of Internet gaming that provides for a percentage of the casino licensee's Internet gaming

gross revenue to be paid to the casino service industry enterprise licensee shall be filed with and approved by the Division.

**13:69C-10.3 Review of agreements and records of agreements; termination upon disapproval**

(a) The Division may review each agreement and record maintained pursuant to N.J.A.C. 13:69C-10.2 to determine the following:

1. The reasonableness of the terms of the agreement, including the terms of compensation;
2. The qualifications of the persons involved in and associated with the agreement in accordance with the standards enumerated in Section 86 of the Act, after which the Division may make a finding as to the suitability of such persons to be involved or associated with the casino licensee or applicant; and
3. Whether any action is desirable or necessary to regulate, control or prevent economic concentration in any casino service industry or to encourage or preserve competition in any casino service industry in accordance with N.J.S.A. 5:12-1b(12) and N.J.A.C. 13:69J-1.6.

(b) If the Division disapproves of an agreement governed by N.J.S.A. 5:12-104b and N.J.A.C. 13:69C-10.2 or any person associated therewith, the Division may by directive require the termination of such agreement or association or pursue any remedy or combination of remedies provided for in the Act or the rules of the Division. If such disapproved agreement or association is not thereafter promptly terminated as required by Division directive, the Division may pursue any remedy or combination of remedies provided for in the Act or the rules of the Division.

(c) Each agreement maintained pursuant to N.J.A.C. 13:69C-10.2 shall be deemed to include a provision for its termination without liability on the part of the casino licensee or applicant, or on the part of any qualified party to the agreement or any related agreement the performance of which is dependent upon such agreement, in the event that the Division disapproves the agreement in accordance with (b) above.

**13:69C-10.4 Filing requirements Vendor Registration Form**

(a) Each casino licensee or applicant shall file with the Division a Vendor Registration Form (VRF), as set forth in N.J.A.C. 13:69A-5.11, for any enterprise with which it is conducting business, and provide such enterprise with a Vendor Registration Supplemental Disclosure Form (VRF-S) to be filed directly with the Division by the enterprise, if the Active Vendors Record maintained pursuant to N.J.A.C. 13:69C-10.1 does not indicate that a VRF has been filed for such enterprise by any casino licensee or applicant. The VRF must be filed within 25 calendar days from the date of the formal offer and acceptance of any agreement.

(b) In addition to the agreements listed in N.J.A.C. 13:69C-10.3(a), each casino licensee or applicant shall file with the Division a VRF, and provide the VRF-S to the enterprise, as set forth in N.J.A.C. 13:69A-5.11, for any enterprise where required pursuant to this subsection, whether or not the casino licensee or applicant is a party to such agreement. The Division may, on its own initiative, upon a preliminary determination that the filing of a complete VRF is necessary to protect the public interest and further the policies of the Act, notify a casino licensee or applicant and an enterprise that a complete VRF is required to be filed.

### **13:69C-10.5 Exemption from registration**

(a) The Division may, upon the written request of a casino licensee or applicant or on its own initiative, exempt a transaction from the filing requirements in N.J.A.C. 13:69C-10.4 if the Division determines that the filing of a VRF is not necessary to protect the public interest and further the policies set forth in Sections 1(b)6, 1(b)9, 92 and 104 of the Act. In making such a determination the Division shall consider, without limitation, the following:

1. The nature of the goods or services provided or the business transacted;
2. The nature of the enterprise providing the goods or services or transacting the business with the casino licensee or applicant; and
3. Whether such person is otherwise regulated by the Act, the Commission or the Division.

(b) The following transactions shall be deemed exempt pursuant to (a) above unless the filing of a VRF is otherwise directed by the Division:

1. Contributions to non-profit charitable corporations or organizations, provided that no consideration is received for the contribution;
2. Direct payments to guests or guests and their representatives pursuant to a court order or stipulation of settlement or for settlement of guest losses or guest refunds;
3. Payments by the casino licensee or applicant for the following:

- i. Payments for travel expenses incurred by an employee of the casino licensee or applicant in the conduct of the employer's business, which shall include the employee's lodging, meals, transportation and related expenses;
  - ii. Payments to prospective employees for reimbursement of travel expenses incurred as a result of the employment interview; and
  - iii. Payments for tuition, training seminars, publication subscriptions, conference registrations or membership dues for professional associations that will directly contribute to the work performance or professional development of the employee;
4. Payments received from an employee of the casino licensee or applicant for purchases of obsolete hotel property or supplies for personal use;
5. Payments to government agencies for goods or services provided under statutory or other legal mandate, or for taxes, assessments, fines, garnishments or licensing fees and payments to public utilities having legal service monopolies;
6. Payments to or from individuals or enterprises pursuant to compliance with state or Federal law;

7. Payments by a third party manufacturer for rebates to a casino licensee or applicant for prior purchase of goods or services from licensed or registered vendors;
8. Payments for freight charges to freight transporters selected by the vendor for delivering goods C.O.D. or freight collect;
9. Transactions with travel industry enterprises that purchase or order lodging, meals, or other accommodations at a prededucted or gross commission rate which does not exceed 10 percent of cost;
10. Payments to any person required to qualify pursuant to N.J.S.A. 5:12-85.1, which are a result of agreements pertaining to such person's status as a financial source or qualifier;
11. Payments to labor organizations, unions and affiliates registered pursuant to N.J.S.A. 5:12-93 for employee dues and benefits programs; and
12. Payments to the same vendor by an individual casino licensee or applicant for goods and services totaling less than \$10,000 in the same calendar year, made pursuant to a contract or purchase agreement with that vendor for less than \$10,000.

### **13:69C-10.6 Master Purchasing and Disbursement Report**

(a) Each casino licensee or applicant shall generate a Master Purchasing and Disbursement Report in accordance with this section for all transactions subject to N.J.S.A. 5:12-104b. Such report shall be submitted to the Division's Application Unit at the Atlantic City address specified in N.J.A.C. 13:69-3.1 on the 22nd calendar day of each month by 5:00 P.M., unless that day is a Saturday, Sunday, or a State or Federal holiday, in which case the report shall be provided by 5:00 P.M. on the first weekday thereafter that is not a State or Federal holiday, and shall include the following information for the period since the most recent report was filed:

1. A payee register listing alphabetically by payee all nonpayroll transactions drawn by the casino licensee or applicant and, at a minimum, the following information in tabular form next to the name of each payee:
  - i. The vendor identification number or exempt code;
  - ii. The amount of each individual disbursement;
  - iii. The date of each individual disbursement;
  - iv. The date of each individual disbursement;
  - v. The grand total of all disbursements made during the reporting periods;
2. A manual attachment listing any transaction subject to this section which is not included in the payee register in (a)1 above or the magnetic computer tape or the electronic data transmission in

(a)6 below, including transactions with enterprises not yet assigned a vendor identification number, wire transfers, credits to vendors and transactions by a subsidiary, intermediary company, holding company or agent of the casino licensee or applicant for goods or services that benefit the casino licensee or applicant. All transactions appearing on the manual attachment shall include, at a minimum, the following information:

- i. The vendor name;
  - ii. The vendor identification number (if assigned) or exempt code;
  - iii. The date of disbursement or credit;
  - iv. The amount of each disbursement or credit; and
  - v. The amount of each disbursement or credit; and
3. A vendee register listing alphabetically by vendee the full amount of all nonoperating transactions, including credits, in which the casino licensee or applicant was the vendor providing goods or services including, at a minimum, the following information in tabular form next to the name of the vendee:
- i. The vendor identification number or exempt code;
  - ii. The date of each transaction;
  - iii. The amount of each transaction;
  - iv. The subtotal of all transactions; and

- v. A general description of the type of good or service provided;
4. A voided check register listing alphabetically by vendor previously reported transactions that were subsequently voided or require corrected information and at a minimum, the following information:
- i. The vendor name;
  - ii. The vendor identification number or exempt code;
  - iii. The date of original transaction; and
  - iv. The amount of void;
5. A subcontractor register listing all payments not included in the payee register in (a)1 above made to maintenance and construction companies performing services on the existing or proposed casino hotel or related facility, regardless of whether such company is a general contractor, subcontractor, secondary subcontractor or otherwise, including, at a minimum, the following information:
- i. The name and vendor identification number of each maintenance or construction company listed directly under the maintenance or construction company from which it received payment;
  - ii. The transaction dates;

- iii. The dollar amount of each payment; and
  - iv. The monthly total dollar amount disbursed to each maintenance or construction company;
6. A magnetic computer tape or electronic data transmission listing all disbursements to enterprises appearing on the payee register in (a)1 above and appearing on the subcontractor register in (a)5 above, within specifications as required by the Division; and
7. The signature of the casino licensee's or applicant's chief operating officer or his or her designee verifying the accuracy of the information contained therein.

**13:69C-10.7 Internal controls**

Each casino licensee or applicant shall, pursuant to N.J.S.A. 5:12-99, maintain a description of its internal procedures and administrative and accounting controls concerning compliance with the requirements of N.J.S.A. 5:12-92 and 104b.

## **SUBCHAPTER 11. CASINO LICENSE RETENTION**

### **13:69C-11.1 Continuing casino licensure**

(a) Each casino licensee or applicant shall, pursuant to N.J.S.A. 5:12-99, maintain a description of its internal procedures and administrative and accounting controls concerning compliance with the requirements of N.J.S.A. 5:12-92 and 104b.

1. No later than five years after the date of the issuance of a casino license and every five years thereafter, or within such lesser periods as the Division may direct, a casino licensee and its qualifying entities and individuals submit to the Division the documentation and information set forth in (c) below to demonstrate to the satisfaction of the Director that they continue to meet the requirements of N.J.S.A. 5:12-84, 85 and 85.1; and
2. The Director issues a summary report to the Commission that no information exists sufficient to warrant revocation, suspension, limitation, or conditioning of such license.

(b) If the Director determines that a hearing on any issue is required, the Division shall issue a report and recommendation to the Commission in accordance with N.J.S.A. 5:12-87 which shall initiate a hearing pursuant to subsection b thereof at which the casino licensee and its qualifying entities and individuals shall bear the burden of proving, by clear and convincing evidence, continued qualification for licensure.

(c) The documentation and information to be submitted to the Division shall consist of, but is not limited to:

1. The Business Entity Disclosure (BED) Resubmission forms required by N.J.A.C. 13:69A-5.6A for a casino license;
2. The Personal History Disclosure Forms required by N.J.A.C. 13:69C-2.6 for a casino license, in accordance with the qualifier procedures set forth in N.J.A.C. 13:69C-5.3(a)2;
3. Copies of all New Jersey Consolidated Corporation Business Tax Returns, in accordance with N.J.S.A. 5:12-148b not filed annually since the Division's most recent review;
4. The relevant information required in N.J.A.C. 13:69C-5.3 through 5.4;
5. Regardless of whether an exception to qualification has been previously granted, the documentation and information as set forth in N.J.A.C. 13:69C-5A and in the form therein specified for exceptions to qualification under N.J.S.A. 5:12-85.1, unless otherwise directed by the Division;
6. Regardless of whether submitted previously, the documentation and information as set forth in N.J.A.C. 13:69C-5B for the qualification of all financial backers and others as set forth in N.J.S.A. 5:12-85.1e, g and h unless otherwise directed by the Division;
7. Such information as may be requested by the Division to demonstrate the casino licensee's continuing good faith efforts to

comply with the equal employment and business opportunity and affirmative action requirements of N.J.S.A. 5:12-134 and 135 and N.J.A.C. 13:69K and any relevant conditions to the current casino license;

8. Such information as may be requested by the Division to demonstrate compliance with all conditions, restrictions, limitations and covenants in the current casino license and certificate of operation; and
9. Any other information or documentation which the Division may deem relevant to the continuing qualification of the casino licensee, or of any person required to be licensed or qualified, pursuant to the Act.

(d) The casino licensee shall file two hard copies of the information and documentation under (c) above and a computer disk of same with the Division at its Intake Unit, 2nd Floor, 1300 Atlantic Avenue, Atlantic City, New Jersey, ATTN: Casino Licensing Filing.

(e) Nothing in this subchapter shall prevent the Director from reopening licensing hearings at any time.

**SUBCHAPTER 12. AND 13. (RESERVED)**

## **SUBCHAPTER 14. ADVERTISING**

### **13:69c-14.1 Applicability of advertising rules**

(a) Except as otherwise provided in this section, the term "advertisement" means any notice or communication by an applicant or licensee to the public of any information concerning the gaming-related business of an applicant or licensee through broadcasting, publication, or any other means of dissemination. An applicant or licensee shall also be responsible for all advertisements which are made by its agents, regardless of whether the applicant or licensee participated directly in its preparation, placement or dissemination.

(b) The following notices and communications shall not be deemed advertisements for purposes of this chapter, but shall be subject to any review and approval by the Division otherwise required by the Act or by rule:

1. Any sign, notice, or other information required to be provided by the Act or by rule, including, without limitation, the following:
  - i. Notice regarding the rules of the games in accordance with N.J.A.C. 13:69F-8.3;
  - ii. The posting of information about rules of the games, payoffs of winning wagers and odds, in accordance with Section 100(f) of the Act;
  - iii. Gaming guides approved pursuant to N.J.A.C. 13:69F-8.5;
  - iv. Information imprinted upon gaming table layouts in accordance with N.J.A.C. 13:69E; and

- v. Information imprinted, impressed, affixed or engraved on slot machines or bill changers in accordance with N.J.A.C. 13:69D and 13:69E;
- 2. Any signs or other directional devices contained in a casino or casino simulcasting facility for the purpose of identifying the location of authorized games or the locations from which simulcast wagers may be made; and
- 3. The distribution of a prepared statement containing information or news of general interest to persons employed in the reporting of such information or news to the public, such as newspapers or periodicals, or radio or television stations.

### **13:69C-14.2 Criteria governing advertising**

(a) Advertising shall conform to the requirements of Section 70(a)(16) of the Act and this subchapter.

(b) Any on-site advertising of casino or casino simulcasting facility operations shall contain the phrase "Bet With Your Head, Not Over It," or some comparable language approved by the Division.

(c) All advertising which appears in print, or on a billboard or sign shall contain the words "If you or someone you know has a gambling problem and wants help, call 1-800-GAMBLER" or some comparable language approved by the Division, which contains the words "gambling problem" and "call 1-800-GAMBLER" to appear legibly on all print.

(d) Advertising shall be based upon fact, and shall not be false, deceptive or misleading. Without limitation as to the generality of the foregoing requirement, no advertising shall:

1. Use any type, size, location, lighting, illustration, graphic depiction or color resulting in the obscuring of any material fact; or
2. Fail to specifically designate any material conditions or limiting factors.

(e) The following practices shall be prohibited with respect to all advertisements:

1. Advertising within a casino hotel complex which violates the obscenity statutes of this State or which includes:

- i. The portrayal or depiction of acts or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law;
  - ii. The portrayal or depiction of touching, caressing or fondling of the breasts, buttocks, anus or genitals;
  - iii. The portrayal or depiction of the pubic hair, vulva, genitals, anus, female nipple or female areola; and
2. The failure to maintain any offer for the advertised period of availability or in a quantity sufficient to meet reasonably anticipated demand.

(f) In the event that the proponent of any advertising which is or may be subject to this subchapter has a question as to the propriety hereunder or applicability hereto, or both, as the case may be, of such advertising, such person may petition the Division in writing for an advisory opinion as to such propriety or applicability, or both, as the case may be.

### **13:69C-14.3 Division approval**

(a) All advertising or in the case of standard or recurring advertising, a sample thereof, which is directly related to casino gaming or casino gaming activity, shall be maintained by the casino licensee or applicant, or the casino service industry licensee or applicant for a period of one year from the date of placement of such advertisement. Advertising which must be maintained shall include such advertising as may have been placed for or on behalf of the casino licensee or applicant or casino service industry licensee or applicant or the junket representative licensee or applicant or the junket enterprise licensee or applicant. Advertising required to be maintained by this section shall be maintained at the principal place of business of the licensee or applicant, and shall be made available or produced for inspection upon the request of the Division.

(b) Each casino licensee or applicant shall maintain a file containing samples of the types and forms of advertising and promotional materials not directly related to casino gaming or casino gaming activity for a period of six months from the date of placement of such advertisement or promotion. Such advertising shall be maintained at the principal place of business of the casino licensee or applicant, and shall be made available or produced for inspection upon the request of the Division.

(c) Standard or recurring advertisement for purposes of this section shall be deemed to be standard advertisements in standard formats which may be used more than once with minor changes to the copy and/or pictures in such advertisement.

## **SUBCHAPTER 15. ENTERTAINMENT, FILMING OR PHOTOGRAPHY**

### **13:69C-15.1 Prohibited entertainment activities**

(a) No motion picture shall be exhibited within any casino hotel complex either by direct projection or by closed circuit television which would be classified as obscene material pursuant to the definition contained in N.J.S.A. 2C:34-2.

(b) No live entertainment shall be permitted within a casino hotel complex which includes:

1. The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law;
2. The actual or simulated touching, caressing or fondling of the breasts, buttocks, anus or genitals; or
3. The actual or simulated display of the pubic hair, vulva, genitals, anus, female nipple or female areola.

**13:69C-15.2 Entertainment, filming, or photography within the casino and casino simulcasting facility**

(a) No entertainment, filming, or photography shall be offered or conducted within the casino or the casino simulcasting facility, or shall be significantly visible or audible from or in the casino or simulcasting facility, unless the casino licensee files a written notice with the Division at the Division's Regulatory Enforcement Bureau office in the establishment. Such notice shall be filed at least five business days prior to the commencement of such entertainment, filming, or photography, unless otherwise authorized by the Division. The notice shall include, at a minimum, the following information:

1. The date and time of the scheduled entertainment, filming or photography;
2. A detailed description of the type of entertainment, filming or photography to be offered;
3. The number of persons involved in the entertainment, filming or photography;
4. The exact location of the entertainment, filming or photography on the casino floor and casino simulcasting facility;
5. A description of any additional security measures that will be implemented as a result of the entertainment, filming or photography; and
6. A certification from the supervisors of the casino licensee's security, casino gaming operations, and surveillance departments

that the proposed entertainment, filming or photography will not adversely affect the security and integrity of gaming operations.

(b) The Division may at any time require the licensee to immediately cease any entertainment, filming or photography offered within the casino or casino simulcasting facility, if the entertainment, filming or photography provided is in any material manner different from the description contained in the submission filed pursuant to (a) above or in any way compromises the security or integrity of gaming operations.

(c) In reviewing the initial or continued suitability of an entertainment, filming or photography proposal, the Division shall consider the extent to which the entertainment, filming or photography proposal may unduly disrupt or interfere with:

1. Efficient casino operations;
2. The security of the casino or casino simulcasting facility or any restricted casino area;
3. Surveillance operations; or
4. The security or integrity of gaming operations or any authorized game.

## **SUBCHAPTER 16. UNDERAGE GAMING**

### **13:69C-16.1 Underage gaming--violations**

(a) No casino licensee or agent or employee thereof, shall allow, permit or suffer any person under the age at which a person is authorized to purchase and consume alcoholic beverages in this State ("underage person") to:

1. Enter a casino or casino simulcasting facility, except to pass directly to another room, unless the underage person is licensed and/or registered under the Act and is acting in the regular course of his or her authorized employment;
2. Remain in a casino or casino simulcasting facility, unless the underage person is licensed and/or registered under the Act and is acting in the regular course of his or her authorized employment;
3. Wager at any game or at casino simulcasting in a casino or casino simulcasting facility;
4. Be rated as a player;
5. Receive complimentary services or items as a result of, or in anticipation of, his or her gaming activity; or
6. Utilize credit.

(b) No casino licensee or agent or employee thereof, shall approve a credit limit for an underage person, pursuant to N.J.A.C. 13:69D-1.27(b).

(c) Each violation of any of the provisions of (a) or (b) above as to a single underage person shall be considered a separate and distinct violation for purposes of N.J.S.A. 5:12-129.

(d) Each employee and agent of a casino licensee shall have an affirmative obligation to ensure that no underage persons engage in any of the activities listed in (a) above. Each employee or agent of a casino licensee who violates any provision of this section may be held jointly or severally liable for any such violation.

**13:69C-16.2 Underage gaming violations—affirmative defenses**

(a) No casino licensee or employee or agent thereof shall be held liable for any violation of N.J.S.A. 5:12-119 and N.J.A.C. 13:69C-16.1 if such person can establish the affirmative defense authorized by N.J.S.A. 5:12-119(b).

(b) For purposes of establishing an affirmative defense to a violation of N.J.S.A. 5:12-119 and N.J.A.C. 13:69C-16.1, the term "writing" in N.J.S.A. 5:12-119(b) shall include the following:

1. A photographic driver's license;
2. A photographic identification card issued pursuant to N.J.S.A. 33:1-81.2, or a similar card issued pursuant to the laws of another state or the Federal government; or
3. A writing which is made and signed by the underage person, and which contains, at a minimum, the following information:
  - i. The name, address, age and date of birth of the person;  
and
  - ii. A statement that the representation of age is being made to induce the licensee to permit the person to enter, remain or wager at a game or at casino simulcasting in a casino or casino simulcasting facility, to be rated, receive complimentaries, obtain approval of a credit limit, or to utilize credit.

# **CHAPTER 69D GAMING OPERATION ACCOUNTING CONTROLS AND STANDARDS**

## **SUBCHAPTER 1. GENERAL PROVISIONS**

### **13:69D-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Alterable media" means any device that contains software that can be reprogrammed. It does not include erasable programmable read-only memory (EPROM) or one-time programmable devices.

"Annuity jackpot" means any slot machine jackpot offered by a casino licensee, wide area progressive or multi-state progressive slot system whereby a patron wins the right to receive cash payments at specified intervals in the future.

"Asset number" means a unique number permanently assigned to a slot machine and a slot cash storage box for purposes of tracking that machine and storage box.

"Authorized instrument" means a cash equivalent, a check issued by an entity that holds a gaming license in any jurisdiction, an annuity jackpot trust check, a replacement check, or any other instrument approved by the Division for a specified purpose.

"Automated payout machine" means a device connected to an approved slot monitoring system which prints a Payout slip and dispenses cash to a slot attendant to process a hand pay.

"Auto pick" means an automated feature of a slot machine game that forces a game play selection without human interaction.

"Base game" means the initial slot machine game play that is activated by placing a wager.

"Cage supervisor" means any person who supervises personnel and functions within a cashiers' cage and reports to the cage manager.

"Cash" means currency or coin.

"Cash equivalent" means a:

1. Certified check, cashiers check, treasurer's check, recognized travelers check or recognized money order that:
  - i. Is made payable to the casino licensee where presented, a holding company of the casino licensee, "bearer," or "cash";
  - ii. Is dated, but not postdated; and
  - iii. Does not contain any endorsement;
2. Certified check, cashiers check, treasurer's check, or recognized money order that:
  - i. Is made payable to the presenting patron;
  - ii. Is endorsed in blank by the presenting patron;
  - iii. Is dated but not postdated; and
  - iv. Does not contain any endorsement other than that of the presenting patron; or

3. Recognized credit card or debit card presented by a patron in accordance with the rules of the Division.

"Cashable" means an item which can be converted to cash.

"Cashiering location" means any automated voucher redemption or payout machine, or a window in a structure approved by the Division within the casino hotel facility from which an employee of the casino licensee conducts casino or casino simulcasting cashiering transactions with patrons or employees including, without limitation, a cashiers' cage, satellite cage, master coin bank, coin vault, simulcast counter, ancillary simulcast counter, slot booth, coin redemption booth, jackpot/hopper window, and keno booth.

"Cashiers' cage" or "main cage" is defined in N.J.A.C. 13:69D-1.14.

"Casino clerk" means a member of the accounting department who prepares documentation required for the operation of table games.

"Casino supervisor" means a person employed in the operation of a casino or of the authorized games in a casino simulcasting facility in a supervisory capacity or empowered to make discretionary decisions which regulate casino operations.

"CCTV system location" means any location in the casino hotel facility, not controlled by Division employees, that has been approved by the Division to receive transmissions from the surveillance department's closed circuit television system including, without limitation, CCTV system monitoring rooms, surveillance department offices, CCTV system repair areas, and CCTV system emergency facilities.

"Chief gaming executive" means the person located at a single casino hotel facility who is responsible for the daily conduct of an applicant's or casino licensee's gaming business including, except as otherwise specified therein, the direct or indirect supervision of the mandatory departments, regardless of the applicant's or casino licensee's form of business association or the particular title which that person or any other person holds. Unless the chief gaming executive also serves as the chief executive officer of the applicant or casino licensee, the chief gaming executive shall report directly to the chief executive officer of the applicant or casino licensee.

"Closer" means the original of the Table Inventory Slip upon which each table inventory is recorded at the end of each shift.

"Compensation" means direct or indirect payments for services performed including, but not limited to, salary, wages bonuses, deferred payments, and overtime and premium payments.

"Complimentary distribution program" is a program, contest, or promotion pursuant to which complimentary services or items are provided directly or indirectly by a casino licensee to the public with or without regard to the identity or level of gaming activity of the individual recipients.

"Credential number" means the number associated with any registration or license issued by the Division or Commission.

"Credit" is a Credit Slip and the corresponding chips, coins, and/or plaques being removed from a gaming table.

"Critical game code" means software that is used to determine game outcome, calculate revenue, increment meters, report revenue, or ensure the overall integrity of a gaming device.

"Denomination" when used in conjunction with or in reference to a slot machine, means the value of the unit in which wagers are made or paid.

"Electronic account based wagering system" is a function within a controlled computer system, defined at N.J.A.C. 13:69D-2.1, or an approved independent computer system which allows players to transfer efunds to or from a patron account or from a temporary anonymous account.

"Electronic fund transfer" means a transfer of funds, other than a transaction originated by check, draft, or similar paper instrument that is initiated through an electronic terminal, telephone, computer, or magnetic tape for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account. For the purposes herein, the term does not include a debit card cash transaction as defined in this section, a debit card chip transaction as defined in N.J.A.C. 13:69D-1.18A, or any transactions exempt, by statute or regulation, from the provisions of Title IX of the Federal Consumer Protection Act, 15 U.S.C. § 1693.

"Electronic funds ("efunds")" means electronic cashable or non-cashable funds.

"Electronic funds deposit" means the transmission of efunds to a patron account using an approved electronic account based wagering system.

"Electronic funds withdrawal" means the transmission of efunds using an approved electronic account based wagering system from a patron account or

temporary anonymous account to either a gaming table or slot machine if such gaming table or slot machine is connected to an account based wagering system.

"Electronic gaming device" means a slot machine, a multi-player system, or an electronic table game, as well as other devices or equipment for which Division approval is required.

"Electronic table game drop" is:

1. The same calculation as table game drop for an electronic gaming table which accepts only cash, chip coupons, or gaming chips or plaques;
2. The amount of patron account withdrawals for an electronic gaming table which utilizes an account based wagering system; or
3. The total value of currency, gaming vouchers and coupons in a slot cash storage box, for an electronic table game which accepts gaming vouchers.
4. "Fill" is a Fill Slip and the corresponding chips, coins, and/or plaques being distributed to a gaming table.

"Game Authentication Terminal" or "GAT" means an external application that is used to verify Division approved software.

"Game cycle" means the total number of symbol combinations that can be made by multiplying the sum of the reel weights for all symbols.

"Gaming tournament revenue" means the sum of all entry fees and any other funds collected but not included in the prize pool.

"Gaming voucher credit" means the equivalent value of coins or slot tokens registered on the credit meter of a slot machine as a result of a patron inserting a gaming voucher into the slot machine, which value shall also be recorded on the voucher in meter.

"Gaming voucher redemption machine" means a device connected to an approved gaming voucher system which dispenses cash in exchange for a valid gaming voucher.

"Hand pay" means a payment made to a patron as a result of a gaming device lock up.

"Handle" means the total value of coins, slot tokens, including foreign slot tokens, currency, coupons, gaming vouchers, and efunds to activate the play of a slot machine or an electronic table game.

"Hopper inventory level" means the total dollar value of the initial fill of a slot machine hopper or an adjusted total that includes any subsequent increases in the total dollar value of the initial fill.

"Imprest" means maintaining a fixed balance of funds through the exchange of assets of an equivalent value.

"Incompatible function" means a function, for accounting control purposes, that places any person or department supervisor in a position to both perpetrate and conceal errors or irregularities in the normal course of his or her duties.

"Keno drop" means the sum of the total value of currency, coin, gaming chips, coupons, and slot tokens wagered on keno tickets.

"Keno win or loss" means the total value of currency, coin, gaming chips, coupons, and slot tokens wagered by patrons at keno less the total value of currency and coin paid to patrons for winning keno wagers.

"Linked progressive" means a progressive jackpot established for two or more electronic gaming devices where each device contributes to the same progressive jackpot.

"Local area progressive" means a linked progressive established for a single casino licensee.

"Locking mechanism" or "locking system" means a device or process, such as a mechanical lock and key or computer coding, to access a secured container, compartment, or location as prescribed in this chapter.

"Lock up" means any condition where an electronic gaming device becomes inoperable when a jackpot or patron credit meter payout is not automatically paid by the device.

"Lock up electronic signal" means the information transmitted by an electronic gaming device to the slot monitoring system when a lock up occurs which shall not be susceptible to change or removal.

"Lock up verifier" means a security guard, or a slot attendant or above with no incompatible functions who independently verifies the amount to be paid to a patron for a lock up.

"Mantrap" is a double door entry and exit system that will not permit a person to pass through the second door until the first door is securely locked.

"MSPS" means multi-state progressive slot system.

"Multi-level progressive" means more than one progressive jackpot on a slot machine or linked progressive where each progressive jackpot is identified as a separate level.

"Multi-player system" is defined in N.J.A.C. 13:69E-1.28F.

"Multi-state jackpot" means any progressive slot machine jackpot offered by one or more casino licensees in conjunction with a licensee from another jurisdiction pursuant to a multi-state progressive slot system (MSPS) agreement.

"Non-cashable" means an item which cannot be converted to cash.

"Opener" means the duplicate copy of the table inventory slip upon which each table inventory is recorded at the end of each shift and serves as the record of each table inventory at the beginning of the next succeeding shift.

"Outstanding patron check" means any Counter Check, Slot Counter Check, or replacement check that is not due for deposit or presentation and has not been deposited or presented for payment or redeemed by the drawer.

"Pari-mutuel window net" means the total value of credit vouchers issued and wagers placed on simulcast horse races at a pari-mutuel window less the total value of simulcast payouts at the same pari-mutuel window. Pari-mutuel window net shall be calculated by the totalisator.

"Patron account" means an account established by a casino licensee which shall be unique to an individual patron and which may encompass a patron deposit account and/or a patron credit account.

"Patron cash deposit" means the total value of cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips, or plaques or other authorized items deposited with a casino licensee by a patron for his or her subsequent use.

"Poker revenue" means the total value of rake charged to patrons at all poker tables pursuant to N.J.A.C. 13:69F-14.14. The poker revenue is determined by adding the value of cash, coupons, other authorized items, the amount recorded on the Closer, the totals of amounts recorded on the Credits and issuance copies of Counter Checks, and the total of the amounts recorded on documents that evidence the exchange of gaming chips or plaques as part of credit card or debit card chip transactions, and subtracting the amount on the Opener and the total of amounts recorded on Fills and other authorized items.

"Primary progressive" means the progressive jackpot of the highest value on a multi-level progressive.

"Progressive controller" means an electronic device approved by the Division programmed to establish and control a progressive jackpot.

"Progressive display" means one or more progressive meters that display the calculated value of each progressive jackpot. The display may be external to the slot machine.

"Progressive jackpot" means a jackpot that increases based upon a set rate of progression.

"Progressive payout limit" means the value at which a progressive jackpot no longer increments.

"Rake" is defined in N.J.A.C. 13:69F-14.1.

"Recognized credit card" means a credit or charge card that:

1. Is issued by or under an agreement with a company that, as a normal part of its business, supplies its customers, either directly or through a national credit card network, with credit or charge cards that can be used for and are routinely accepted in consumer transactions; and
2. Qualifies as a credit card for purposes of Regulation Z issued by the Board of Governors of the Federal Reserve System (12 CFR Part 226).

"Recognized debit card" means a debit card that:

1. Is issued by or under an agreement with a company that qualifies as a "depository institution" as defined in Section 19(b) of the Federal Reserve Act, 12 U.S.C. § 461(b), and that, as a normal part of its business, supplies its customers, either directly or through a registered debit card verification agency, with access to funds maintained for the cardholder in such depository institution by means of a debit card that is routinely accepted in consumer transactions or used to obtain cash; and

2. Qualifies as an access device for purposes of Regulation E issued by the Board of Governors of the Federal Reserve System (12 CFR Part 205).

"Registered debit card verification agency" means an organization that:

1. Verifies, upon request from a merchant, the validity and account sufficiency of a recognized debit card in the normal course of its business; and
2. Is authorized to perform the verification for purposes of Regulation E issued by the Board of Governors of the Federal Reserve System (12 CFR Part 205).

"Registered electronic funds transfer company" means an organization that:

1. Verifies, upon request from a merchant, the validity and account sufficiency of a recognized credit card in the normal course of its business; and
2. Is authorized to perform the verification for purposes of Regulation E issued by the Board of Governors of the Federal Reserve System (12 CFR Part 205).

"Replacement Counter Check" means a Counter Check prepared in the cage that is issued during a partial redemption or consolidation transaction.

"Representation of gaming debt" means a document issued by a casino licensee in a form approved by the Division to evidence a specific amount of money owed to a patron by the casino licensee as a result of a gaming transaction, and includes a

cashable gaming voucher and winning keno ticket, but does not include a non-cashable or cashier generated gaming voucher, gaming chip or plaque, slot token, jackpot payout receipt, receipt for table game, tournament or bad beat payout, winning pari-mutuel ticket, simulcast voucher, or any form of electronic credit.

"Residual slot credit" means a slot machine credit, on a slot machine equipped with tokenization, in an amount which is less than the denomination of the token that the slot machine is designed to accept and pay out, and which cannot be totally and automatically paid from the slot machine for that reason.

"Return to Player" or "RTP" means the portion of wagers returned to patrons during the game after a certain number of games played.

"Scan" means to attempt to verify a gaming voucher or coupon in a gaming voucher system by utilizing a device that can read its bar code, or by manually inputting the serial number of the coupon or the validation number of the gaming voucher into the system.

"Scripting" means presentation to the patron of an outcome that has not been determined by a random number generator.

"Shift" means the regular, daily work period of a group of employees administering and supervising the operation of table games, slot machines, simulcast counter, keno booths, cashiers' cage and satellite cages, working with a succeeding or preceding group of employees.

"Simulcast handle" means the total value of currency, coin, gaming chips, slot tokens, and coupons wagered by patrons on a simulcast horse race, less the total value of canceled or refunded tickets.

"Slot drop container" means a slot cash storage box, slot drop bucket, and/or slot drop box.

"Slot machine drop" means the total value of coins, slot tokens, and foreign slot tokens in a slot drop bucket or a slot drop box, the currency, gaming vouchers and coupons in a slot cash storage box, and the electronic credits withdrawn from patron accounts including anonymous accounts.

"Slot machine master list" means a comprehensive list of the slot machines and bill changers on its casino floor in accordance with N.J.A.C. 13:69C.

"Slot machine win" means the total determined by subtracting from the slot machine drop the following: hopper fills, other than initial fills of slot machine hoppers and hopper storage areas or any subsequent increases to those initial fills, cash payouts, gaming vouchers issued by a slot machine, and electronic credits deposited to patron accounts from a slot machine.

"Stand alone progressive" means a progressive jackpot established for a single gaming device.

"Table game drop" means the total value of currency, coin, chip coupons, 50 percent of the value of table wager coupons, amounts recorded on issuance copies of Counter Checks and front money withdrawals removed from a drop box, amounts recorded on documents that evidence the exchange of gaming chips or plaques as part

of credit or debit card transaction, and, if applicable, the value of electronic counter check transactions issued at a gaming table.

"Table game master list" means a comprehensive list of the table games on its casino floor.

"Table game win or loss" means the value determined by adding the amount recorded on the Closer and the amounts recorded on Credits and Uncollected Vigorish forms to the table game drop amount and by subtracting the amount recorded on the Opener, the amounts recorded on Fills, Pit Redemption Forms, and Table Game Payout Slips.

"Theoretical return to player" or "theoretical RTP" means the portion of wagers expected to be returned to patrons after a complete game cycle.

"Tokenization" means the capability of a slot machine to accept and pay out a slot token of a denomination that is greater in value than the denomination of a slot machine game contained within the slot machine.

"Wide area progressive" or "WAP" means a slot system comprised of a linked progressive established for two or more casino licensees.

"Wire transfer" means a transfer of funds by means of the Federal Reserve Bank wire system in accordance with the requirements of 12 CFR 210.25 et seq.

**13:69D-1.1A      Gaming day**

The "gaming day" for a casino licensee shall be defined in accordance with a schedule filed by the casino licensee with the Division; provided, however, that no gaming day shall be longer than 24 hours unless otherwise authorized by the Division. Each casino licensee may establish a gaming day for slot machines which is different from its gaming day for table games and different from its gaming day for the game of keno.

**13:69D-1.2 Accounting records**

(a) Each casino licensee shall maintain complete, accurate and legible records of all transactions pertaining to the revenues and costs for each establishment.

(b) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on an accrual basis. Detailed, supporting, subsidiary records sufficient to meet the requirements of (c) below shall also be maintained in accordance with the requirements of this chapter. The Division shall periodically prescribe a uniform chart of accounts and accounting classification in order to insure consistency, comparability and effective disclosure of financial information.

1. The chart of accounts shall provide the classifications necessary to prepare the standard financial statements required by N.J.A.C. 13:69D-1.6.
2. The prescribed chart of accounts shall be the minimum level of detail to be maintained for each accounting classification by the licensee.
3. The licensee may expand the level of detail for some or all accounting classifications and/or alter the account numbering system. In such instances, the licensee shall provide to the Division, upon request, a cross-reference from the licensee's chart of accounts to the prescribed chart of accounts.

(c) The detailed, supporting and subsidiary records shall include, at a minimum:

1. Records of all patron checks initially accepted by the licensee, deposited by the licensee, returned to the licensee as "uncollected," and ultimately written-off as uncollectible;
2. Statistical game records to reflect drop and win amounts or, for the game of poker, the poker revenue, by table for each table game and electronic table game, and by keno work station number or keno writer for the game of keno;
3. Records supporting the accumulation of the costs and number of persons, by category of service, for complimentary services;
4. Records of all investments, advances, loans and receivable balances, other than patron checks;
5. Records related to investments in property and equipment including those that identify the investments made under section 144 of the Casino Control Act as an alternative to the additional two percent tax on gross revenues;
6. Records which identify the handle, payout, win amounts and percentages, theoretical win amounts and percentages, and differences between theoretical and actual win amounts and percentages, for each slot machine on a week-to-date, month-to-date, and year-to-date basis;
7. Records of all loans and other amounts payable by the establishment;

8. Records which identify the purchase, receipt, and destruction of gaming chips and plaques;
9. Records provided for in the system of internal accounting controls pursuant to the Casino Control Act; and
10. Records used by the casino licensee to reconcile simulcast wagers with sending tracks, calculate outstanding pari-mutuel tickets and calculate payments to the Racing Commission.

**13:69D-1.3 Licensee's system of internal controls**

(a) Each applicant for a casino license shall prepare an initial system of internal procedures and administrative and accounting controls ("internal controls") at least 30 days before gaming operations are to commence, unless otherwise directed by the Division. The internal controls shall include, as applicable and without limitation, the following:

1. Administrative controls which include, without limitation, the procedures and records that are concerned with the decision making processes leading to management's authorization of transactions;
2. Accounting controls which have as their primary objectives the safeguarding of assets and the reliability of financial records and are consequently designed to provide reasonable assurance that:
  - i. Transactions are executed in accordance with management's general and specific authorization;
  - ii. Transactions are recorded as necessary to permit preparation of financial statements in conformity with generally accepted accounting principles and N.J.A.C. 13:69D-1.6, and to maintain accountability for assets;
  - iii. Access to assets is permitted only in accordance with management authorization; and

iv. The recorded accountability for assets is compared with existing assets, and appropriate action is taken with respect to any differences; and

3. Procedures and controls for ensuring, through the use of the casino security department, that the casino and casino simulcasting facility are constantly secure during normal operations and any emergencies due to malfunctioning equipment, loss of power, any natural disaster or any other cause.

(b) Each casino licensee shall conduct gaming operations in a manner consistent with their internal controls.

(c) Except for security and surveillance internal controls, any changes to internal controls required by N.J.S.A. 5:12-99a may be implemented immediately upon preparation and filing with the Division. Such filing shall be in a manner approved by the Division. Security and surveillance internal controls addressing the requirement of (b) above and any subsequent changes thereto shall be submitted to the Division's Regulatory Enforcement Bureau at its Atlantic City office. Upon submission to the Division of a narrative description of a change in its security or surveillance system of internal controls and unless the Division objects thereto, a casino licensee may immediately implement the change on the 16th calendar day following the delivery of the submission to the Division.

(d) A current version of the internal controls of a casino licensee shall be maintained in, or made available through secure computer access to, the casino

accounting department and surveillance department of the casino licensee. The casino licensee shall also maintain a copy of any superseded changes to its internal control submission for a minimum of three years. Each page of the internal controls shall indicate, as applicable, the date on which it was implemented.

(e) The current and superseded internal controls shall be made available through secure computer access to the Division at its onsite office(s).

#### **13:69D-1.4 Records regarding ownership**

(a) In addition to other records and information required by this section, each casino licensee shall maintain the following records regarding the equity structure and owners:

1. If a corporation:
  - i. A certified copy of articles of incorporation and any amendments thereto;
  - ii. A copy of by-laws and amendments thereto;
  - iii. A current list of officers and directors;
  - iv. The minutes of all meetings of stockholders and directors;
  - v. A current list of all stockholders and stockholders of affiliates, including their names and the names of beneficial owners of shares held in street or other name where any beneficial owner has a beneficial interest in two percent or more of the outstanding shares of any class, addresses and the number of shares held by each and the date acquired;
  - vi. A complete record of all transfers of stock;
  - vii. A record of amounts paid to the corporation for issuance of stock and other capital contributions and dates thereof;
  - viii. A record, by stockholder, of all dividends distributed by the corporation; and

- ix. A record of all salaries, wages, and other remuneration (including perquisites), direct and indirect, paid during the calendar or fiscal year, by the corporation, to all officers, directors, and stockholders with an ownership interest at any time during the calendar or fiscal year, equal to or greater than five percent of the outstanding capital stock of any class of stock.
2. If a partnership:
    - i. A schedule showing the amounts and dates of capital contributions, the names and addresses of the contributors, and percentage of interest in net assets, profits, and losses held by each;
    - ii. A record of the withdrawals of partnership funds or assets;
    - iii. A record of salaries, wages, and other remuneration (including perquisites), direct and indirect, paid to each partner during the calendar or fiscal year; and
    - iv. A copy of the partnership agreement and certificate of limited partnership, if applicable.
  3. If a sole proprietorship:
    - i. A schedule showing the name and address of the proprietor and the amount and date of his or her original investment;

- ii. A record of dates and amounts of subsequent additions to the original investment and withdrawals therefrom; and
  - iii. A record of salaries, wages, and other remuneration (including perquisites), direct or indirect, paid to the proprietor during the calendar or fiscal year.
4. If a limited liability company:
- i. The certificates of formation, amendment, and cancellation;
  - ii. The operating agreement;
  - iii. A current list of all members and managers;
  - iv. A schedule showing the amounts and dates of contributions by members, the names and addresses of the contributors, and percentage of interest in net assets, profits, and losses held by each member and manager;
  - v. A record of the distributions of limited liability company funds or assets; and
  - vi. A record of salaries, wages, and other remuneration (including perquisites), direct and indirect, paid to each member and manager during the calendar or fiscal year.

(b) All records regarding ownership shall be maintained at a location as determined by the casino licensee provided that the Division is notified of such location where the records are to be stored. The Division shall be granted prompt and

unfettered access to all such records upon request.

(c) Each casino licensee or applicant shall, upon request by the Division, provide a list of all record holders of any or all classes of publicly traded securities issued by any holding company or by any other affiliated entity which is required to qualify as a financial source pursuant to subsection 85.1e of the Act (N.J.S.A. 5:12-85.1e).

**13:69D-1.5 Forms, records, and documents**

(a) All information required by this chapter on any form, record, or document shall be recorded in ink or other permanent form. Stored data shall be in electronic storage formats accessible by the Division.

(b) Whenever multi-part forms are required of a record or document, they shall be distinguishable from each other and include the department responsible for use or custody of each part of the form on the bottom of the form.

(c) Whenever computer system generated forms require serial numbers, the series numbers shall be issued sequentially by the computer system and used in sequential order. Forms manually prepared and maintained in a locked dispenser or attached in a book shall, for each dispenser or book, be sequentially pre-numbered and used in sequential order.

(d) Whenever forms or serial numbers are required to be accounted for or are required to be compared for agreement, and where exceptions are noted, such exceptions shall be reported to the Division in a format prescribed by the Division on a monthly basis and shall include transaction type, date, serial or document number, and an explanation for the exception.

(e) Unless otherwise specified in this chapter all forms, records or documents required to be prepared, maintained, and controlled shall have the name of the casino licensee and the title of the form, record, or document imprinted or preprinted thereon and, if applicable, maintained in stored data.

**13:69D-1.5A Patron identification file**

(a) Whenever a casino licensee is required by Division rule to verify the identity of a person or the validity of a signature on a document and the rule authorizes the verification to be performed by means of a signature comparison, the casino licensee may perform the verification by comparing the obtained signature to any signature exemplar or computer generated facsimile of a signature exemplar maintained by the casino licensee in a patron identification file established in accordance with the provisions of this section.

(b) Prior to establishing a patron identification file, a casino employee shall require the person whose signature is being recorded to present for examination one government-issued identification credential. The credential shall include, at a minimum, the patron's:

1. Name;
2. Date of birth;
3. Photograph; and
4. Signature.

(c) Any patron identification file established and maintained by a casino licensee pursuant to this section shall include, at a minimum, the following:

1. The patron's name;
2. The address of the patron's residence;
3. The patron's signature;
4. The physical description of the patron;

5. The type of identification credential examined pursuant to (b) above;
6. The date and time that the patron identification file was established;  
and
7. The signature of the casino employee who examined the  
identification credential of the patron and established the patron  
identification file, by which the casino employee attests that:
  - i. The signature exemplar of the person recorded in the patron  
identification file is consistent with the signature on the  
identification credential examined; and
  - ii. The physical description recorded in the patron identification file  
is consistent with both the actual appearance of the person  
and the photograph on the identification credential that was  
examined.

(d) A casino licensee shall be permitted to establish and maintain a patron identification file as a separate set of gaming records or as part of any other gaming record maintained by the casino licensee (for example, as part of a credit file or customer deposit file) as long as the patron signatures contained in the records are obtained and documented in accordance with the requirements of this section.

**13:69D-1.6 Standard financial and statistical reports**

(a) Each casino licensee, unless specifically exempted by the Division, shall file monthly, quarterly, and annual reports of financial and statistical data. The data may be used by the Division to evaluate the financial position and operating performance of individual licensees and compile information regarding the performance and trends of the industry in the State of New Jersey.

(b) The Division shall periodically prescribe a set of standard reporting forms and instructions to be used by each licensee in filing the monthly, quarterly and annual reports.

(c) Annual reports to the Division shall be based on a calendar year, beginning January 1, and ending December 31. Quarterly reports shall be based on calendar quarters ending March 31, June 30, September 30, and December 31. Monthly reports shall be based on calendar months.

(d) The reports shall be attested to by the Chief Executive Officer, Chief Gaming Executive, Chief Financial Officer, Treasurer, Financial Director, Controller, or their functional equivalent.

(e) Each report to the Division shall be electronically filed not later than the required filing date, unless specific approval for an extension is granted to the licensee by the Division. Requests for a filing extension must be submitted to and approved by the Division in writing prior to the required filing date. Any filing date that falls on a Saturday, Sunday, or Federal or State holiday shall be extended until the next business day.

1. Monthly gross revenue reports and Internet gaming gross revenue tax returns shall be due not later than 9:00 A.M. on the 10th calendar day following the end of the month.
2. All quarterly reports for the quarters ended March 31, June 30, and September 30 shall be due not later than the 15th calendar day of the second month following the end of the quarter.
3. All quarterly reports for the quarter ended December 31 shall be due not later than March 31 of the following year.
4. All annual reports shall be due not later than March 31 of the following year.

(f) In the event of a license termination, change in business entity or material change in ownership, the Division may at its discretion require the filing of an interim monthly, quarterly or annual report, as of the date of occurrence of the event. The filing due date shall be the later of 30 calendar days after notification to the licensee or 30 calendar days after the date of occurrence of the event, unless an extension is granted in accordance with (e) above.

(g) In those circumstances where the licensee is not currently an active operator of an establishment, or portion thereof, the Division may either revise or eliminate the standard reports to be filed by the licensee.

(h) Any adjustments resulting from the annual audit required in N.J.A.C. 13:69D-1.7 shall be recorded in the accounting records of the year to which the

adjustment relates. In the event the adjustments were not reflected in the licensees' quarterly report for the quarter ended December 31 and the Division concludes the adjustments are significant, a revised quarterly report for the quarter ended December 31 may be required from the licensee. The revised filing shall be due within 30 calendar days after notification to the licensee, unless an extension is granted in accordance with (e) above.

(i) Licensees shall report to the Division essential details of any loans, borrowings, installment contracts, guarantees, leases or capital contributions no later than 10 days after the end of the month in which the transaction or event occurs.

**13:69D-1.7 Annual audit and other reports**

(a) Unless specifically exempted by the Division, each casino licensee shall cause its annual financial statements to be audited in accordance with generally accepted auditing standards by an independent certified public accountant.

(b) The annual financial statements shall be prepared on a comparative basis for the current and prior calendar year, and shall present financial position and results of operations in conformity with generally accepted accounting principles.

(c) The financial statements required by this section shall include a footnote reconciling and explaining any differences between the financial statements included in the casino licensee's quarterly report for the quarter ended December 31, filed in conformity with N.J.A.C. 13:69D-1.6 of this regulation, and the audited financial statements. Such footnote shall, at a minimum, disclose the effect of such adjustments on:

1. Casino revenues;
2. Revenues net of complimentary services;
3. Total costs and expenses;
4. Income before extraordinary items; and
5. Net income.

(d) One copy of the audited financial statements, together with the report thereon of the casino licensee's independent certified public accountant, shall be filed with the Division by April 30 following the end of the calendar year.

(e) Each casino licensee shall require its independent certified public

accountant to render a report expressing an opinion as to whether the licensee has followed, in all material respects, its system of internal accounting controls based upon the audit of the financial statements pursuant to (a) above. Whenever, in the opinion of the independent certified public accountant, the licensee has materially deviated from its system of internal accounting controls or the accounts, records, and control procedures examined are not maintained by the licensee in accordance with the Casino Control Act and this chapter, the report shall enumerate such deviations and shall make recommendations regarding improvements in the system of internal accounting control. If applicable, the licensee shall prepare a written response to the report which shall indicate the actions taken to address the deviations and recommendations. The report and, if applicable, the response shall be filed with the Division by April 30 following the end of the calendar year.

(f) In accordance with the requirements of section 146 of the Casino Control Act (N.J.S.A. 5:12-146), each casino licensee who has made a decision to pay the in lieu taxes prescribed by that section on its licensed premises, shall file with the Department of the Treasury, not later than 90 days following the completion of the project:

1. A schedule which details by major classification, the costs incurred in the project; and
2. A report expressing the opinion of the licensee's independent certified public accountant that the costs are presented fairly in the schedule.

(g) If the casino licensee or any of its affiliates is publicly held, the licensee or

the affiliate shall submit one copy to the Division of any report, including, but not limited to, forms S-1, 8-K, 10-Q and 10-K, proxy or information statements and all registration statements, required to be filed by such licensee or affiliates with the Securities and Exchange Commission or other domestic or foreign securities regulatory agency, at the time of filing with such commission or agency.

(h) If an independent certified public accountant who was previously engaged as the principal accountant to audit the casino licensee's financial statements resigns or is dismissed as the casino licensee's principal accountant, or another independent certified public accountant is engaged as principal accountant, the casino licensee shall file a report with the Division within 10 days following the end of the month in which such event occurs, setting forth the following:

1. The date of such resignation, dismissal or engagement;
2. Whether in connection with the audits of the two most recent years preceding such resignation, dismissal or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which disagreements if not resolved to the satisfaction of the former accountant would have caused him to make reference in connection with his report to the subject matter of the disagreement;
3. The nature and scope of the disagreements, and whether they were resolved;

4. Whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or a disclaimer of opinion or an otherwise qualified opinion; and
5. The nature of such adverse opinion, disclaimer of opinion, or qualification shall be described.

(i) The casino licensee shall request the former accountant to furnish a letter to the Division, stating whether he or she agrees with the statements made by the casino licensee in the report submitted to the Division.

(j) Any filing required by this section shall be made in a format acceptable to the Division.

**13:69D-1.8 Retention, storage, and destruction of books, records, and documents**

(a) Books, records, and documents shall be defined as any book, record, or document pertaining to, prepared in, or generated by the operation of a casino, a casino simulcasting facility, a WAP or MSPS slot system, or an approved hotel including, but not limited to, all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence, and personnel records. This definition shall apply without regard to the medium through which the record is generated or maintained, for example, paper, magnetic media, or electronic format.

(b) All original books, records and documents shall be:

1. Maintained in a complete, accurate and legible form;
2. Held immediately available for inspection by agents of the Division during all hours of operation; and
3. Organized and indexed in such a manner so as to provide immediate accessibility to agents of the Division.

(c) A casino licensee or a WAP or MSPS progressive slot system operator shall petition the Division for approval of an off-site facility to store original books, records, and documents. Such petition shall include:

1. A detailed description of the proposed off-site facility, including security and fire safety systems; and
2. The procedures pursuant to which Division agents will be able to gain access to the original books, records and documents.

(d) A casino licensee or a WAP or MSPS progressive slot system operator shall petition the Division to copy and store original books, records, and documents on a microfilm, microfiche, or other suitable media system. Such petition shall include a detailed description of:

1. The procedures for the processing, preservation and maintenance of books, records and documents in a form which makes them readily available for review and copying;
2. The system of inspection and quality control which ensures that original books, records or documents when displayed, or reproduced on paper, maintain a high degree of legibility and readability as if an original; and
3. A detailed index of all microfilmed, microfiched or other stored data maintained and arranged in such a manner as to permit the immediate location of any particular book, record or document.

(e) A casino licensee shall notify the Division in writing at least 15 days prior to the scheduled destruction of any original book, record or document except for those governed by (g)7 or 9 below. Such notice shall list each type of book, record and document scheduled for destruction, including a description sufficient to identify the books, records and documents included; the retention period; and the date of destruction.

(f) The Division may prohibit the destruction of any original book, record or document by so notifying the casino licensee in writing within 15 days of receipt of the

notice of destruction pursuant to (e) above or, in the case of those governed by (g)7 or 9 below, within the specified retention period. Such original book, record or document may thereafter be destroyed only upon notice from the Division.

(g) All original books, records, and documents shall be retained in accordance with the following retention schedules unless otherwise authorized by the rules of Division. However, nothing herein shall be construed as relieving a casino licensee or a WAP or MSPS progressive slot system operator from meeting any obligation to maintain any book, record, or document required by any other Federal, state, or local governmental body, authority, or agency.

1. Indefinite retention:
  - i. Corporate records required by N.J.A.C. 13:69D-1.4;
  - ii. Records of corporate investigations and due diligence procedures;
  - iii. Current casino and casino key employee personnel files;and
  - iv. A record of any original book, record or document destroyed, identifying the particular book, record or document, the period of retention and the date of destruction.
2. Five-year retention:
  - i. Personnel files of terminated casino and casino key employees; and

- ii. Any other original book, record or document not otherwise specified in this subsection.
3. Four-year retention:
- i. Except for coupons redeemed at table games, documentation supporting the calculation of table game win;
  - ii. Except for coupons and gaming vouchers redeemed at slot machines, documentation supporting the calculation of slot machine win;
  - iii. Except for poker tournaments, documentation supporting the calculation of poker revenue; and
  - iv. Except for keno tickets, documentation supporting the calculation of keno win.
4. Two-year retention:
- i. Casino cage documents, suspicious gaming vouchers and unverified gaming vouchers;
  - ii. Hotel income audit documents, except for those documents in (g)6v below;
  - iii. Payroll records;
  - iv. Signature cards of terminated employees;
  - v. Marketing department records;
  - vi. Security incident reports;

- vii. Insurance department records relating to guest claims and copies of arrest records;
  - viii. Purchasing department and accounts payable documents;
  - ix. Player rating documents;
  - x. Records concerning junkets;
  - xi. Petty cash documentation;
  - xii. General ledgers and supporting journals;
  - xiii. Accounts receivable documents from store rentals and travel wholesalers; and
  - xiv. Suspicious gaming voucher reports and all documents associated with investigations of unverified gaming vouchers.
5. One-year retention:
- i. Complimentary settled guest checks;
  - ii. Card and dice transaction and inventory reports;
  - iii. Returned check aging reports, except for year-end reports;
  - iv. Vendor Registration Forms;
  - v. Files and workpapers used to prepare budgets;
  - vi. Records generated by the mailroom;
  - vii. Advertising records;
  - viii. Slot, security and surveillance department daily activity logs;

- ix. Daily operating reports generated by multi-casino progressive slot systems;
  - x. Logs of all multi-casino progressive slot system events and problems;
  - xi. With the exception of cashed pari-mutuel tickets and credit vouchers, documents related to the revenues and expenses of casino simulcasting, including, but not limited, to all reports generated by the totalisator and all records related to casino simulcasting;
  - xii. Card, dice and tile inventory storage logs; and
  - xiii. Any and all reports or documents relating to the forfeiture of winnings or things of value obtained by a prohibited person as defined in that subchapter.
6. Sixty-day retention:
- i. Except as provided in (g)9 below, coupons entitling patrons to cash, slot tokens, gaming chips or plaques or simulcasting wagers, or match play coupons, including voided and redeemed coupons;
  - ii. Voided gaming vouchers;
  - iii. Redeemed or voided keno tickets;

- iv. The following hotel income audit documents: cashier reports, room tally reports, over/short reports, rate variations and missing check reports;
  - v. Load count arrival forms;
  - vi. Credit card settled guest checks pertaining to restaurant and bar charges;
  - vii. Room charge settled guest checks pertaining to restaurant and bar charges;
  - viii. Credit card vouchers used to settle guest checks in restaurants and bars;
  - ix. Guest check control sheets used to control the issuance and return of guest checks to cashiers, bartenders and food servers;
  - x. Credit applications with unused lines of credit;
  - xi. Coin bag tags, provided that the information contained thereon is duplicative or less than that recorded on another document;
  - xii. Documents relating to promotions, such as entry forms and game tickets; and
  - xiii. Hotel cashier envelopes.
7. Seven-day retention and may be destroyed without the notice required by (e) above:

- i. Pari-mutuel tickets and credit vouchers which have been cashed, cancelled or refunded in the casino licensee's casino simulcasting facility;
  - ii. Contribution invoices sent to casino licensees participating in a WAP or MSPS slot system; and
  - iii. Jackpot activity reports generated by a WAP or MSPS slot system.
8. No minimum retention:
  - i. Any serially pre-numbered form required by Division rules that is blank or unused, unless otherwise specified by this section; and
  - ii. Any original book, record or document that has been copied and stored on a microfilm, microfiche or other media system approved by the Division.
9. No minimum retention and may be destroyed without the notice required by (e) above:
  - i. Gaming vouchers and coupons redeemed, verified, and electronically cancelled by the gaming voucher system.
  - ii. Parking ticket stubs;
  - iii. Coat check tickets;
  - iv. Housekeeping reports;
  - v. Maintenance department records;

- vi. Patron mailing lists;
- vii. Blank entry forms;
- viii. Bellman and baggage forms;
- ix. Cash settled guest checks;
- x. Food credit and complimentary beverage coupons;
- xi. Drink chits;
- xii. Food and beverage order slips;
- xiii. Bottle sales slips;
- xiv. Showroom starter slips;
- xv. Communication department records;
- xvi. Unsolicited resumes or letters requesting employment;
- xvii. Register tapes, provided that the information contained thereon is duplicative or less than that recorded on another retained document;
- xviii. Survey questionnaires regarding service in the casino hotel;
- xix. Records of hours worked by persons employed in gaming-related positions in an abstract or other readily accessible format;
- xx. Keno requests;
- xxi. Laundry charges;

- xxii. Slot machine meter reports generated by a multi-casino progressive slot system;
- xxiii. Handle pull or play reports generated by a multi-casino progressive slot system; and
- xxiv. Any unissued or unused coupon provided that all reconciliations have been conducted and resolved in accordance with the casino licensee's internal controls.

**13:69D-1.9 Complimentary services or items**

(a) No casino licensee may offer or provide any complimentary services, gifts, cash, or other items of value ("complimentary") to any person except as authorized by N.J.S.A. 5:12-102(m). A complimentary is a service or item provided directly or indirectly by a casino licensee to the public or to patrons at no cost or at a reduced price. A casino licensee may provide a complimentary either individually or through a bus coupon or other complimentary distribution program.

(b) Each casino licensee shall prepare and maintain internal controls for the authorization and issuance of complementaries for all complimentary programs that shall include without limitation:

1. A list of employees authorized to issue complementaries including any dollar limitations and any conditions or limitations that may apply to such authority including limits based on relationships between the authorizer and recipient; and
2. For a complimentary distribution program:
  - i. The manner by which the information describing the complimentary distribution program is made available to the public in the casino or casino simulcasting facility. Such information shall be available at all times that the complimentary distribution program is being conducted; and

- ii. Procedures describing the manner by which the casino licensee will reconcile complimentary distribution program offers issued, voided, adjusted, and redeemed.

(c) A casino licensee shall not permit:

1. The issuance of a complimentary from the table inventory in a table game, the keno writer's drawer in keno, the pari-mutuel cashier's drawer the simulcast vault in simulcasting, or a slot machine hopper or hopper storage area; and
2. The inclusion of any complimentary in calculating whether the payout on a slot machine satisfies the machine payout requirements of N.J.S.A. 5:12-100(e).

(d) A casino licensee shall maintain a complimentary service database for all individually issued complementaries. The database shall be accessible to and in a format acceptable by the Division. All individually issued complementaries shall be recorded as follows:

1. A complimentary provided directly to patrons in the normal course of a licensee's business shall be recorded at an amount based upon the full retail price normally charged for such service or item by the licensee;

2. A complimentary not offered for sale to patrons in the normal course of a licensee's business but provided directly by the licensee shall be recorded at an amount based upon the actual cost to the licensee of providing such service or item;
3. A complimentary provided directly or indirectly to a patron on behalf of a licensee by a third party not affiliated with the licensee shall be recorded at an amount based upon the actual cost to the licensee of having the third party provide such service or item;  
and
4. A complimentary provided directly or indirectly to a patron on behalf of a licensee by a third party who is affiliated with the licensee shall be recorded by the licensee in accordance with the provisions of this section as if the affiliated third party were the licensee.

(e) Each licensee shall, upon the request of the Division, generate a report that details all individually issued cash or non-cash complimentaries in excess of \$ 2,000 on a daily basis. The issuance of cash or non-cash complimentaries shall be supported by documentation which, at a minimum, includes:

1. The date;
2. The patron name;

3. The value as calculated in accordance with (d) above;
4. The description of the complimentary;
5. The name and signature of person authorizing the complimentary;
6. The reason the complimentary was issued; and
7. The patron signature, except that cash complementaries converted to cashable or non-cashable electronic funds do not require a patron signature.

(f) The casino licensee shall prepare a quarterly report summarizing both the dollar amount of and number of persons provided with each category of complimentary. Such report shall be filed electronically with the Division in a format prescribed by the Division.

(g) All complimentary cash gifts shall be disbursed directly to the patron by a general cashier at the cashiers' cage or as otherwise provided in the casino licensee's internal controls after receipt of documentation.

(h) A casino licensee may, upon receipt of a written request, including fax or e-mail, from a patron and, in accordance with internal controls, credit a cash complimentary directly to:

1. The payment of any outstanding Counter Checks or Slot Counter Checks issued by the patron and held by that casino licensee;

2. The payment of any returned checks issued by the patron and held by that casino licensee; or
3. The establishment or increase of a cash deposit held for the benefit of the patron.
  - (i) The written request required pursuant to (h) above shall be attached to documentation of the cash complimentary. The written request shall include, at a minimum, the following:
    1. The date of the request;
    2. The patron's name and account number;
    3. The manner in which the cash complimentary is to be credited; and
    4. The signature of or affirmation by the patron.

(j) Prior to the crediting of any complimentary cash gift to the payment of an outstanding counter check, slot counter check, or returned check, the general cashier or check cashier shall verify that the name and account information, including, where applicable, the signature of the patron on the request, agrees with the patron information in a patron identification file.

(k) All coupons issued pursuant to a complimentary distribution program shall be printed with a description of what is being offered, the locations where it may be redeemed, and either a statement specifying the date on which the coupon expires or some other means to indicate the expiration date.

(l) No casino licensee shall issue a revenue related coupon unless the coupon is designed and printed so that the denomination and type of the coupon is clearly visible from the closed circuit television system when accepted or wagered at a gaming table or a slot machine. A match play coupon shall contain an area designated for the placement thereon of the required gaming chips, which area shall be located on the coupon so as not to obscure or interfere with visibility of the type and denomination of the coupon.

(m) All revenue related coupons shall be forwarded on a daily basis to the accounting department where they shall be, at a minimum:

1. Verified for proper calculation, summarization and recording on documentation including, without limitation, the Master Game Report or Slot Win Sheet; and
2. Reconciled by the total number of coupons distributed to patrons, voided, unused and total number redeemed.

(n) Any discrepancies or variances identified in (m) above shall be immediately reported to the casino controller and the Division. An investigation shall be

conducted by the accounting department to determine the actual or probable cause of the discrepancy or variance.

(o) A casino licensee shall not cancel a complimentary distribution program without providing five days notice to the public or in an emergent situation upon notification to the Division.

**13:69D-1.10 Closed circuit television system; surveillance department control; surveillance department restrictions**

(a) Each casino licensee shall install in its establishment a CCTV system that shall be under the exclusive control of the surveillance department. A casino licensee shall provide the Division:

1. Access to the CCTV system and its transmissions;
2. Use, as necessary, of any monitoring room contained in the establishment;
3. Display on the monitors in the monitoring room, and the Division's office, any event capable of being monitored on the CCTV system;
4. Capability to produce a video and, if applicable, audio recording of, and take a still photograph of, any event capable of being monitored on the CCTV system;
5. Recording(s) or photograph(s) in accordance with the directions of the Division;
6. Unfettered access to all recordings or photographs and, upon the request of the Division, the casino licensee and its personnel shall be denied access thereto; and
7. A monitoring room from which the Division may independently and, at the direction of the Division, exclusively control any camera.

(b) The CCTV system shall be approved by the Division and shall include, at a minimum, the following:

1. Light sensitive cameras, with lenses of sufficient magnification to allow the operator to read information on gaming chips, playing cards, dice, tiles, slot machine reel symbols, slot machine credit meters, and employee credentials, and with 360 degree pan, tilt and zoom capabilities without camera stops to effectively and clandestinely monitor in detail and from various vantage points, the following:
  - i. The gaming conducted at each gaming table in the casino and casino simulcasting facility and the activities in the casino and casino simulcasting facility pits;
  - ii. The gaming conducted at the slot machines in the casino;
  - iii. The operations conducted at and in the cashiers' cage, any satellite cage, and each office ancillary thereto;
  - iv. The operations conducted at and in the slot booths;
  - v. The operations conducted at automated coupon redemption machines;
  - vi. The operations conducted in the simulcast counter;
  - vii. The count processes conducted in the count rooms;

- viii. The movement and storage of cash, gaming chips and plaques, drop boxes, bill validator boxes, slot cash storage boxes, slot drop boxes and slot drop buckets in the establishment;
  - ix. The entrances and exits to the casino, casino simulcasting facility, count rooms and all critical locations as defined in N.J.A.C. 13:69D-2.1;
  - x. The gaming and operations associated with the conduct of keno on the casino floor and in the casino simulcasting facility and of keno booths, keno satellite booths and keno lockers;
  - xi. Equipment designated by the Division in conjunction with the operation of an electronic transfer credit system, a gaming voucher system pursuant to and a slot monitoring system approved to conduct manual slot payouts;
  - xii. The operation of automated jackpot payout machines, gaming voucher redemption machines, gaming voucher systems and electronic transfer credit systems; and
  - xiii. Such other areas as the Division designates;
1. Video recording equipment which, at a minimum, shall:

- i. Permit the preservation and viewing of a clear copy of the transmission produced by any camera connected to the CCTV system;
  - ii. Be capable of superimposing the time and date of the transmission on each recording made by the video recording equipment; and
  - iii. Enable the operator to identify and locate, through the use of a meter, counter or other device or method, a particular event that was recorded;
3. Recording media, which shall be replaced immediately upon the manifestation of any significant degradation in the quality of the images or sound, if applicable, recorded thereon; provided, however, where videotape is utilized, it shall be used for no more than one year;
4. Audio capability in the soft count room;
5. One or more monitoring rooms in the establishment which, through the surveillance department employees or agents assigned thereto by the casino licensee shall constantly monitor the activities in the casino, the casino simulcasting facility and elsewhere in the establishment where CCTV coverage is available;
6. An emergency power system that can be used to operate the CCTV system in the event of a power failure, such power system

to be tested at 12-month intervals subject to more frequent re-testing upon failure of a test; and

7. A preventive maintenance program, implemented by technicians subject to the direction and control of the director of surveillance, which ensures that the entire CCTV system is maintained in proper working order and that transparent covers over CCTV system cameras are cleaned in accordance with a routine maintenance schedule. In the event that preventive maintenance to be performed by a technician assigned to another department is required on an emergency basis, the surveillance department shall have priority with respect to personnel resources of such other department to ensure the efficacy of the CCTV system.

(c) All areas, including gaming tables and pits, where CCTV system camera coverage is required by the Division shall contain continuous lighting that is of sufficient quality to produce clear video recordings and still picture reproductions.

(d) A casino licensee's CCTV system shall be required to record, during the times and in the manner indicated below, all transmissions from cameras used to observe the following locations, persons or transactions:

1. All gaming tables whether active or inactive;
2. Each transaction conducted at a cashiering location;
3. Each simulcast and keno window that is open for business;

4. Such main bank areas where gross revenue functions are performed as may be required by the Division;
5. The execution of fills and credits at the chip bank;
6. The collection of drop boxes, slot drop boxes and slot cash storage boxes and the count of the contents therein;
7. Any armored car collection or delivery of cash for which security escort or surveillance coverage is required;
8. The inspection and distribution to gaming pits of cards, dice and tiles;
9. The retrieval of cards, dice and tiles from gaming pits at the end of the gaming day and their delivery to the location designated and approved for inspection, cancellation, destruction or, if applicable, reuse;
10. Each transaction conducted at an automated bill breaker, voucher/coupon redemption and jackpot payout machine, as well as each replenishment or other servicing of any such machines;  
and
11. The entrances and exits to the casino, casino simulcasting facility, count rooms and all critical locations as defined in N.J.A.C.

13:69D-2.1.

(e) In addition to any other requirements imposed by this section and in accordance with the time parameters specified herein, a casino licensee's CCTV system

shall be required to record transmissions used to observe the face of each patron transacting business at each of its cashiers' cage and satellite cage windows from the direction of the cashier.

(f) Whenever a casino licensee replaces or modifies a slot machine or gaming table on the casino floor or other restricted areas which does not require CCTV inspection by the Division pursuant to N.J.A.C. 13:69C, the surveillance department shall conduct an inspection as to the sufficiency of the CCTV coverage. The director of the surveillance department shall prepare and submit to the Division's in-house office prior to implementation a written certification attesting that the inspection was conducted and the coverage was sufficient.

(g) A surveillance monitoring room shall:

1. Contain such equipment and supplies as may be required by the Division, taking into consideration current developments in electronic and computer technology, for the effective performance of the activities to be conducted therein including, without limitation:
  - i. A communication system capable of monitoring all casino security department activities; and
  - ii. If computerized monitoring systems are used by the casino licensee in its gaming operations, view-only terminals which allow access to information concerning cage, slot and table games operations;

2. Be connected to all casino alarm systems, which may provide a visible, audible or combination signal; provided, however, that any robbery or other emergency-type alarm shall be perceptually distinguishable from all non-emergency alarm types in a manner approved by the Division (for example, robbery alarm is the only audible alarm);
3. Contain an updated photo library, consisting of photographs that are no more than four years old, of all current employees of the casino licensee, which photo library shall be available to the Division upon request; and
4. Contain and have readily accessible to all monitoring room personnel and representatives of the Division an updated operational blueprint depicting all areas of the casino, the casino simulcasting facility and elsewhere in the casino licensee's establishment where CCTV coverage is available.

(h) Each casino licensee shall maintain a surveillance log of all surveillance activities in the monitoring room. The log shall be maintained by monitoring room personnel and shall be stored securely, in a manner approved by the Division, within the surveillance department in accordance with the retention schedule. The surveillance log shall be available for inspection at any time by Division agents. At a minimum, the following information shall be recorded in a surveillance log:

1. The date and time each surveillance commenced;

2. The name and license credential number of each person who initiates, performs or supervises the surveillance;
3. The reason for surveillance, including the name, if known, alias or description of each individual being monitored, and a brief description of the activity in which the person being monitored is engaging;
4. The times at which each video or audio recording is commenced and terminated;
5. The time at which each suspected criminal offense is observed, along with a notation of the reading on the meter, counter or device specified in (b)2iii above that identifies the point on the video recording at which such offense was recorded;
6. The time of termination of surveillance; and
7. Summary of results of the surveillance.
  - i. Each casino licensee shall have a contingency plan, as part of its approved internal controls submitted to the Division, to be utilized whenever there is an equipment failure that affects the casino licensee's monitoring room or CCTV system operations.
8. The Division and the casino security department shall be notified immediately of any equipment failure, including the time of the failure, cause if known, and any communications with the casino

security department relating to the failure, in accordance with the casino licensee's internal controls. In addition, the Division shall be notified prior to:

- i. Relocation of an approved camera;
- ii. A change in an approved camera's specifications;
- iii. A change in lighting for areas approved for CCTV camera coverage; and
- iv. An addition or change to the CCTV system and computer equipment in the monitoring room.

(j) CCTV system recordings shall be retained for a minimum of seven days and shall be made available for review upon request by the Division. For the count of gross revenue, audio recordings shall be retained for a minimum of seven days and video recordings shall be retained for a minimum of 30 days. In addition, any such recordings which are determined by Division agents to be of potential evidentiary value shall be retained and stored pursuant to Division directives.

(k) All CCTV system transmissions shall be secure and, with the exception of wide area progressive monitoring, restricted to the licensed casino hotel facility; provided, however, the Director or his or her Division designee may, by written order, authorize specific transmissions outside of the casino hotel facility, on a case-by-case basis.

(l) Each CCTV system operator in the monitoring room shall work from his or her own monitoring station. Minimum standards for the CCTV system used to monitor

casino and casino simulcasting facility operations shall be detailed in a casino licensee's surveillance submission to be approved by the Division, which shall ensure effective casino surveillance for the casino licensee. One operator shall be required for every 40,000 square feet of casino floor space unless otherwise authorized by the Division. Such operators shall be responsible for the casino floor and restricted locations.

1. Surveillance department employees assigned to monitor the activities shall be independent of all other departments. No present or former surveillance department employee shall accept employment with the same casino hotel or prospective casino hotel in which the surveillance department employee was previously employed or within any other casino hotel or prospective casino hotel whose surveillance department is under the operational control of the same person who controlled the surveillance department in which the surveillance department employee had been previously employed, unless one year has passed since the former surveillance department employee worked in the surveillance department. The Division may, upon receipt of a written petition, waive this restriction and permit the employment of a present or former surveillance department employee in a particular position after consideration of whether:

- i. The former surveillance department employee will be employed in a department or area of operation that the surveillance department does not monitor;
  - ii. The surveillance and security systems of the casino licensee will not be jeopardized or compromised by the employment of the former surveillance department employee in the particular position; and
  - iii. The former surveillance department employee's knowledge of the procedures of the surveillance department would facilitate the commission by any person of irregularities or illegal acts or the concealment of any such actions or errors.
2. Entrances to the CCTV system monitoring rooms shall not be visible from the casino area or casino simulcasting facility. In addition, access by employees of the casino licensee to the monitoring room or any other designated area capable of receiving CCTV transmission shall be prescribed by internal controls approved by the Division. Any person, other than an employee of the Division, who enters any monitoring room or such designated area who is not a surveillance department employee shall sign the Monitoring Room Entry Log upon entering the restricted area. The Monitoring Room Entry Log shall be:

- i. Kept in the CCTV monitoring room;
- ii. Maintained in a book with bound numbered pages that cannot be readily removed. The book shall include, at a minimum:
  - (1) The date and time of entering into the monitoring room or designated area;
  - (2) The entering person's name and his or her department or affiliation;
  - (3) The reason for entering the monitoring room or designated area;
  - (4) The name of the person authorizing the person's entry into the monitoring room or designated area;  
and
  - (5) The date and time of exiting the monitoring room or designated area; and
- iii. Made available for inspection by the Division at all times.

**13:69D-1.11 Casino licensee's organization**

(a) Each casino licensee's system of internal controls shall include tables of organization. Each casino licensee shall be permitted, except as otherwise provided in this section and N.J.A.C. 13:69K-1.4, to tailor its organizational structure to meet its own needs, policies or management philosophy. The proposed organizational structure of each casino licensee may be implemented upon the filing of the system of internal controls and shall comply with the criteria listed below, which criteria are designed to maintain the integrity of all casino operations. Each casino licensee's tables of organization shall provide for:

1. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
2. The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of his or her duties;
3. Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and
4. Areas of responsibility which are not so extensive as to be impractical for one person to monitor.

(b) In addition to satisfying the requirements of (a) above, each casino licensee's system of internal controls shall include, at a minimum, the following departments and supervisory positions. Each of the departments and supervisors required or authorized by this section (a "mandatory" department or supervisor) shall cooperate with, yet perform independently of, all other mandatory departments and supervisors of the casino licensee. Mandatory departments and supervisory positions are as follows:

1. A surveillance department supervised by a person referred to in this section as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in (c) below. The surveillance department monitoring room shall be supervised by a casino key employee who shall be present in the room at all times or, if not present, be within immediate contact and at a known location on the premises. The surveillance department shall be responsible for, without limitation, the following:
  - i. The clandestine surveillance of the operation and conduct of the table games and bill changers;
  - ii. The clandestine surveillance of the operation of the slot machines and bill changers;
  - iii. The clandestine surveillance of the operation of the casino simulcasting facility;

- iv. The clandestine surveillance of the operation of automated coupon redemption machines, automated gaming voucher machines and automated jackpot payout machines;
- v. The clandestine surveillance of the operation of the cashiers' cage and satellite cages;
- vi. The audio-video recording of activities in the count rooms;
- vii. The detection of cheating, theft, embezzlement, and other illegal activities in the casino, casino simulcasting facility, count rooms, slot booths, and cashiers' cage;
- viii. The detection of the presence in the establishment of any person who is required to be excluded pursuant to N.J.S.A. 5:12-71 or N.J.A.C. 13:69G-1.7, who is self-excluded pursuant to N.J.S.A. 5:12-71.2, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or of any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119a;
- ix. The video recording of illegal and unusual activities monitored;
- x. Providing timely notification to appropriate supervisors and the Division upon detecting, and also upon commencing video or audio recording of, any person who

is engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, or other illegal activities, including those activities prohibited in Article 9 of the Act;

- xi. Providing timely notification to appropriate supervisors and Division upon detecting, and also upon commencing video or audio recording of, any person who is required to be excluded pursuant to N.J.S.A. 5:12-71, N.J.S.A. 5:12-71.2 or N.J.A.C. 13:69G-1.7, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119(a);
- xii. The communication in writing to the supervisor of the credit department of accurate and verifiable information which may be relevant in determining a patron's credit worthiness;
- xiii. The clandestine surveillance of all keno gaming and operations on the casino floor and in the casino simulcasting facility and of any keno booths and satellite keno booths located in public keno areas;
- xiv. The clandestine surveillance of equipment used in conjunction with the operation of an electronic account

based wagering system pursuant to N.J.A.C. 13:69E-1.37A and a gaming voucher system pursuant to N.J.A.C. 13:69E-1.55;

- xv. The clandestine surveillance of the operation of computer monitoring rooms for multi-casino progressive slot systems;
- xvi. The installation, maintenance and repair of CCTV system equipment used by the surveillance department;
- xvii. CCTV system access to the Division, to the monitoring room and, if applicable, other locations approved by the Division;
- xviii. Any certification required in conjunction with a relocation or reconfiguration of the casino floor to the effect that the responsibilities set forth in (b)1i through xvii above continue to be met; and
- xix. The maintenance of a current surveillance submission, as a condition to the commencement and continuation of gaming operations, detailing minimum standards and the manner in which the responsibilities set forth in (b)1i through xvii above shall be met, such submission and any amendments thereto to be approved by the Division upon a determination that it conforms to the requirements of

the Act and provides adequate and effective controls over the operations of the surveillance department;

2. An internal audit department, which may perform functions and fulfill responsibilities for multiple but affiliated casino licensees, supervised by a person, who shall be located in New Jersey, referred to in this section as an audit department executive. The audit department executive shall be subject to the reporting requirements specified in (c) below. The internal audit department shall be responsible for, without limitation, the following:
  - i. The review and appraisal of the adequacy of internal control;
  - ii. The compliance with internal control procedures;
  - iii. The reporting to the Division of instances of noncompliance with the system of internal control;
  - iv. The reporting to the Division of any material weaknesses in the system of internal control;
  - v. The recommendation of procedures to eliminate any material weaknesses in the system of internal control; and
  - vi. A quarterly review of information technology (IT) data security of the gaming systems if the casino offers Internet or mobile gaming;

3. An IT department comprised of at a minimum an IT department manager, IT security officer, and, if the licensee offers Internet and mobile gaming, an Internet and mobile games manager, all of whom shall be located in New Jersey and licensed as a casino key employee.

i. The IT department manager shall be responsible for the integrity of all data, as well as the quality, reliability, and accuracy of all computer systems and software used by the casino licensee in the conduct of casino and casino simulcasting facility operations, whether such data and software are located within or outside the casino hotel facility, including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit, and maintenance of:

(1) Access codes and other computer security controls used to insure appropriately limited access to computer software and data;

(2) Monitoring logs of user access, security incidents and unusual transactions;

(3) Logs used to document and maintain the details of any hardware and software modifications;

- (4) Computer tapes, disks, or other electronic storage media containing data relevant to casino operations; and
  - (5) Computer hardware, communications equipment and software used in the conduct of casino operations;
- ii. The IT security officer shall report to the IT department manager and be responsible for:
- (1) Maintaining access codes and other computer security controls used to insure appropriately limited access to computer software and data; and
  - (2) Reviewing logs of user access, security incidents, and unusual transactions;
  - (3) Coordinating the development of the licensee's information security policies, standards, and procedures;
  - (4) Coordinating the development of an education and training program on information security and privacy matters for employees and other authorized users;
  - (5) Ensuring compliance with all State and Federal information security policies and rules;

- (6) Preparing and maintaining security-related reports and data;
- (7) Working with internal and external audit personnel to ensure all findings are addressed in a timely and effective manner;
- (8) Developing and implementing an Incident Reporting and Response System to address security breaches, policy violations, and complaints from external parties;
- (9) Serving as the official contact for information security and data privacy issues, including reporting to law enforcement;
- (10) Developing and implementing an ongoing risk assessment program that targets information security and privacy matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods; and
- (11) Remaining current with the latest IT security and privacy legislation, rules, advisories, alerts, and vulnerabilities to ensure the licensee's security program and security software is effective; and

- iii. The Internet and/or mobile gaming manager shall report to the IT department manager, or other department manager as approved by the Division, and be responsible for ensuring the proper operation and integrity of Internet and/or mobile gaming and reviewing all reports of suspicious behavior;
4. A casino games department supervised by a person referred to in this section as a casino manager. The casino games department shall be responsible for the operation and conduct of all authorized games and bill changers in a casino and casino simulcasting facility. A casino licensee may choose, in its discretion, to:
  - i. Operate and conduct the game of poker separately from all other casino games, in which event the operation and conduct of poker shall be supervised by a casino key employee;
  - ii. Make the casino games department responsible for the operation and conduct of the simulcast counter;
  - iii. Make the casino games department responsible for the supervision of slot cashiers in accordance with the provisions of (e) below provided that the casino licensee

does not establish an independent slot department  
pursuant to (b)4v below;

- iv. Make the casino games department responsible for the supervision of changepersons;
- v. Establish an independent slot department that:
  - (1) Shall be supervised by a person referred to herein as a slot department manager;
  - (2) Shall be responsible for the operation of all slot machines and bill changers;
  - (3) May be responsible for the supervision of slot cashiers in accordance with the provisions of (e) below;
  - (4) May be responsible for the supervision of changepersons;
  - (5) May be responsible for the operation and conduct of the game of keno; and
  - (6) May be responsible for the operation and conduct of the simulcast counter; or
- vi. Establish an independent keno department that:
  - (1) Shall be supervised by a person referred to herein as a keno manager;

(2) Shall be responsible for the operation and conduct of the game of keno; and

(3) May be responsible for the operation and conduct of either the simulcast counter or an independent slot machine cage department established pursuant to (b)7ii below, but not both;

5. A security department supervised by a person referred to in this section as a director of security. The security department shall be responsible for the overall security of the establishment including, without limitation, the following:

- i. The enforcement of the law;
- ii. The physical safety of patrons in the establishment;
- iii. The physical safety of personnel employed by the establishment;
- iv. The physical safeguarding of assets transported to and from the casino, casino simulcasting facility, slot, and cashiers' cage departments, and the immediate notification to the Division of any incident that has compromised the safeguarding of such assets;
- v. The protection of the patrons' and the establishment's property from illegal activities;

- vi. The detainment, for a reasonable period of time, of each individual as to whom there is probable cause to believe has engaged in or is engaging in conduct that violates N.J.S.A. 5:12-113 through 116, inclusive, N.J.S.A. 5:12-119 as it relates to underage gambling, or N.J.S.A. 33:1-81 pursuant to section 103d of P.L. 1977, c. 110 (N.J.S.A. 5:12-103), for the purpose of notifying law enforcement or Division authorities;
- vii. The control and maintenance of a system for the issuance of temporary credentials and vendor access credentials;
- viii. The recordation of any and all unusual occurrences within the casino and casino simulcasting facility for which the assignment of a security department employee is made. Each incident, without regard to materiality, shall be assigned a sequential number and shall be recorded in an unalterable format which shall include:
  - (1) The assignment number;
  - (2) The date;
  - (3) The time;
  - (4) The nature of the incident;
  - (5) The person involved in the incident; and
  - (6) The security department employee assigned;

- ix. The communication in writing to the supervisor of the credit department of accurate and verifiable information which may be relevant in determining a patron's credit worthiness;
  - x. The identification and removal of any person who is required to be excluded pursuant to N.J.S.A. 5:12-71, N.J.S.A. 5:12-71.2, or N.J.A.C. 13:69G-1.7, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or of any person, other than those who are to be detained pursuant to (b)5vi above, who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119a; and
  - xi. The performance of all duties and responsibilities in accordance with the procedures and controls pursuant to N.J.A.C. 13:69D-1.3(a)3; and
6. A casino accounting department supervised by a person referred to in this section as a controller. The controller shall be responsible for all casino and casino simulcasting facility accounting control functions including, without limitation, the preparation and control of records and data, the control of stored data, the control of unused forms, the accounting for and comparison of operational data and forms, and the control and

supervision of the cashiers' cage, any satellite cages, the soft count room, and the hard count room. The soft count room and hard count room shall each be supervised by a casino key employee, who shall be responsible for the supervision of the soft count or hard count in accordance with N.J.A.C. 13:69D-1.33 and 1.43, respectively. A casino licensee that operates more than one casino room within its casino hotel facility may be required to maintain a separate main cage in each casino room. A casino key employee referred to herein as a cage manager shall supervise the main cage and any satellite cages within the casino room. The cage manager shall report to the controller and shall be responsible for the control and supervision of cage and slot cashiers, casino clerks and the cage functions set forth in N.J.A.C. 13:69D-1.14 and 1.15. If a casino licensee elects to operate one or more satellite cages, each satellite cage shall be supervised by a casino cage supervisor who shall report to a cage manager. A casino licensee may choose, in its discretion, as to each cashier's cage in its casino hotel facility, to:

- i. Separate the cashiers' cage into independent operations for table games and slot machines. If a casino licensee elects to operate a separate table games cage and slot machine cage:

- (1) The provisions of N.J.A.C. 13:69D-1.14(i) shall not apply (that is, the casino licensee shall be required to have a master coin bank);
  - (2) Each independent cage operation shall be supervised by a cage manager and each cage manager shall report to the controller;
  - (3) The cage manager for the independent slot machine cage shall be responsible for the supervision of the master coin bank, slot cashiers and coin impressment personnel; and
  - (4) The cage manager for the independent table games cage shall be responsible for all cashiers' cage functions not included in (b)6i(3) above;
- ii. Operate an independent slot machine cage as a separate department. If an independent slot machine cage is operated as a separate department:
- (1) The slot machine cage department shall comply with the provisions of (b)6i(1) and (3) above;
  - (2) The cage manager of the slot machine cage department shall report to a casino key employee;

(3) The slot machine cage department may be responsible for the supervision of changepersons; and

(4) The slot machine cage department may be responsible for the operation and conduct of either the simulcast counter or the game of keno, but not both;

iii. Make the casino accounting department responsible for the supervision of changepersons; or

iv. Make the casino accounting department responsible for the operation and conduct of the simulcast counter.

(c) The supervisors of the surveillance and internal audit departments required by (b) above shall comply with the following reporting requirements:

1. Each supervisor shall report directly to the chief gaming executive of the casino licensee regarding administrative matters and daily operations; provided, however, a casino licensee may allow each of these supervisors to report directly to a management executive of the licensee other than the chief gaming executive if that executive reports directly to the chief gaming executive.

2. Each supervisor shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility, and authority. The hiring, termination, and salary of

each supervisor shall also be controlled by one of the following persons or entities:

- i. The independent audit committee of the casino licensee's board of directors;
  - ii. The independent audit committee of the board of directors of any holding company of the casino licensee which has absolute authority to direct the operations of the casino licensee;
  - iii. The senior surveillance or internal audit executive of any holding company included in (c)2ii above if such executive reports directly to the independent audit committee of the board of directors of the holding company; or
  - iv. For casino licensees or holding companies which are not corporate entities, the non-corporate equivalent of any of the persons or entities listed in (c)2i through iii above.
3. For purposes of this subsection, the independent audit committee shall be comprised of three or more members; provided, however, that the independent audit committee may be comprised of less than three members upon a showing of good cause to the Division.

(d) The casino licensee's personnel shall be trained in all internal and accounting control practices and procedures relevant to each employee's individual function.

(e) A casino licensee may choose to make the slot department responsible for the supervision of slot cashiers provided the casino licensee complies with either of the provisions below:

1. A slot cashier shall be prohibited from participating in any transaction that involves the acceptance, issuance, recordation or accounting of assets that affect the determination of gross revenue; or
2. Slot department operations shall be conducted as follows:
  - i. The casino licensee shall utilize a computerized slot monitoring system that, at a minimum, automatically records the slot machine asset number, date, time, and dollar amount whenever a hand-paid jackpot or hopper fill takes place;
  - ii. Each slot machine on the casino floor shall be connected electronically to the computerized slot monitoring system and each jackpot payout slip and hopper fill slip shall be computer generated pursuant to N.J.A.C. 13:69D-1.40 and 1.41, respectively;

- iii. The security features of the computerized slot monitoring system shall, at a minimum, prohibit the deletion, creation or modification of any information required by (e)2i above, unless a permanent record is created that sets forth:
  - (1) The original information;
  - (2) Any modification to the original information;
  - (3) The identity of the employee making the modification; and
  - (4) If applicable, the identity of each employee authorizing the modification;
- iv. The computerized slot monitoring system shall be capable of generating a daily report that contains, at a minimum, the information required by (e)2i and iii above, which report shall be used by the casino accounting department to verify the number and dollar amount of hand-paid jackpots and hopper fills and shall only be available to the casino accounting department until such verifications have been completed;
- v. Any modification of \$100.00 or more to the original amount recorded on a computerized jackpot payout slip or hopper fill slip shall be authorized by two employees of the department that is responsible for the operation of the

casino licensee's slot machines and bill changers, and at least one of the two employees shall be in a position of equal or greater authority than the individual who initially requested the jackpot payout slip or hopper fill;

- vi. The master coin bank and coin impressment personnel of the casino licensee shall be supervised by the casino accounting department; and
- vii. The internal controls of the casino licensee shall specify the manner in which the department that is responsible for the operation of the casino licensee's slot machines and bill changers shall interact with the computerized slot monitoring system including, without limitation, access to system menus, the establishment of slot machine profile parameters, and the ability of the department to access, delete, create or modify information contained in the slot monitoring system.

(f) A casino licensee may designate and assign more than one person to serve jointly as the manager of a department within the licensed facility. Each person serving as a joint manager of a department within the licensed facility shall be individually and jointly accountable and responsible for the operations of that department.

(g) Each department required or permitted by this section shall be supervised at all times by at least one casino key employee.

(h) In the event of a vacancy in the chief executive officer position, the chief gaming executive position required by N.J.A.C. 13:69D-1.1, the equal opportunity officer position required by N.J.A.C. 13:69K-1.4 or in any department supervisor position required or permitted by this section:

1. The casino licensee shall notify the Division no later than five days from the date of the vacancy. Such notice shall be in writing and shall indicate, without limitation, the following information:
  - i. The vacant position;
  - ii. The date on which the position became vacant; and
  - iii. The date on which it is anticipated that the vacancy will be filled on a permanent basis;
2. The casino licensee shall designate a person to assume the duties and responsibilities of the vacant position no later than 30 days from the date of vacancy. Such person may assume the duties and responsibilities of the vacant position on a temporary basis, provided that:
  - i. Such person does not function as the department supervisor for any department required by this section;
  - ii. Such person's areas of responsibility will not be so extensive as to be impractical for one person to monitor;

- iii. The chief executive officer or the chief legal officer of the licensee shall assume the responsibilities of the equal opportunity officer until such position is filled on a permanent basis; and
    - iv. Such position shall be filled on a permanent basis within 120 days of the original date of vacancy;
  3. Within five days of filling any vacancy pursuant to (h)2 above, the casino licensee shall notify the Division thereof. Such notices shall be in writing and shall indicate, without limitation, the following:
    - i. The position;
    - ii. The name of the person designated;
    - iii. The date that the vacancy was filled; and
    - iv. An indication of whether the position has been filled on a temporary or permanent basis; and
  4. All notices required by this subsection shall be directed to the Division.

### **13:69D-1.11A Table of organization**

(a) Each casino licensee shall maintain on file a table of organization delineating the lines of authority for all personnel engaged in the operation of the hotel, casino and casino simulcasting facility which shall include chain-of-command requirements of the Act and the Division's regulations.

(b) The table of organization shall, for each department and division, include direct and indirect lines of authority within the department or division. Each page of a table of organization shall specify the following:

1. The effective date;
2. The date of the previously submitted table of organization which it supersedes; and
3. A unique title or other identifying designation for that table of organization.

(c) Each casino licensee shall submit to the Division a list of persons, except casino key employees and casino key qualifiers, who have received compensation of \$ 100,000 or more, including salary, bonuses, incentives, profit sharing or any other compensation as indicated on the employees' annual Internal Revenue Service Form W-2. Such list shall be submitted to the Division by March 31 for the preceding tax year and shall include the following for each employee listed:

1. The name of the employee;

2. The license or casino service employee registration number, if applicable;
3. The position of the employee;
4. The total amount of compensation received by the employee; and
5. Each form of compensation received, such as salary, bonuses, incentives or profit sharing, and the amount thereof.

**13:69D-1.12 Personnel assigned to the operation and conduct of gaming**

(a) Each casino licensee shall employ the personnel described in this section in the operation of its casino and casino simulcasting facility, subject to the limitations imposed by N.J.A.C. 13:69D-1.11(a).

1. Each casino licensee shall at all times ensure the proper operation and effective supervision of all authorized games and simulcast wagering in the casino and casino simulcasting facility.
2. Each casino licensee shall be required to employ a person referred to in this section as a casino manager. The casino manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of a casino licensee's casino games department including, without limitation, the hiring and terminating of all casino personnel, all in accordance with the policies and practices established by the casino licensee's board of directors or non-corporate equivalent. In the absence of the casino manager and the assistant casino manager, should the establishment have an assistant casino manager, a table games shift manager or slot shift manager, as applicable, who is employed within the casino games department shall be designated by the casino licensee as the person responsible for the overall operation of the casino games

department and such person shall have the authority of a casino manager.

3. Unless otherwise permitted by this chapter, each employee shall perform only those functions associated with his or her assigned job title at the commencement of shift and will not perform any other functions during that shift.

(b) The following personnel shall be used to operate the games in an establishment:

1. A casino clerk or a general cashier designated as a casino clerk shall be the person in the pit responsible for documentation required for the operation of table games.
2. A dealer shall be the person assigned to each table game to directly operate and conduct the game, provided, however, that a dealer may work as a game supervisor in a gaming pit where he or she has not dealt during the same shift.
3. A floorperson shall be a supervisor assigned the responsibility for supervising the operation and conduct of all table games, including poker, provided, however, that a floorperson may work as a dealer in a gaming pit which he or she did not supervise during the same shift.

4. Slot attendants shall be the persons assigned the responsibility for the operation of slot machines and bill changers, including, but not limited to, participating in manual jackpot payouts and filling payout reserve containers.

(c) If a casino licensee chooses to establish an independent slot department pursuant to N.J.A.C. 13:69D-1.11(b)4, the slot department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the casino licensee's slot machines and bill changers including, without limitation, the hiring and terminating of all slot department personnel, all in accordance with the policies and practices established by the casino licensee's board of directors or non-corporate equivalent. In the absence of the slot department manager, the slot shift manager shall have the authority of the slot department manager.

(d) Nothing in this section shall be construed to limit a casino licensee from utilizing personnel in addition to those described herein nor shall anything in this section be construed to limit the discretion of the Division to order the utilization of additional personnel by the casino licensee necessary for the proper conduct and effective supervision of gaming in an establishment.

**13:69D-1.12A Internal control procedures for access badge system and issuance of temporary identification credentials**

(a) Each casino employee and each employee of a vendor who holds a casino employee registration who is required to have access to restricted areas during the course of his or her duties and any qualifier of a casino licensee's parent or holding company shall display an access badge in accordance with this section.

(b) Each casino shall adhere to the following universal access codes:

1. Any employee designated with "A" access code shall have access to all areas, provided, however, that access to the count rooms is restricted during the count of gross revenue except for internal audit employees conducting an audit, and provided further that access to the surveillance room and catwalks shall be authorized by the Director of Surveillance. "A" access may only be issued to the following:
  - i. The chief executive officer and chief operating officer;
  - ii. The president;
  - iii. Members of the audit committee;
  - iv. The vice president and directors directly related to casino operations, casino finance, and casino administration;

- v. The general counsel and associate general counsel (in-house);
  - vi. Casino security employees;
  - vii. Casino surveillance employees;
  - viii. Internal audit employees;
  - ix. A qualifier of a casino licensee's parent or holding company; and
  - x. Any person designated in the casino licensee's internal controls as responsible for the control of keys and locks required by N.J.A.C. 13:69D-1.44.
2. Any employee designated with "M" access code shall have access to the IT computer room and shall have access to all other restricted areas with prior approval by a key licensee assigned to that restricted area. "M" access shall only be issued to IT department employees.
3. Any employee designated with "C" access shall have access to the restricted areas under the control of the casino accounting department pursuant to the rules of the Division and any gaming areas. "C" access shall only be issued to the following:

- i. Casino accounting employees;
  - ii. Keno employees; and
  - iii. Simulcast employees.
4. Any employee designated with "CS" access shall have access to the restricted areas controlled by an independent slot cage department.
5. Any employee designated with "P" access shall have access to the casino gaming pits and poker rooms. "P" access shall only be issued to the following:
  - i. Casino games employees; and
  - ii. Poker games employees.
6. Any employee designated with "S" access shall have access to the slot repair room and slot storage areas. "S" access shall only be issued to slot department employees.
7. A visitor or vendor employee who does not hold a casino employee registration shall be issued a "V" access badge, valid for one 24-hour period. Prior to access to restricted areas the visitor or vendor shall obtain permission of the restricted area department manager who shall provide notice to the surveillance

department. Any visitor or vendor employee shall be accompanied at all times by a casino employee with the access code appropriate to the restricted area.

8. A vendor employee who holds a casino employee registration shall be issued a "T" access badge, valid for the duration of the registrant's employment with the vendor. The access badge shall include an additional access code designation which specifically identifies the area(s) of the casino to which the employee may have access unaccompanied by a casino employee.
9. All employees of a casino licensee requiring access to a restricted area with valid reason, who do not possess an access badge, shall be permitted access to such restricted area only with the permission of the restricted area department manager and notice to the surveillance department. Such employee shall be accompanied at all times by a casino employee with the access code appropriate to the restricted area.

(c) Each person issuing or authorizing access to any individual or employee shall record such authorization of that access, including identifying the name of the person, the area to be accessed, the purpose for the access, and the date and time of the authorization.

(d) Each casino licensee shall prepare and maintain internal control procedures for:

1. Readily identifying each of its employees and other non-employee individuals permitted to have access to one or more restricted areas; and
2. Issuing temporary identification credentials to employees.

**13:69D-1.13 Firearms; possession within casino or casino simulcasting facility**

(a) No person, including the security department members, shall possess or be permitted to possess any pistol or firearm within a casino or casino simulcasting facility without the express written approval of the Division provided that employees and agents of the Division may possess such pistols or firearms at the discretion of the director of the Division. At the request of the casino licensee's security department and upon its notification to the State Police, a law enforcement officer may, in an emergency situation, enter a casino or casino simulcasting facility with a firearm.

(b) To obtain approval for the possession of a pistol or firearm within a casino or casino simulcasting facility, a person shall be required to demonstrate that:

1. He or she has received an adequate course of training in the possession and use of such pistol or firearm;
2. He or she is the holder of a valid license for the possession of such pistol or firearm; and
3. There is a compelling need for the possession of such pistol or firearm within the casino or casino simulcasting facility.

(c) Each casino licensee shall cause to be posted in a conspicuous location at each entrance to the casino and casino simulcasting facility a sign that may be easily read stating:

"By law, no person shall possess any pistol or firearm within the casino or casino simulcasting facility without the express written permission of the Division of Gaming Enforcement."

**13:69D-1.14 Physical description of cashiers' main cage; satellite cage; master coin bank; coin vault; simulcast booth; slot booth and keno booth**

(a) Each casino licensee shall have on or immediately adjacent to the gaming floor a physical structure known as a main cage, which shall include segregated areas for the main bank, check bank, and chip bank, and may also include a master coin bank. Each casino licensee may also have, on or immediately adjacent to the gaming floor, one or more satellite cages. If a casino licensee operates two or more establishments physically connected in a manner approved by the Division, it shall operate a main cage in one of those establishments to serve as the central location for the functions set forth in N.J.A.C. 13:69D-1.15 for all of the establishments.

- (b) A cage or satellite cage shall be fully enclosed and shall, at a minimum:
1. Be designed and constructed to provide maximum security for the materials stored and the activities performed therein. Such design and construction shall be approved by the Division;
  2. Include openings at one or more numbered cashier windows, each of which shall contain a cashier's drawer and through which financial transactions related to gaming will be conducted;
  3. Include manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the casino surveillance and the casino security departments;

4. Provide for closed circuit television cameras capable of accurate visual monitoring and taping of any activities;
5. Require any emergency exit door that is not a mantrap to be alarmed; and
6. Include a mantrap if the cage or satellite cage secure assets, including, but not limited to, currency, coins, tokens, gaming plaques, or gaming chips having a value greater than an amount established by the Division. The outer door of the mantrap shall be controlled by the security department and the inner door shall be controlled by the accounting department. The doors of the mantrap shall have separate and distinct locking mechanisms on each door of the double door entry and exit system. The mantrap shall be subject to continuous CCTV coverage.

(c) A casino licensee may have separate areas for the storage of coin, prize tokens and slot tokens ("coin vaults") in locations outside the cage or master coin bank, as described in the casino licensee's internal controls. Each coin vault shall be designed and constructed to provide maximum security for the materials stored and activities performed therein, and shall include at least the following:

1. A fully enclosed room, located in an area not open to the public;

2. A metal door with a locking mechanism that shall be maintained and controlled by the main bank or master coin bank, which shall establish a procedure to identify the person who was in control of the locking mechanism, including the date and the time when control of the locking mechanism was transferred;
3. An alarm device that signals the casino surveillance department whenever the door to the coin vault is opened; and
4. Closed circuit television cameras capable of accurate visual monitoring and taping of any activities in the coin vault.

(d) Each casino licensee may have one or more slot booths to serve as a location in the casino to conduct gaming or non-gaming financial transactions. Such booth shall be designed and constructed in accordance with (b)1 through 5 above, and access shall be controlled by a supervisor in the accounting department.

(e) Casino simulcasting operations shall only be conducted in a separate and distinct area known as a casino simulcasting facility. A casino simulcasting facility shall contain a physical structure known as a simulcast cashier booth (simulcast counter) to serve as the central cashiering location for simulcast transactions. A casino simulcasting facility may contain one or more ancillary simulcast counters. An ancillary simulcast counter shall comply with all of the provisions of N.J.A.C. 13:69M-4.4 and this subsection. The simulcast counter shall be designed and constructed in accordance with (b)1 through 5 above and shall also, at a minimum, include the following:

1. One or more numbered pari-mutuel windows, each of which shall contain a pari-mutuel machine and a cashier's drawer;
2. A work area containing at least one remote management console (RMC) and terminal; and
3. A simulcast vault, which shall be secured by a locking mechanism, distinct from any locking mechanism in the cashiers' cage or satellite cage, and maintained and controlled by the simulcast shift supervisor or above.

(f) Keno gaming operations shall be conducted in any area designated for keno gaming activity including on the casino floor, in a casino simulcasting facility, or in a public keno area in accordance with the provisions of N.J.A.C. 13:69D-1.15. Keno gaming operations may be conducted from a keno booth, satellite keno booth, or a keno locker.

1. A keno booth or satellite keno booth shall be designed and constructed in accordance with (b)1 through 5 above, and shall have separate work stations which shall include a computer terminal used to issue keno tickets and calculate payouts for winning keno tickets and an area for the storage of a keno drawer. In addition, a keno booth may contain the following:

- i. A segregated and secure area for the storage of locked keno drawers pursuant to N.J.A.C. 13:69D-1.15; and
  - ii. A segregated and secure area, maintained on an impress basis by the keno supervisor, which may be used to establish opening keno inventories and complete keno fills and keno credits.
2. A keno locker shall be fully enclosed, contain one keno work station, and be closed and locked whenever it is unattended by a keno runner. A keno work station in a keno locker shall include:
  - i. Manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the casino surveillance and the casino security departments;
  - ii. A computer terminal which shall be used to issue keno tickets and calculate payouts for winning keno tickets;
  - iii. An area for the storage of one or more keno drawers, which area shall only be used by a keno runner selling or redeeming keno tickets from that keno locker; and
  - iv. A light that is located above the work station and is visible from outside the keno locker, which light shall

automatically illuminate whenever the door to the keno locker is open.

(g) Whenever the rules of the Division or the internal controls of a casino licensee require or authorize documents to be transported between cages, the casino licensee shall transport the documents through the use of a pneumatic tube system or a secure cabinet or bag. The secure cabinet or bag shall be transported by a casino cage supervisor or above, or by a casino security department representative.

**13:69D-1.15 Accounting controls and functions for the cashiers' main cage; satellite cage; master coin bank; coin vault; simulcast booth; slot booth; and chipperson**

(a) At the beginning and end of each shift, each cashier and chipperson shall record on a count sheet the face value of each inventory item counted and the total of the opening and closing inventories and sign the count sheet attesting to the accuracy of the information. Any variance of \$ 500.00 or more recorded by a cashier or chipperson on a count sheet or identified by the accounting department shall be promptly reported to the casino controller and the Division. The count sheets shall be forwarded to the casino accounting department on a daily basis for agreement of opening and closing inventories, agreement of amounts thereon to other forms, records and documents required by this chapter.

(b) Each casino licensee shall have on hand in the cage, or readily available thereto, a reserve of cash to pay winning patrons as required by N.J.S.A. 5:12-84.

(c) A cashiers' cage and any satellite cage shall be segregated by personnel as follows:

1. General cashier;
2. Check bank cashier;
3. Chip bank cashier;
4. Main bank cashier; and
5. Master coin bank cashier, if applicable.

(d) A cashier supervisor may perform the functions of a cashier provided the functions are not incompatible. A cashier supervisor shall not operate from another cashier or cashier supervisor's imprest inventory.

(e) A casino licensee may consolidate the functions of the chip bank cashier and the functions of the check bank cashier, provided that the cashier performs no incompatible functions.

(f) The assets for which each general cashier is responsible shall be maintained on an imprest basis. A general cashier shall not permit any other person to access their imprest inventory. General cashiers functions shall include, but are not limited to, the following:

1. Perform check consolidations, total or partial redemptions, or substitutions for patrons;
2. Receive gaming chips, slot tokens, and prize tokens from patrons or authorized employees in exchange for cash;
3. Receive cash, cash equivalents, casino checks, and annuity jackpot trust checks from patrons in exchange for currency, slot tokens, gaming chips or plaques, gaming vouchers, or coin;
4. Receive checks for non-gaming purposes from patrons in exchange for cash;
5. Perform customer deposit transactions for patrons;

6. Receive coupons from patrons in exchange for currency, gaming chips or plaques, slot tokens, or coin;
7. Process wire transfers and electronic fund transactions with a patron;
8. Process exchanges with check, chip, master coin and main bank cashiers, supported by documentation with signatures thereon, for the effective segregation of functions in the cashiers' cage;
9. Process Slot Counter Checks;
10. Prepare Payout Slips and Hopper Fill Slips;
11. Process table game progressive payouts;
12. Receive gaming vouchers from patrons or authorized employees in exchange for cash or slot tokens;
13. Prepare patron credit files and verify information therein supporting patron credit;
14. Exchange and reconcile imprest funds used by slot attendants, including imprest change/pouch payout funds; and
15. Exchange gift cards for cashable or non-cashable credits.

(g) Check bank cashiers shall not have access to cash, gaming chips and plaques, except when the casino licensee consolidates the functions with the chip bank.

Check bank cashiers' functions shall include, but are not limited to, the following:

1. Receive the original and redemption copies of Counter Checks and Slot Counter Checks and, if applicable, Requests for Pit Redemption forms;
2. Receive from general cashiers, checks accepted for total or partial Counter Check and Slot Counter Check redemption, consolidation and substitution;
3. Prepare bank deposit slips or supporting documentation for checks to be deposited;
4. Process wire transfer and electronic fund transactions for the purpose of redeeming Counter Checks and Slot Counter Checks or accepting payment on returned Counter Checks and Slot Counter Checks;
5. Process exchanges with general, chip, master coin and main bank cashiers, supported by documentation with signatures thereon, for the effective segregation of functions in the cashiers' cage;

6. Receive from general cashiers or casino clerks, documentation of a Counter Check pit redemption to be reconciled with the redemption copy;
7. Maintain a log of all Counter Checks and Slot Counter Checks issued and of all checks received for redemption, consolidation or substitution on a daily basis. Such log shall include, at a minimum, the following:
  - i. The balance of the checks on hand at the beginning of each day;
  - ii. For checks initially accepted and for checks received for consolidation, redemption or substitution:
    - (1) The date of the check;
    - (2) The name of the drawer of the check;
    - (3) The amount of the check;
    - (4) The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) received; and

- (5) An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution;
- iii. For checks deposited, redeemed, consolidated or replaced:
  - (1) The date on which the check was deposited, redeemed, consolidated or replaced;
  - (2) The name of the drawer of the check;
  - (3) The amount of the check;
  - (4) The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) deposited, redeemed, consolidated or replaced; and
  - (5) A record that the check was deposited, redeemed, consolidated or replaced; and
- iv. The balance of the checks on hand at the end of each day;  
and

8. Perform a physical count of the check bank inventory and agree the count and balance of checks on hand to the amount recorded pursuant to (g)7 above at the end of each gaming day.

(h) Chip bank cashiers shall not have access to currency or cash equivalents, but shall operate with a limited inventory of \$ 0.50 and \$ 0.25 coins which may only be used to facilitate odds payoffs or vigorish bets, except when the casino licensee consolidates the functions with the check bank. Chip bank cashiers' functions shall include, but are not limited to, the following:

1. Receive gaming chips, gaming plaques and coin removed from gaming tables from a security department member in exchange for the issuance of a Credit;
2. Receive Requests for Fills in exchange for the issuance of a Fill, the dispersal of gaming chips, gaming plaques and coin to a security department member;
3. Receive gaming chips from the general cashiers, main bank cashiers, master coin bank cashiers, cage supervisors and personnel assigned to a non-cage employee redemption site in exchange for proper documentation;
4. Process exchanges with general, check, master coin and main bank cashiers, supported by documentation with signatures

thereon, for the effective segregation of functions in the cashiers' cage; and

5. Receive proper documentation from chippersons and general cashiers in exchange for imprest inventories of gaming chips, to be used in conformity with this chapter.
  - (i) Main bank cashiers' functions shall include, but are not limited to, the following:
    1. Receive cash, gaming vouchers, cash equivalents, issuance copies of Slot Counter Checks, original copies of Payout Slips, personal checks received for non-gaming purposes, slot tokens, prize tokens, gaming chips, and plaques from general cashiers in exchange for cash;
    2. Receive cash from the coin and currency count rooms;
    3. Receive checks and supporting documentation, from check cashiers for deposit if such deposit is not made by the check cashier;
    4. Prepare the overall cage reconciliation and accounting records;

5. Prepare the daily bank deposit for cash and checks;
6. Issue, receive and reconcile imprest funds used by general cashiers, slot attendants and chippersons;
7. Exchange currency for coupons and currency from slot attendants;
8. Process exchanges with general, check, master coin and chip bank cashiers, supported by documentation with signatures thereon, for the effective segregation of functions in the cashiers' cage;
9. Be responsible for the reserve cash bankroll;
10. Exchanges of currency, coin, gaming chips, slot tokens, and coupons from the simulcast vault or casino pari-mutuel cashiers;
11. Exchange currency, coin, slot tokens, gaming chips and coupons with the keno booth in exchange for proper documentation;
12. Perform the functions enumerated for master coin bank cashiers, but only to the extent that the

casino licensee operates its cashiers' cage without the master coin bank;

13. Receive unsecured currency, unsecured gaming vouchers and unsecured coupons from slot department or casino accounting department representatives;
14. Prepare Unsecured Bill Changer Currency/Coupon Reports;
15. Receive slot tokens, prize tokens and gaming chips from personnel assigned to a non-cage employee redemption site in exchange for proper documentation;
16. Receive slugs from the hard count room and slot department and maintain the slugs in inventory until destroyed;
17. Prepare Cash Fills and Balance Receipts;
18. Issue and receive currency cassettes, currency cassette reject bins, coin hoppers and returned coin with respect to the operation of automated jackpot payout machines;

19. Issue and receive currency cassettes, currency cassette reject bins, coin hoppers, returned coin and bill validator boxes with respect to the operation of gaming voucher redemption machines;
20. Issue and receive currency cassettes, currency cassette reject bins, coin hoppers, and returned coin;
21. Process exchanges with master coin cashiers, supported by documentation with signatures thereon, for the effective segregation of functions in the cashiers' cage; and
22. Exchange funds with hotel cashiering supported by proper documentation.

(j) Master coin bank cashiers' functions shall include, but are not limited to, the following:

1. Receive currency, coin, slot tokens, prize tokens, gaming chips, gaming vouchers and coupons from slot cashiers in exchange for proper documentation;
2. Receive coin and slot tokens from the hard count room;

3. Provide slot cashiers with currency, coin, prize tokens, and slot tokens in exchange for proper documentation;
4. Issue, receive and reconcile imprest funds used by slot attendants, including an imprest change/pouch payout fund;
5. Exchange currency for coupons, currency, and Pouch Payout Slips from slot attendants;
6. Prepare the daily bank deposit of excess cash;
7. Prepare Payout and Hopper Fill Slips;
8. Receive slot tokens and prize tokens from cage supervisors, general cashiers, main bank cashiers, and personnel assigned to a non-cage employee redemption site, and transmit slot tokens to general cashiers in exchanges supported by proper documentation;
9. Exchange currency, coin, slot tokens, gaming chips and coupons with the keno booth and simulcast counter in exchange for proper documentation;
10. Receive slugs from the hard count room and slot department and maintain the slugs in inventory until destroyed;
11. Prepare Cash Fills and Balance Receipts;

12. Issue and receive currency cassettes, currency cassette reject bins, coin hoppers, and returned coin with respect to the operation of automated payout machines;
13. Issue and receive currency cassettes, currency cassette reject bins, coin hoppers, returned coin, and bill validator boxes with respect to the operation of gaming voucher redemption machines; and
14. Perform exchanges with the main bank supported by proper documentation in accordance with internal controls.

(k) Coin vaults shall be under the control of the casino cashiers cage or an independent slot machine cage department. The storage of coin, prize tokens or slot tokens in, or the removal of coin, prize tokens or slot tokens from, any coin vaults shall be properly documented by the cashier, and the amount of coin, prize tokens and slot tokens in each coin vault shall be reconciled at the end of each gaming day.

(l) A chipperson shall commence his or her shift with an imprest inventory ("chipperson inventory") of gaming chips received from the chip bank and currency received from the main bank, in exchange for proper documentation. The chipperson inventory shall be placed and kept in a lockable cart known as a "chip cart." For a given shift, each chipperson shall have his or her own chip cart, and no other person shall operate from the chip cart of that chipperson. When not in use, all chip carts shall be stored in a segregated and secure area, the keys to which shall be maintained and

controlled either by the accounting department or the security department. Each key shall be signed-in and signed-out. No casino licensee shall cause or permit coin, currency, coupons, gaming chips or slot tokens to be added to, or coin, currency or gaming chips to be removed from, the chip inventory during the gaming day except:

1. In an even exchange with a chipperson by a patron in a designated poker area;
2. In order to make change for such a patron purchasing gaming chips; or
3. In receipt of a coupon from such a patron in exchange for gaming chips.

(m) The assets for which the slot cashiers are responsible shall be supplied from the main bank or master coin bank. Each slot cashier shall operate with an individual imprest inventory. Slot cashiers functions shall include, but are not limited to, the following:

1. The custody of the slot booth inventory comprising currency, coin, slot tokens, forms, documents, and records normally associated with the operation of the slot booth;
2. The exchange by patrons of coin for currency or slot tokens;
3. The exchange by patrons of currency for currency, coin or slot tokens;

4. The exchange by patrons of gaming chips, prize tokens or slot tokens for currency, slot tokens or coin;
5. The exchange by patrons of coupons for currency, coin or slot tokens;
6. The exchange by patrons of signed Slot Counter Checks for currency, coin or slot tokens, or any combination thereof;
7. The exchange by patrons of gaming vouchers for currency, slot tokens, or coins, and the exchange by authorized employees of gaming vouchers for cash;
8. The issuance of Hopper Fills;
9. The issuance of Payouts;
10. The issuance of coin or slot tokens to automated coupon redemption machines in exchange for proper documentation;
11. The issuance of cash or slot tokens to patrons upon the presentation of a recognized credit or debit;
12. The issuance, receipt and reconciliation of imprest funds used by slot attendants and changepersons in conformity with the functions set forth within this chapter and upon the preparation of appropriate documentation;

13. The receipt of currency and coupons from slot attendants in an even exchange for currency;
  14. The receipt of coin, currency, coupons, slot tokens, prize tokens or gaming chips from changepersons in an even exchange for coin, currency or slot tokens;
  15. The exchange of currency for coin and slot tokens, currency for currency, or coin and slot tokens for currency between slot cashiers upon the preparation of appropriate documentation; and
  16. The exchange with the master coin bank of coin, currency, gaming vouchers, slot tokens, prize tokens, gaming chips, gaming plaques, coupons, issuance copies of Slot Counter Checks, and documentation upon the preparation of a Slot Booth Exchange Slip.
- (n) The slot booth inventory may be used to supply:
1. Changepersons with an imprest inventory of coin, currency and slot tokens, provided that such inventory shall only be used to accept any combination of currency, coin, gaming chips, slot tokens, prize tokens or coupons presented by a patron in exchange for an equivalent amount of any combination of currency, coin or slot tokens. The slot booth inventory may also

be used to provide a changeperson with coin, currency and slot tokens in exchange for an equal amount of any combination of coin, currency, coupons, prize tokens, or gaming chips. If a changeperson's inventory is obtained from a location other than a slot booth, the location and the procedures for the issuance and maintenance of the inventory shall be in accordance with the casino licensee's internal controls;

2. Automated coupon redemption machines with an imprest inventory of coin or slot tokens; and
3. Slot attendants and their supervisors with an imprest inventory of currency to be used in the exchange of currency and coupons presented by a patron or, in the casino licensee's discretion, with an imprest inventory of currency which shall not exceed \$ 5,000 to be used for pouch payouts and in the exchange of currency and coupons presented by a patron.

(o) Whenever a casino pari-mutuel cashier begins a shift, he or she shall commence with an amount of currency and coin to be known as the "simulcast inventory." No casino simulcasting facility shall cause or permit currency, coin, gaming chips, slot tokens or coupons to be added to, or removed from, such simulcast inventory during such shift except:

1. In collection of simulcast wagers;

2. In order to make change for a patron buying a pari-mutuel ticket;
3. In collection for the issuance of credit vouchers;
4. In payment of winning or properly cancelled or refunded pari-mutuel tickets;
5. In payment for credit vouchers; or
6. In exchanges with the cashiers' cage, a satellite cage or simulcast vault supported by proper documentation which documentation shall be sufficient for accounting reconciliation purposes.

(p) A "simulcast count sheet" shall be completed and signed by the vault cashier or simulcast shift supervisor, and the following information, at a minimum, shall be recorded thereon at the commencement of a shift:

1. The date, time and shift of preparation;
2. The denomination of currency and coin in the simulcast inventory issued to the casino pari-mutuel cashier;
3. The total amount of each denomination of currency and coin in the simulcast inventory issued to the casino pari-mutuel cashier;
4. The pari-mutuel window number to which the casino pari-mutuel cashier is assigned; and
5. The signature of the vault cashier or simulcast shift supervisor.

(q) A casino pari-mutuel cashier assigned to a pari-mutuel window shall count and verify the simulcast inventory at the simulcast vault, and shall agree the count to the simulcast count sheet. The casino pari-mutuel cashier shall sign the count sheet attesting to the accuracy of the information recorded thereon. The simulcast inventory shall be placed in a cashier's drawer and transported directly to the appropriate pari-mutuel window by the casino pari-mutuel cashier.

(r) At the conclusion of a casino pari-mutuel cashier's shift, the cashier's drawer and its contents shall be transported directly to a designated area in the simulcast counter, where the casino pari-mutuel cashier shall count the contents of the drawer and record the following information, at a minimum, on the simulcast count sheet:

1. The date, time and shift of preparation;
2. The denomination of currency, coin, gaming chips, slot tokens and coupons in the drawer;
3. The total amount of each denomination of currency, coin, gaming chips, slot tokens and coupons in the drawer;
4. The total of any exchanges;
5. The total amount in the drawer; and
6. The signature of the casino pari-mutuel cashier.

(s) The vault cashier or simulcast shift supervisor shall compare the pari-mutuel window net for the shift as generated by the terminal and if it agrees with the simulcast count sheet total plus the simulcast inventory, shall agree the count to the simulcast count sheet and sign the simulcast count sheet attesting to the accuracy.

(t) If the pari-mutuel window net for the shift as generated by the RMC does not agree with the simulcast count sheet total plus the simulcast inventory, the vault cashier or simulcast shift supervisor shall record any overage or shortage. If the count does not agree, the casino pari-mutuel cashier and the vault cashier or simulcast shift supervisor shall attempt to determine the cause of the discrepancy in the count. If the discrepancy cannot be resolved by the casino pari-mutuel cashier and the vault cashier or simulcast shift supervisor, such discrepancy shall be reported in writing to the simulcast counter manager, or department supervisor in charge at such time.

**13:69D-1.16 Drop boxes for table games and electronic table games; gaming table slot cash storage boxes**

(a) A secure tamper-resistant container known as a "drop box" shall be attached to each gaming table and, as applicable, each electronic table game where cash and coupons are accepted by a dealer or a boxperson in a casino or casino simulcasting facility. Each electronic table game where currency and coupons are inserted into a bill validator shall include a tamper-resistant container known as a "gaming table slot cash storage box." A casino licensee may also utilize a bill validator to accept gaming vouchers and coupons at an electronic gaming table provided that the bill validator is connected to an approved slot monitoring system.

- (b) Each drop box and gaming table cash storage box shall have:
1. A lock, the key to which shall be controlled by the accounting department, designed to secure the contents placed into the drop box. Access to the key shall be limited to supervisors of the accounting department and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's internal controls;
  2. A separate lock, designed to secure the drop box to the gaming table, the lock to which shall be different from the lock securing the contents of the drop box. The key utilized to unlock the drop boxes from the gaming tables shall be maintained and controlled

by the security department. Access to the casino security department's lock shall be limited to supervisors of that department and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's security submission;

3. A slot opening through which currency, coins, coupons, forms, records, and documents can be inserted into the drop box;
4. A mechanical device that will automatically close and lock the slot opening upon removal of the drop box from the gaming table;
5. An indicator to differentiate drop boxes which are marked with an identical gaming table number; and
6. Except for emergency boxes in (d) below, a permanent imprint or impression thereon, a number ("table number"), which shall be clearly visible through the CCTV system and corresponds to a permanent number on the gaming table.

(c) In addition to bearing a table number, each drop box and gaming table cash storage box may also be identified by a bar code label that is securely affixed thereto. Each bar code label affixed to a drop box shall be:

1. Encoded, at a minimum, with the gaming table number and game type of the gaming table to which drop box is attached; and

2. Prepared in accordance with a casino licensee's internal controls which shall require, at a minimum, that the bar code be tested and verified to ensure that it corresponds to the drop box to which it is attached.

(d) Emergency drop boxes shall satisfy the requirements of (b)1 through 4 above and the word "emergency" shall be permanently imprinted or impressed thereon. When put into use, emergency drop boxes shall be temporarily marked with the number of the gaming table. The casino licensee shall notify the Division and the surveillance department contemporaneously with placing an emergency drop box into use.

**13:69D-1.17 Table game drop boxes, transport to and from gaming tables; storage**

(a) Each casino licensee shall file with the Division a schedule setting forth the specific times when drop boxes are to be removed from a gaming table or electronic table game to be counted and recorded. Drop boxes shall be removed, counted, and recorded, at a minimum, once each gaming day, provided, however, a drop box need not be so removed if:

1. The drop box is from a gaming pit in which no table was opened for gaming; and
2. The casino licensee advises the Division, the surveillance department, the security department, and the count team of a change to the schedule to collect and count the drop boxes.

(b) All drop boxes including emergency drop boxes which are not actively in use shall be stored in the count room or other secure area outside the count room as approved by the Division. In addition, the drop boxes shall be stored in one or more enclosed storage trolleys or cabinets secured by a padlock, the key to which shall be maintained and controlled by the security department. Access to the padlock key shall be limited to security supervisors and shall be controlled, at a minimum, by a sign-out and sign-in procedure in accordance with a security submission approved by the Division.

(c) Each casino licensee shall maintain and make available to the Division, upon request, the name and credential number of all employees participating in the transport of the drop boxes.

(d) A casino security department member shall notify the surveillance department prior to the removal of a drop box from the count room or other secure area. The surveillance department shall make a continuous video recording, with the time and date thereon, of the entire drop box removal process.

(e) A casino security department member shall sign out the count room door key, padlock key and the key to remove the drop box from the gaming table, which are maintained and controlled by the casino security department. Access to these keys shall be limited to security supervisors and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's security internal control submission as approved by the Division.

(f) A casino security department member shall remove the trolley(s) containing the empty boxes from the count room or other storage area and perform a physical count of the empty boxes removed from storage. The count and the gaming date shall be documented on a drop box verification form.

(g) The removal of drop boxes from a gaming table shall require, at a minimum, two casino security department members. One security member shall remain with the trolley. The second shall remove the empty drop boxes from the trolley,

exchange each empty drop box with the drop box on the corresponding gaming table and place the drop box removed from the gaming table in the enclosed trolley.

(h) For each pit where drop boxes are exchanged, a casino games supervisor shall verify that the number of empty drop boxes delivered to the gaming pit equals the number of drop boxes scheduled to be picked up from the gaming pit. Any discrepancy between the number of empty drop boxes physically counted and the number indicated on the collection schedule shall be recorded on the drop box verification form. Any discrepancy shall be investigated, explained, and reported to the Division by a games department supervisor.

(i) The casino games supervisor shall:

1. Sign the drop box verification form before the trolley leaves the pit attesting that the number of drop boxes being removed from the pit equals the number of drop boxes that have been loaded on the trolley. Any discrepancy shall be investigated, explained, and reported to the Division. The supervisor shall also attest that the security padlock on the trolley is locked prior to the trolley leaving the pit and transported to a secure area, provided, however, that the padlock shall secure the trolley door, but need not be locked, if the trolley is to move from one pit to another; and

2. Obtain the signature of a security department member on the drop box verification form attesting to the accuracy of such reconciliation.

(j) If any unsecured currency is found in the vicinity of a gaming table or during the exchange of drop boxes, a casino games supervisor shall:

1. Notify surveillance to monitor the event;
2. Display the unsecured currency on a gaming table in view of the CCTV system; and
3. Deposit the unsecured currency in a drop box.

(k) All drop boxes removed from gaming tables and the drop box verification form shall be transported in locked trolleys directly to and secured in the count room by at least one casino security department member. The security department member shall verify that the total number of drop boxes in each trolley equals the number of drop boxes recorded on its corresponding drop box verification form. A security department member shall sign the drop box verification form attesting that the trolley is locked prior to movement to the count room.

(l) Whenever a full or inoperable drop box shall be replaced with an empty drop box ("emergency drop box"), the use of a trolley shall not be required. The replaced drop box shall be removed and transported either in a trolley if during the drop

process or directly to and secured in the count room by at least one casino security department member and one casino games supervisor as follows:

1. A casino security department member shall notify the surveillance department which shall monitor and record the transaction. A security officer shall not transfer more than two emergency drop boxes at one time. If more than one drop box is to be removed, such notification shall include the order in which the boxes will be removed and replaced.
2. The security department member shall complete a three-part emergency box form documenting the replacement of the drop box. The form shall include at a minimum:
  - i. The date and time;
  - ii. The pit and table number;
  - iii. The reason for the removal; and
  - iv. The signatures of the security department member and casino games supervisor participating in the process;
3. The casino security department member shall sign out the count room key, emergency box cabinet or padlock key and the key to remove the drop box from the gaming table. The keys are maintained and controlled by the casino security department.

Access to these keys shall be limited to casino security supervisors and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's security internal control submission approved by the Division;

4. The casino security department member and a casino games supervisor shall obtain the emergency box from the count room, affix the original emergency drop box form to the emergency box and transport the box with the duplicate and triplicate emergency drop box form to the appropriate gaming pit;
5. The casino security department member shall remove the full or inoperable drop box from the table game and replace it with the empty emergency drop box in the presence of the casino supervisor. A member of the table games department shall deposit the duplicate into the emergency drop box after the box is attached to the table;
6. A security department member shall copy the triplicate and place the triplicate in a locked accounting box. The copy shall be delivered within 24 hours to the Division's on-site office;
7. The drop box removed from the table game shall be transported by the casino security department member and casino supervisor to the count room or another secured area approved by the

Division. Thereafter, the drop box shall be secured in an emergency drop box cabinet or trolley;

8. For each full or inoperable drop box exchanged, the casino security department member or casino supervisor shall record on an emergency drop box log, to be maintained with the emergency drop box cabinet or trolley, the following:
  - i. Date and time the drop box was secured in the cabinet or trolley;
  - ii. Drop box pit and table number; and
  - iii. Signatures of the casino security department member and casino games supervisor participating in the emergency drop box process; and
9. The keys shall be returned and signed in by a casino security department supervisor.

(m) Whenever a gaming table is to be moved or maintenance is to be performed on the table, the casino licensee shall remove and secure the drop box in the count room in accordance with the emergency drop box procedures in (l) above except that the drop box shall not be replaced with an emergency drop box, the emergency drop box form shall not be completed, and proper notification shall be provided to the Division.

(n) Drop boxes, when not in use during a shift, may be stored on the gaming tables provided that there is adequate security.

**13:69D-1.18 Procedure for accepting cash and coupons at gaming tables**

(a) Whenever cash is presented by a patron at a gaming table in exchange for gaming chips or plaques:

1. The cash shall be spread on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it and the casino supervisor assigned to such gaming table;
2. The amount of the cash shall be verbalized by the dealer or boxperson accepting it in a tone of voice to be heard by the patron who presented it and the casino supervisor assigned to such gaming table; and
3. Immediately after an equivalent amount of gaming chips or plaques has been given to the patron, the cash shall be taken from the top of the gaming table and placed by the dealer or boxperson into the drop box attached to the gaming table.

(b) A coupon authorized pursuant to this section may be either exchanged for gaming chips or plaques (“chip coupon”) or accepted as a wager (“wager coupon”) only at a gaming table. A dealer or boxperson shall verify that the coupon has not expired or is otherwise void on its face. A casino licensee may accept any coupon issued by a New Jersey affiliate of the issuing casino licensee in accordance with this section.

(c) Whenever a chip coupon is presented by a patron at a gaming table in exchange for gaming chips or plaques:

1. The chip coupon shall be placed on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it and the casino supervisor assigned to such gaming table;
2. The amount of the chip coupon shall be verbalized by the dealer or boxperson accepting it in a tone of voice to be heard by the patron who presented it and the casino supervisor assigned to such gaming table; and
3. Immediately after an equivalent amount of gaming chips or plaques has been given to the patron, the chip coupon shall be taken from the top of the gaming table and placed by the dealer or boxperson into the drop box attached to the gaming table.

(d) Whenever a chip coupon is presented by a patron at a gaming table in exchange for a gaming chip to be used for a progressive payout wager, the dealer shall comply with the procedures required in (c)1 and 2 above. The dealer shall place a chip from the table inventory equal in value to the coupon into the progressive wager acceptor device. Immediately after placing the chip in the progressive wager acceptor device, the dealer shall place the chip coupon in the drop box.

(e) A wager coupon (for example, match play coupon or direct bet coupon) shall only be accepted at a gaming table in which patrons wager against the house.

1. The coupon shall be positioned as follows:

- i. For all games other than craps or roulette, in the patron's betting area;
  - ii. For craps, only on the Pass or Don't Pass Line; or
  - iii. For roulette, only in the boxes marked "Black," "Red," "Odd," "Even," "1-18," "19-36," "1<sup>st</sup> 12," "2<sup>nd</sup> 12," or "3<sup>rd</sup> 12";
2. Only one wager coupon may be used per betting position for each round of play;
3. If the wager wins, it shall be paid in accordance with the terms and conditions of the coupon and the applicable rules of the game; and
4. Whether the wager wins or loses, the coupon shall be deposited by the dealer or boxperson into the drop box attached to the gaming table at the time the winning wager is paid or the losing wager is collected.

(f) For a match play coupon, the coupon shall only be accepted if accompanied by the proper amount of gaming chips required by the coupon. The chips shall be placed on the coupon in such a way that the type and value of the coupon shall be visible at all times. If the chips wagered by the patron are greater in value than the stated value of the match play coupon, the dealer shall exchange the patron's chips for other denominations from the table inventory in order to match the value of the wager coupon.

(g) For a direct bet coupon, a patron may elect to increase the amount of his or her wager above the amount stated on the coupon by simultaneously wagering additional gaming chips in addition to the coupon. The chips shall be placed on a corner of the coupon so that the type and value of the coupon remains visible at all times.

(h) All coupons accepted pursuant to this section shall be cancelled either:

1. By the dealer or boxperson upon acceptance; or
2. By a count team member pursuant to N.J.A.C. 13:69D-1.33.

**13:69D-1.18A Presentation of recognized credit card or debit card in exchange for gaming chips or plaques**

(a) A casino licensee may, in accordance with the provisions of this section, provide gaming chips or plaques to a patron at a gaming table in exchange for a valid charge or cash advance in the amount of gaming chips or plaques provided to the patron against a recognized credit card account or recognized debit card account maintained by the patron, thereby establishing a valid and enforceable debt owed by the patron. Each such exchange shall be known, respectively, as a "credit card chip transaction" or a "debit card chip transaction." Each casino licensee shall display in a conspicuous manner in its casino and, if applicable, casino simulcasting facility the name or registered credit or debit card logo of each recognized credit card or recognized debit card that may be accepted by the casino licensee as part of a credit or debit card chip transaction.

(b) Each credit or debit card chip transaction shall be initiated by a patron presenting a recognized credit card or recognized debit card at a gaming table and requesting the purchase of gaming chips or plaques from the dealer or boxperson. The dealer or boxperson shall notify the casino clerk of the request and present the recognized credit or debit card to the casino clerk for processing.

(c) The casino clerk shall perform the procedures and prepare the documents or computer records that are required by the internal controls of the casino licensee to evidence a credit or debit card chip transaction. At a minimum, these procedures and documents or computer records shall enable a casino licensee to:

1. Create a record of the removal of gaming chips or plaques from

the table inventory by requiring the deposit in the drop box of a document that identifies the value of the gaming chips or plaques being exchanged and the reason for their exchange;

2. Maintain an accounting log of each credit or debit card chip transaction by gaming table and by shift;
3. Establish the identity of its employees who participate in the transaction;
4. Provide a receipt to the patron indicating the amount being charged against the patron's recognized credit or debit card account; and
5. Obtain a valid exemplar of the signature of the patron presenting the recognized credit or debit card.

(d) Prior to the issuance of gaming chips or plaques to the patron by the dealer or boxperson, the casino clerk shall:

1. Verify the validity of the patron's recognized credit or debit card by:
  - i. For a credit card chip transaction, contacting, either directly or through the use of a registered electronic funds transfer company, the issuer of the recognized credit card;
  - ii. For a debit card chip transaction, contacting, either directly the issuer of the recognized debit card or through the use of a registered debit card verification agency which

either:

(1) Performs the validation directly based on information supplied to it by the financial institution where the patron maintains the account that is being accessed with the debit card;

or

(2) Relays the verification request to the financial institution where the patron maintains the account being accessed with the debit card, which financial institution then validates the card based on its own records;

2. Obtain, using the same methods identified in (d)1 above, the approval of the issuer of the recognized credit or debit card for a charge or cash advance against the account of the patron in an amount that is equal to the value of the gaming chips or plaques requested by the patron;
3. Examine the recognized credit or debit card to ensure that a signature appears on the card in the space provided for the signature of the authorized user; and
4. Confirm the identity of the presenting patron as the authorized user of the recognized credit or debit card by:
  - i. Performing any identification procedures that the issuer of

the recognized credit or debit card or, if applicable, the registered electronic funds transfer company or registered debit card verification agency, requires a merchant to follow upon presentation of the card by the cardholder; or

ii. If the issuer of the recognized credit or debit card or, if applicable, the registered electronic funds transfer company or debit card verification agency does not require a merchant to perform any identification procedures upon presentation of the card by a cardholder, either:

- (1) Comparing the signature on the credit or debit card with the signature affixed by the patron on at least one of the documents used by the casino licensee to evidence the credit or debit card chip transaction; or
- (2) Obtaining the written and signed attestation of a casino supervisor as to the identity of the patron on a form on which the casino supervisor's name and license number is recorded.

(e) Each casino licensee that uses a registered electronic funds transfer company to comply with the requirements of (d)1 and 2 above may, in lieu of establishing a direct charge or cash advance against the credit card account of the

patron, permit the registered electronic funds transfer company to establish such direct charge or cash advance and accept the check or draft of the registered electronic funds transfer company as being the source of payment for the gaming chips or plaques to be exchanged with the patron. Any check or draft accepted by a casino licensee from a registered electronic funds transfer company pursuant to this subsection shall be:

1. Processed by the casino licensee in accordance with the requirements of (d) above;
2. Drawn incident to, and as a direct result of, a patron requesting a charge or cash advance against his or her recognized credit card account in order to obtain gaming chips or plaques as part of a credit card chip transaction;
3. Made payable to the casino licensee or to the patron requesting the transaction and dated with the date of the transaction; and
4. Printed on a machine that is connected telephonically to the registered electronic funds transfer company and located, at the option of the casino licensee, in the pit where the credit card is presented or in the cashiers' cage; provided that, for checks printed in the cashiers' cage, the casino licensee shall transport the check or draft from the cashiers' cage to the appropriate pit by a secure method as described in its internal controls.

(f) After the casino clerk completes all documents or computer records required for the processing of the credit or debit card chip transaction and obtains the

endorsement, if required, or signature of the patron presenting the recognized credit or debit card, the casino clerk shall deliver the document to be deposited into the drop box to the dealer or boxperson, who shall process the document as if it were cash.

(g) Unless the procedures of the issuer of the recognized credit or debit card or, as applicable, the registered electronic funds transfer company or registered debit card verification agency, require the confiscation of the recognized credit or debit card presented by the patron, the casino clerk shall return the recognized credit or debit card to the patron at the conclusion of the credit or debit card chip transaction.

(h) Each casino licensee that accepts a recognized credit or debit card in a credit or debit card chip transaction shall indicate in its internal controls the method by which it will notify a patron of the fees, if any, that the casino licensee or, as applicable, registered electronic funds transfer company or registered debit card verification agency, will charge the patron for processing a credit or debit card chip transaction.

(i) Any credit or debit card presented by a patron as part of a credit or debit card chip transaction that has not been signed in the space provided for the signature of the authorized user prior to its presentation at the table (an "unsigned card") or that does not require and has no space for the authorized user to sign the card, shall not qualify as a recognized credit or debit card for purposes of this section; provided, however, that an unsigned card that qualifies as a recognized credit or debit card but for the absence of the signature of the authorized user may be accepted in a credit or debit card chip transaction if:

1. The issuer of the credit card or debit card and, if applicable, the

registered electronic funds transfer company or registered debit card verification agency, permits any merchant to which the card is presented to accept the card without the authorized user signing the card before it is presented, and the casino licensee follows the procedures established by the issuer of the recognized credit or debit card and, if applicable, the registered electronic funds transfer company or registered debit card verification agency, for accepting the credit or debit card in such circumstances; and

2. Either of the following two conditions is satisfied:
  - i. The casino licensee performs additional steps to verify, in accordance with its internal controls, that the patron presenting the unsigned card is the authorized user of the card, which steps shall be recorded in a log to be maintained by the casino licensee; or
  - ii. The unsigned card is designed to and does include a clear photograph of the face of the authorized user as a permanent part of the card and the casino licensee reasonably concludes that the presenting patron is the person whose photograph is on the card.



**13:69D-1.18B Procedure for buying in and cashing out of an electronic table game which utilizes electronic chips for wagering;**

(a) A patron shall buy in at an electronic gaming table which uses electronic chips for wagering by any of the following:

1. Presenting cash, gaming chips or plaques or a coupon to a dealer or boxperson;
2. Inserting cash into a bill acceptor;
3. Inserting coupons enrolled in the gaming voucher system or gaming vouchers into a bill acceptor, provided the bill acceptor is connected to an approved gaming voucher system;
4. Downloading patron deposit funds from an account based wagering system; and
5. Downloading promotional credits.

(b) The cash, gaming chips or plaques or coupon presented to the dealer or boxperson shall be spread on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it and the casino supervisor assigned to such gaming table provided that the Division may limit the quantity of gaming chips that may be presented in any single buy-in based upon the size of the approved area. The dealer or boxperson shall:

1. Verbalize the amount of the cash, gaming chips or coupon accepted in a tone of voice to be heard by the patron who presented it and the casino supervisor assigned to such gaming table;

2. Credit an equivalent amount of funds to the game account of the patron, registered on the electronic fund display and acknowledged by the patron; and
3. Place any gaming chips or plaques into the table inventory container and any cash or coupons into the drop box attached to the gaming table.

(c) The items accepted in accordance with (a)2 through 5 above shall be credited in an equivalent amount of funds to the game account of the patron, registered on the electronic fund display and acknowledged by the patron, as applicable.

(d) The patron may cash out the balance in his or her game account by:

1. Requesting the dealer or boxperson to issue an amount of chips and/or coins from the table inventory, after which the dealer or boxperson shall zero out the amount on the electronic fund display of the patron. The amount of the chips and/or coin shall be verbalized by the dealer or boxperson in a tone of voice to be heard by the patron and the casino supervisor assigned to such gaming table;
2. Generating a gaming voucher or requesting the dealer to generate a gaming voucher after which the dealer or boxperson shall zero out the amount on the electronic fund display of the patron, if not automatically zeroed out by the system; or

3. Initiating a transfer of the funds being cashed out to the patron's deposit account.

**13:69D-1.18C Presentation of recognized credit or debit card in exchange for a cash access transaction**

(a) A casino licensee or a registered electronic funds transfer company ("transfer company") may provide cash to a patron (cardholder) at a casino cage window or transfer company booth in exchange for a charge to a valid credit or debit card ("card").

(b) Each card cash access transaction shall be initiated by a cardholder at a:

1. Transfer company automated cash access terminal;
2. Casino cashier window; or
3. Transfer company booth.

(c) A transfer company's automated cash access terminal shall at a minimum:

1. Provide instructions to the cardholder on how to initiate a cash access transaction;
2. Receive from the issuer of the card approval or rejection of a cash access transaction; and
3. If the transaction is approved, instruct the cardholder to proceed to either a casino cage or a transfer company booth to complete the transaction.

(d) For a transaction initiated by the patron at a casino cashier window or a transfer company booth upon presentation of a card to a cage cashier or transfer

company representative, as applicable, the cashier or representative shall:

1. Determine the validity of the card as required by the card issuer;  
and
2. Print and complete a cash access document in accordance with (e) through (g) below.

(e) Whenever a transaction is approved and the cardholder elects to proceed with the transaction, the cage cashier or transfer company booth representative shall prepare a three-part cash access document. The cash access document shall include, at a minimum:

1. The date and time of the transaction;
2. The cardholder name;
3. The amount to be paid to the patron;
4. The amount of any fee associated with the transaction;
5. The initials of the patron acknowledging the fees;
6. The signature of the cardholder;
7. The initials of the cage cashier or transfer company representative completing the transaction; and
8. Information required by the card issuer, if applicable.

(f) The three parts of the cash access document shall consist of a:

1. Negotiable draft;
2. Patron receipt; and

3. Cage cashier or transfer company booth representative receipt.

(g) A cage cashier or transfer company representative shall terminate the cash access transaction if:

1. The card corresponding to the cash access document has expired;
2. The cardholder is unable to provide a government issued identification credential that includes a photo of the cardholder and signature facsimile;
3. The physical appearance of the individual presenting the identification does not resemble the photograph appearing on the identification;
4. The cardholder is under the legal age to gamble;
5. The cardholder and card cannot be verified as required by the issuer's procedures;
6. The zip code associated with the billing address for the card, as presented by the cardholder, is not confirmed by the card organization's address verification system;
7. The signature on the cash access document required by (e)6 above does not conform to the signature on the identification credential; or
8. The cardholder is on the Division's Exclusion List or the Division's Self-Exclusion List, or the casino licensee determines that the

cardholder is otherwise not permitted to proceed with a cash access transaction.

(h) For all cash access transactions in excess of \$ 2,000, a still photographic facial image of the cardholder shall be captured and marked in a way that allows it to be associated with the cardholder's cash access transaction.

(i) To complete the cash access transaction, the cage cashier or transfer company representative shall:

1. Print a cash access document in the amount of the funds to be disbursed to the cardholder;
2. Record a description of the identification credential presented by the cardholder, including any credential number (for example, driver's license number, passport number), expiration date, and jurisdiction of issuance;
3. Obtain the signature of the patron on the cash access document;
4. Compare the signature on the cash access document to the signature on the cardholder's identification credential;
5. Obtain the thumb print of the cardholder on a designated area of the cash access document;
6. Initial the cash access document as evidence of the completed verification process; and
7. Exchange the draft and cage cashier or transfer company booth representative receipt for an equivalent amount of funds.

(j) The facial image required in (h) above and the cage cashier or transfer company booth representative receipt shall be retained by the casino licensee or transfer company, as applicable, for a period of two years.

(k) A casino licensee or transfer company representative shall immediately report any suspicious or fraudulent cash access transaction activity to the Division.

**13:69D-1.19 Acceptance of tips or gratuities from patrons**

(a) No casino key employee or any other casino employee who serves in a supervisory position shall solicit or accept, and no other casino employee shall solicit, any tip or gratuity from any player or patron of the casino or casino simulcasting facility where he or she is employed.

(b) Any tips and gratuities given to dealers in the casino and casino simulcasting facility, other than those permitted electronically in (h) below, shall be:

1. Immediately deposited in a transparent locked box reserved for that purpose, unless the table is equipped with the following:
  - i. A transparent tube attached to the locked box, in which a maximum of 25 chips can be vertically stacked; or
  - ii. A locked box, the design of which is approved by the division, which has a chip conversion area on top of the box in which a maximum of 25 chips can be placed;
2. Accounted for; and
3. Except for the game of poker, placed in a common pool for distribution pro-rata among all dealers in accordance with (g) below.

(c) If a casino elects to use the alternatives in (b)1i or ii above, the chips placed in the tube or chip conversion area shall only be up to a \$ 5.00 denomination and

visible to the CCTV system. The exchange of chips in the tube or chip conversion area from the chip reserve compartment may be authorized and shall be observed by a casino supervisor. The dealer shall count and place the chips in the chip reserve compartment and then immediately deposit the equivalent value chip(s) in the locked tip box. When a table closes, any chips remaining in the tube or the chip conversion area on the lock box shall be immediately deposited in the locked box;

(d) If non-value chips are received at a roulette or pokette table, the marker button indicating their specific value shall not be removed until after a dealer, in the presence of a casino supervisor, has expeditiously converted them into value chips which shall then be immediately deposited in a transparent locked box reserved for that purpose;

- (e) A casino licensee which offers the game of poker may either:
1. Establish a separate common pool for tips and gratuities received by its poker dealers;
  2. Permit each poker dealer to retain his or her own tips and gratuities, in which case the tips and gratuities received by each poker dealer shall be deposited, in accordance with procedures set forth in (f) below, in a transparent locked box assigned to the particular dealer, which box shall be moved from table to table with the dealer; or

3. Designate a percentage of the prize pool or other such amounts as designated in its poker tournament submission to be withheld for distribution to the tournament dealers in accordance with (g) below.

(f) Upon receipt from a patron of a tip or gratuity, a dealer shall extend his or her arm in an overt motion, and deposit such tip or gratuity in the locked box, tube or conversion area reserved for such purpose. In addition, a poker dealer who is permitted to retain his or her own tips and gratuities shall verbally notify a supervisor prior to depositing any tip or gratuity with a value in excess of five dollars.

(g) Tips and gratuities placed in a common pool shall be distributed pro-rata among all the dealers in the pool based upon standards established by the casino licensee.

(h) A tip or gratuity may be provided electronically to a dealer upon initiation and authorization by a patron. A report listing all electronic tips shall be available from the system where the transaction occurred. The casino licensee shall have internal controls for the distribution of electronic tips or gratuities in accordance with this subsection.

**13:69D-1.20 Table inventory; table inventory container; chip reserve compartment**

(a) Whenever a gaming table in a casino or casino simulcasting facility is opened for gaming, operations shall commence with an amount of gaming chips, coins and plaques to be known as the "table inventory." No casino licensee shall cause or permit gaming chips, coins or plaques to be added to, or removed from, such table inventory during the gaming day except:

1. In exchange for cash, coupons, issuance copies of Counter Checks, original pit redemption forms or documents prepared to evidence a credit or debit card chip transaction;
2. In payment of winning wagers and collection of losing wagers made at such gaming table;
3. In payment of the funds remaining in the game account of a patron who has completed play at an electronic gaming table;
4. In exchange for gaming chips or plaques received from a patron having an equal aggregate face value;
5. In conformity with the Fill and Credit procedures;
6. Coin used for the purpose of:
  - i. Marking vigorish;

- ii. Placing an ante wager in an amount less than \$ 1.00 and in denominations of \$.25 or \$.50 in a poker game; and
  - iii. Paying a hand fee in blackjack;
- 7. In conformity with N.J.A.C. 13:69F-14.14, the rake collected from patrons playing the game of poker;
- 8. In conformity with a table inventory return device, utilized in authorized table games, the gaming chips wagered on the progressive payout;
- 9. In conformity with N.J.A.C. 13:69F-18.7, 18.8, and 18.9, gaming chips placed on or in the wagering devices utilized for the optional bonus wager in the game of let it ride poker pursuant to N.J.A.C. 13:69E-1.13H(e);
- 10. In redemption of a Counter Check;
- 11. In exchange for value gaming chips received as tips by the dealer for chips having an equal aggregate face value;
- 12. In exchange for value gaming chips collected for poker bad beat jackpots for chips having an equal aggregate face value; and
- 13. The collection of a table game hand fee.

(b) The table inventory at each gaming table other than a craps, baccarat, or roulette table shall be kept in a table inventory container which shall hold all the chips, coins, and plaques in a single layer of horizontal stacks, separated by type or denomination. Stacks of more than 20 chips shall be divided into groups of 20 each group separated by a clear disk.

1. A casino licensee may designate no more than 50 percent of the surface area of a table inventory container as a separate "chip reserve compartment," which shall hold the chips in stacks separated by type or denomination and, stacks of more than 20 chips shall be divided into groups of 20, each group separated by a clear disk.
2. Unless chips are being placed into or removed from the chip reserve compartment, the chip reserve compartment shall be covered at all times by a transparent cover while the table is open for gaming activity.
3. Chips shall not be placed into or removed from the chip reserve compartment unless:
  - i. Pursuant to a Fill or a Credit;
  - ii. A stack of 20 chips is moved directly from the table inventory container to the chip reserve compartment;

- iii. A stack of 20 chips is moved directly to the open portion of the table inventory container from the reserve compartment;
  - iv. The gaming table is being closed; or
  - v. The chips are being counted in accordance with (b)5 below.
4. Before any chips are placed into or removed from the chip reserve compartment, the dealer shall provide advance verbal notice to a casino supervisor and shall verify the denomination or type of chips and count them.
5. At least once during each gaming day and in the presence of a casino supervisor, all chips in a chip reserve compartment shall be removed, verified as to denomination or type and counted; thereafter, the chips shall immediately be returned to the chip reserve compartment.

(c) The table inventory at each craps or roulette table shall be maintained on the surface of the table layout, in a location safeguarded and readily accessible by the boxperson or dealer, whenever the table is open for gaming activity. The table inventory shall be maintained in vertical stacks of 20 chips separated by type and denomination.

(d) Whenever a gaming table is not open for gaming activity, the table inventory shall be stored and secured as follows:

1. For any gaming table other than craps or roulette, in the table inventory container with a Table Inventory Slip, by locking a clear cover on the container which shall be conspicuously marked on the outside with the game and the gaming table number to which it corresponds. The marking shall be discernable to the CCTV system. The information on the Table Inventory Slip shall be visible from the outside of the container. All table inventory containers shall be stored either in the cashiers' cage or secured to the gaming table, provided that there is adequate security; and
2. For a craps or roulette table, under a locked clear cover on a section of the table. The information on the Table Inventory Slip shall be visible from the outside of the locked cover.

(e) The keys to the locked table inventory containers or locked craps or roulette table inventory storage areas shall be maintained and controlled by the casino games department in a secure place and shall at no time be made accessible to any cashiers' cage or security personnel.

(f) Whenever the table inventory container is removed from or returned to the table, the surveillance department shall be notified.

1. Upon removal, if the contents of the table inventory container have not been credited, the table inventory container shall be transported by a member of the security department and secured in the casino cage. If the contents of the table inventory container have been credited, the table inventory container may be removed after the Closer has been placed by a casino supervisor in the drop box attached to the table.
  
2. Upon return from the cage, the table inventory container shall be transported by a member of the security department and secured to the table.

**13:69D-1.21 Procedures for counting table inventory**

(a) Whenever the table inventory is required to be counted pursuant to this subsection, a Table Inventory Slip shall be prepared. Table Inventory Slips shall be two-part forms, at a minimum, and on the original of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and/or plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and/or plaques remaining at the gaming table.

(b) Immediately prior to opening a gaming table for gaming, the casino supervisor assigned to such table shall unlock the table inventory.

(c) The dealer or boxperson assigned to the gaming table shall count the contents of the table inventory in the presence of the casino supervisor assigned to such table and shall agree the count to the Opener.

(d) The dealer or boxperson who counted the table inventory and the casino supervisor who observed the count shall sign the Opener attesting to the accuracy of the information recorded on the Opener.

(e) Any discrepancy between the amount of gaming chips, coins, and plaques counted and the amount of the gaming chips, coins, and plaques recorded on the Table Inventory Slip shall be immediately verbally reported to the casino manager, assistant casino manager, or table games shift manager in charge at such time and the security and surveillance departments. For any discrepancy greater than \$ 25.00, security or surveillance personnel shall promptly prepare and sign a report. For any discrepancy of \$ 100.00 or more, a copy of the report shall be provided to the Division.

(f) After the count of the table inventory and the signing of the Opener the slip shall be immediately deposited in the drop box attached to the gaming table by the dealer or boxperson.

(g) Whenever gaming tables remain open for gaming activity during the drop box collection:

1. The table inventory remaining at the gaming tables shall be counted by the dealer or boxperson assigned to the gaming table at the time of the drop box collection;
2. A casino supervisor shall observe and record the count on a Table Inventory Slip;
3. The dealer or boxperson who counted the table inventory and the casino supervisor who observed the count shall sign the Table Inventory Slip; and

4. The Closer shall be deposited in the drop box that is attached to the gaming table immediately prior to the drop box collection and the Opener shall be deposited in the drop box that is attached to the gaming table immediately following the drop box collection.
- (h) Whenever gaming activity at a gaming table is concluded:
1. The table inventory remaining at the gaming table shall be counted by the dealer or boxperson assigned to the gaming table;
  2. The count of table inventory shall be observed by and recorded on Table Inventory Slip by the casino supervisor assigned to the gaming table;
  3. The dealer or boxperson who counted the table inventory and the casino supervisor who observed the count shall sign the Table Inventory Slip;
  4. Upon meeting the signature requirements described above, the Closer shall be deposited in the drop box attached to the gaming table immediately prior to the closing of the table; and
  5. The Opener and table inventory remaining at the table shall be placed in the table inventory container for any game other than craps or roulette, after which the container shall be locked and either transported directly to the cashiers' cage by a security

department member or secured to the gaming table provided that there is adequate security. For craps and roulette, if the table inventory remains at the table the Opener shall be secured with the table inventory under the locked clear cover required by N.J.A.C. 13:69D-1.20.

**13:69D-1.22 Procedure for distributing gaming chips, coins, and/or plaques to a gaming table**

(a) Whenever gaming chips, coins and/or plaques, are to be distributed by a chip bank cashier to a gaming table via a Fill Slip ("Fill"), a computer or manual Request for Fill ("Request") shall be prepared by a casino supervisor, or a casino clerk at the direction of a casino supervisor. The Request shall include, at a minimum:

1. The date and time;
2. The game and table number;
3. The denomination and total amount of each denomination of gaming chips, coins and/or plaques requested; and
4. The signature of the casino supervisor.

(b) If a Request is computer prepared, the information required in (a) above shall be entered into the computer system and simultaneously transmitted to the chip bank where a Fill Slip shall be automatically printed. If it is necessary to void a Fill Slip prior to transporting the Fill from the chip bank (for example, no longer needed or data input error), it shall be voided by the chip bank cashier, who shall mark the Fill Slip void, record the reason for the void and sign the original and all copies.

(c) If the computer system is not operational and a Request is manually prepared, the information required in (a) above shall be recorded on a two-part form. The original Request shall be transported directly to the cashiers' cage for the

preparation of a Fill and shall be maintained by the chip bank cashier until completion of the transaction. The duplicate Request shall be placed by the dealer or boxperson in view of the CCTV system on the gaming table to which the gaming chips, coins and/or plaques are to be delivered. The duplicate Request shall not be removed until the Fill is received at the table, at which time the Request shall be compared to the Fill.

(d) A Fill Slip shall be, at a minimum, a sequentially numbered three-part form and each series shall be accounted for by casino accounting department employees with no incompatible functions. A Fill Slip shall include at a minimum, the following:

1. The date and time of preparation;
2. The game and table number;
3. The denomination and total amount of each denomination of gaming chips, coins and/or plaques being distributed;
4. The total amount of all chips, coins and/or plaques being distributed;
5. The signature of the preparer (triplicate in manual mode or stored data);
6. The signature of the security department member (original and duplicate);

7. The signature of the dealer or boxperson (original and duplicate);  
and
8. The signature of the casino supervisor (original and duplicate).

(e) If computer generated, Fill Slips shall be printed at the chip bank in response to a computerized Request. The Fill Slip shall consist of an original, duplicate and triplicate, and all information thereon shall be maintained in stored data in machine-readable form. The data shall not be susceptible to change or removal after the preparation of the Fill.

(f) If manually prepared, Fill Slips shall be either:

1. Inserted in a locked dispenser that permits an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser that discharges the original and duplicate and maintains the triplicate in a continuous, unbroken form; or
2. Attached in a manner that permits each form to be written on simultaneously and allows for the removal of the original and the duplicate and maintains the triplicate in the book.

(g) The chip bank cashier shall place the Fill on the chip bank counter in view of the CCTV system and summon a security department member.

(h) The Fill, and the Request if manually prepared, shall be presented by the chip bank cashier to a security department member who shall agree the count of the

gaming chips, coin, and/or plaques to the Fill Slip and, if applicable, the Request. Upon agreement, the chip bank cashier and the security department member shall sign the Fill Slip and, if applicable, the Request. The triplicate Fill Slip and if applicable, the Request, shall be maintained at the chip bank and the original and duplicate Fill Slip shall be placed in a clear container or transported by a security department member with the gaming chips, coins, and/or plaques while transporting the Fill to the gaming table.

(i) The security department member shall deliver the Fill to the gaming table. The dealer or boxperson shall count the chips, coins, and/or plaques and compare the count to the original and duplicate Fill Slip in the presence of the casino supervisor. In addition, if the Request and Fill Slip were manually prepared, the dealer or boxperson shall agree the Fill to the duplicate Request that was maintained in view of the CCTV system on the gaming table. If no discrepancy exists, the dealer or boxperson and casino supervisor shall sign the Fill Slip and the security department member shall:

1. Observe the dealer or boxperson place the chips, coins and/or plaques in the table inventory;
2. Observe the dealer or boxperson deposit the duplicate Fill Slip, and the Request if manually prepared, in the drop box attached to the gaming table; and
3. Obtain the original Fill Slip from the dealer or boxperson.

- i. If the Fill Slip is computer prepared, it shall be delivered to a casino clerk or casino supervisor who shall confirm through the computer that the Fill has been accepted at the gaming table. The confirmation shall automatically cause an acknowledgement to be printed or, if the system is incapable of printing an acknowledgement, recorded at the chip bank. A chip bank cashier shall compare the acknowledgement to the triplicate Fill Slip to confirm receipt of the Fill at the gaming table. The original Fill Slip shall be maintained by the casino clerk.
- ii. If the acknowledgement does not print, or if the Fill Slip is manually prepared, the original Fill Slip shall be transported to the chip bank and serve as the acknowledgement. A chip bank cashier shall compare the acknowledgement to the triplicate Fill Slip to confirm receipt of the Fill at the gaming table.

(j) If a discrepancy exists between the chips, coins and/or plaques and the Fill Slip and, if applicable, the Request, a casino supervisor shall notify the surveillance department. The casino supervisor shall either:

1. Advise the chip bank that the Fill is being returned to the chip bank and return the Fill to the security department member. The

security department member shall transport the Fill to the chip bank for correction. Once corrected by a chip bank cashier, the Fill shall be processed in accordance with this section; or

2. Accept the Fill, record the reason for the discrepancy on the Fill Slip and prepare a two-part error notification form which shall include, at a minimum:

- i. The date and time;
- ii. The game and table number;
- iii. A description of the error (for example, acceptance at an incorrect table or an incorrect denomination or total amount); and
- iv. The signature of the casino supervisor.

(k) If a discrepancy on the Fill is detected subsequent to the completion of the transaction, a cage or casino supervisor shall notify the surveillance department which shall investigate the discrepancy. If the supervisor and the surveillance department agree that an error occurred in processing the transaction, the casino supervisor shall prepare the error notification form in accordance with (j) above.

(l) The form in (j) above shall be distributed as follows:

1. The original shall be placed in the drop box or forwarded to the casino accounting department if the discrepancy is detected subsequent to the end of gaming day; and
2. The duplicate shall be transported directly to the cashier's cage to be maintained and accounted for by the chip bank cashier.

(m) A casino accounting department employee with no incompatible functions shall obtain all Fill Slips and, as applicable, requests and error notification forms, from the chip bank cashiers and casino clerks on a daily basis for reconciliation to stored data and the forms removed from the table game drop boxes.

**13:69D-1.23 Procedure for removing gaming chips, coins, and/or plaques from a gaming table**

(a) Whenever gaming chips, coins and/or plaques are to be removed from a gaming table via a Credit Slip ("Credit"), a computer or manual Request for Credit ("Request") shall be prepared by a casino supervisor, or a casino clerk at the direction of a casino supervisor. The Request shall include, at a minimum:

1. The date and time;
2. The game and table number;
3. The denomination and total amount of each denomination of gaming chips, coins and/or plaques to be removed; and
4. The signature of the casino supervisor.

(b) If a Request is computer prepared, the information required in (a) above shall be entered into the computer system and simultaneously transmitted to the chip bank where a Credit Slip shall be automatically printed. If it is necessary to void a Credit Slip prior to transporting the Credit from the gaming table (for example, no longer needed or data input error), it shall be voided by the chip bank cashier, who shall mark the Credit Slip void, record the reason for the void and sign the original and all copies.

(c) If the computer system is not operational and a Request is manually prepared, the information required in (a) above shall be recorded on a one-part form. The Request shall be transported directly to the cashiers' cage for the preparation of a

manual Credit Slip. The chip bank cashier shall prepare the Credit Slip and record the Credit Slip number on the Request. The chip bank cashier shall initial the Request.

(d) A Credit Slip shall be, at a minimum, a sequentially numbered three-part form and each series shall be accounted for by casino accounting department employees with no incompatible functions. A Credit Slip shall include, at a minimum, the following:

1. The date and time of preparation;
2. The game and table number;
3. The denomination and total amount of each denomination of gaming chips, coins and/or plaques being removed;
4. The total amount of all chips, coins and/or plaques being removed;
5. The signature of the chip bank cashier (original and in computer mode, the triplicate);
6. The signature of the security department member (original and duplicate);
7. The signature of the dealer or boxperson (original and duplicate);  
and
8. The signature of the casino supervisor (original and duplicate).

(e) If computer generated, Credit Slips shall be printed at the chip bank in response to a computerized Request. The Credit Slip shall consist of an original, duplicate and triplicate, and all information thereon shall be maintained in stored data in machine-readable form. The data shall not be susceptible to change or removal after the preparation of the Credit.

(f) If manually prepared, Credit Slips shall be either:

1. Inserted in a locked dispenser that permits an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser that discharges the original and duplicate and maintains the triplicate in a continuous, unbroken form; or
2. Attached in a manner that permits each form to be written on simultaneously and allows for the removal of the original and the duplicate and maintains the triplicate in the book.

(g) The triplicate Credit Slip and, if manually prepared, the Request, shall be maintained at the chip bank. The original and duplicate Credit Slip shall be transported with a clear container to the gaming table by a security department member.

(h) Upon receipt of the Credit Slip and the clear container at the gaming table, the dealer or boxperson shall place the original and duplicate Credit Slip on the gaming table in view of the CCTV system. The dealer or boxperson shall then remove the chips, coins, and/or plaques from the table inventory and count them in the presence of

the casino supervisor and the security department member and place the chips, coins, and/or plaques in the clear container. The dealer or boxperson, the casino supervisor, and the security department member shall sign both the original and duplicate Credit Slip attesting to the agreement of chips, coins, and/or plaques removed from the table inventory to the information recorded on the Credit Slip. The security department member shall:

1. Observe the dealer or boxperson place the duplicate Credit Slip on the gaming table in view of the CCTV system;
2. Observe the dealer or boxperson place the chips, coins and/or plaques in the clear container; and
3. Transport the container and the original Credit Slip to the chip bank.

(i) Upon receipt of the Credit, the chip bank cashier shall place the Credit on the counter in view of the CCTV system and count the chips, coins and/or plaques in the presence of the security department member. If no discrepancy exists, the chip bank cashier shall:

1. Place the chips, coins and/or plaques into the chip bank inventory;
2. Sign and retain the triplicate if computer prepared or, the Request if manually prepared; and
3. Sign the original Credit Slip for return to the gaming table.

(j) Upon receipt of the completed original Credit Slip, the dealer or boxperson shall, in the presence of the casino supervisor, verify that the original agrees with the duplicate. The dealer or boxperson shall place the duplicate in the drop box and forward the original to the casino clerk or casino supervisor. The casino clerk or casino supervisor shall either:

1. If the Credit Slip was computer prepared, confirm in the computer that the Credit transaction has been completed which shall cause an acknowledgement to be printed automatically at the chip bank. The original Credit Slip shall be maintained by the casino clerk; or
2. If the acknowledgement does not print or the Credit Slip was manually prepared, the original Credit Slip shall be transported to the chip bank and serve as the acknowledgement. A chip bank cashier shall compare the acknowledgement to the triplicate Credit Slip to confirm the completion of the transaction.

(k) If a discrepancy exists between the chips, coins, and/or plaques pursuant to the comparison in (i) above (for example, an incorrect denomination or total amount), a cage supervisor shall notify the surveillance department and either:

1. Advise a casino supervisor that the Credit is being returned to the table and return the Credit to the security department member who shall transport the Credit to the table for correction. Once

corrected, the Credit shall be processed in accordance with this section; or

2. Accept the Credit, record the reason for the discrepancy on the Credit Slip, and prepare a two-part error notification form, a copy of which shall be forwarded to the Division's in-house office and shall include, at a minimum:

- i. The date and time;
- ii. The game and table number;
- iii. A description of the error (for example, acceptance at an incorrect table or an incorrect denomination or total amount); and
- iv. The signature of the casino supervisor.

(l) If a discrepancy on the Credit is detected subsequent to the completion of the transaction, a cage or casino supervisor shall notify the surveillance department member who shall investigate the discrepancy. If the supervisor and surveillance department member agree that an error occurred in processing the transaction, the cage supervisor shall prepare the error notification form in accordance with (k) above.

(m) The form in (k) above shall be distributed as follows:

1. The original shall be transported to the gaming table and placed in the drop box or forwarded to the casino accounting department if the discrepancy is detected subsequent to the end of gaming day; and
2. The duplicate shall be maintained and accounted for by the chip bank cashier.

(n) A casino accounting department employee with no incompatible functions shall obtain all Credit Slips and, as applicable, Requests and error notification forms, from the chip bank cashiers and casino clerks on a daily basis for reconciliation to stored data and the forms removed from the table game drop boxes.

**13:69D-1.24 Procedure for acceptance, accounting for, withdrawal, and refund of patron deposits**

(a) Whenever a patron requests a casino licensee to hold his or her cash or non-cash items (for example, cash equivalent, casino check, annuity jackpot trust check, complimentary cash gift, chips, plaques, slot tokens, prize tokens, wire transfer, electronic fund transfer, gaming voucher, and electronic credits) authorized to be accepted pursuant to the Division's rules for subsequent use, the patron shall:

1. Deliver the cash or non-cash item to a general cashier, who shall deposit the cash or non-cash item for credit to a patron deposit account established for that patron pursuant to this section; or
2. Transfer funds from the patron's Internet or mobile gaming account established pursuant to N.J.A.C. 13:69O-1.3 in accordance with approved internal controls.

(b) Prior to accepting a deposit at the cashiers' cage, a general cage cashier shall:

1. Verify the patron's identity in accordance with N.J.A.C. 13:69D-1.5A;
2. Prepare a computerized patron deposit account file for each patron in accordance with the casino licensee's internal controls.

Such file shall include, at a minimum, the following:

- i. The name of the patron;
  - ii. The method of identification used to verify the identity of the patron;
  - iii. The date, type and amount of each deposit initially accepted from the patron;
  - iv. The date and amount of each withdrawal by the patron;  
and
3. If a manual patron deposit account is prepared, provide the deposit documentation to the check bank cashier who shall prepare a manual file.

(c) A general cashier accepting a deposit at the cashiers' cage shall prepare a Patron Deposit Form evidencing such receipt. Patron Deposit Forms shall be two-part and serially prenumbered. Each series of Patron Deposit Forms shall be used in sequential order and the series number of all Patron Deposit Forms shall be accounted for by employees with no incompatible functions. The Patron Deposit Form shall include, at a minimum, the following information:

1. The name of the patron;
2. The total amount of the deposit stated in numbers and words;
3. The date and time;

4. The type(s) of item(s) accepted for deposit; and
5. The signature of the general cashier.

(d) When a Patron Deposit form is voided, the original and duplicate shall be marked "VOID" and shall require the signature of the preparer.

(e) After preparation of the Patron Deposit Form, the general cashier shall obtain the patron's signature on the duplicate copy and shall distribute the original and copies in the following manner:

1. The original shall be given to the patron as evidence of the amount placed on deposit with the casino licensee; and
2. The duplicate shall be maintained by the general cashier as part of his or her imprest inventory.

(f) After supplying information required by the casino licensee to verify his or her identity, a patron shall be allowed to withdraw all or a portion of the deposit for gaming activity as follows:

1. With Counter Checks or Slot Counter Checks in accordance with N.J.A.C. 13:69D-1.25; or
2. For use in account-based wagering in accordance with N.J.A.C. 13:69D-1.37 or Internet or mobile gaming pursuant to N.J.A.C. 13:69O.

(g) The patron's deposit balance shall be immediately reduced by amounts equal to the Counter Checks issued in the pit, Slot Counter Checks issued in the slot area or at the casino cage, amounts electronically issued through an approved electronic account based wagering system, or amounts transferred to an Internet or mobile gaming account.

(h) A patron may request a refund of the remaining balance of his or her funds on deposit by:

1. Sending the casino licensee a signed written request for a refund;
- or
2. Appearing personally at the cashiers' cage, a satellite cage or slot booth.

(i) Upon receiving a request for a refund, a cashier shall verify the identity of the patron in accordance with (b)1 above and the balance remaining in the patron's account. Upon completing the verifications and prior to disbursing the refund, the cashier shall prepare refund documentation which may include a Slot Counter Check prepared in accordance with N.J.A.C. 13:69D-1.25. The documentation shall include the following information:

1. The date and time of preparation;
2. The amount refunded;

3. The type(s) of refund made (cash, casino check, wire transfer, or electronic fund transfer);
4. Whether the refund was requested in person or in writing;
5. The patron's name and, if the patron personally appears, his or her signature; and
6. The signature of the cashier preparing such documentation.

(j) If a casino licensee has prepared manual deposits and/or withdrawals, the information shall be entered into the computer system by a check bank cashier when the system becomes operable. The computer system shall record the date and time the information was entered and the identification of the check bank cashier entering the information.

(k) A casino licensee shall maintain a computerized log of all patron deposit transactions. The log shall include, at a minimum, the following:

1. The balance of the patron deposits on hand in the cashiers' cage at the beginning of each shift;
2. For each patron deposit received and withdrawn:
  - i. The date and time of the transaction;
  - ii. The transaction number;
  - iii. The name and account number of the patron;

- iv. The amount;
  - v. The transaction location; and
  - vi. The type(s) of item(s) deposited, withdrawn or expired;
- and
- 3. The balance of the patron deposits on hand in the cashiers' cage at the end of each shift.

(l) The balance of the patron deposits on hand in the cashiers' cage at the end of each shift shall be recorded as an outstanding liability and accounted for by a check cashier.

**13:69D-1.24A Procedures for accepting and accounting for wire transfers and electronic fund transfers**

(a) A casino licensee may accept a wire transfer or electronic fund transfer from or on behalf of a patron.

(b) Any wire transfer or electronic fund transfer authorized by this section shall be transferred to and deposited in the casino licensee's operating account in a state or Federally chartered bank whose accounts are insured by the Federal Deposit Insurance Corporation. The casino licensee shall require its bank to notify the casino licensee of the receipt and deposit of the wire transfer or electronic fund transfer.

(c) Upon notification that a wire transfer or electronic fund transfer has been credited to the casino licensee's operating account, the cage employee who received the notice shall record, at a minimum, the following information in the notification section of a Wire Transfer or Electronic Fund Transfer Log maintained in the main bank of the cashiers' cage or other secure location within the cage:

1. A sequential wire transfer or electronic fund transfer number which shall be generated by the casino licensee;
2. The type of transfer (wire transfer or electronic fund transfer);
3. The date and time of the notification;
4. The name of the casino licensee's bank to which the funds were transferred;
5. The actual amount of funds transferred to the operating account of the casino licensee, stated in numbers and words;

6. The name or casino account number of the patron for whose benefit the funds were transferred;
7. The name of the financial institution from which the funds were transferred;
8. The address or the American Banking Association (ABA) routing number of the financial institution from which the funds were transferred;
9. The account number or the name on the account from which the funds were transferred, or the Federal reference number for the wire transfer, which consists of the date of the transfer and a unique transaction number for that transfer;
10. The signature of the cage employee receiving and recording the information required by this subsection; and
11. If applicable, a notation that the wire transfer or electronic fund transfer has been reversed.

(d) Upon determining the purpose for the wire transfer or electronic fund transfer, a cage supervisor shall prepare a Wire Transfer or Electronic Fund Transfer Acknowledgment Form, a two-part form containing, at a minimum, the following information:

1. The wire transfer or electronic fund transfer number;
2. The type of transfer, that is, whether a wire transfer or electronic fund transfer;

3. The date of the wire transfer or electronic fund transfer;
4. The actual amount of funds received pursuant to the wire transfer or electronic fund transfer, stated in numbers and words;
5. The name of the patron;
6. The purpose for the wire transfer or electronic fund transfer (cash deposit; redemption; payment of returned Counter Check or Slot Counter Check);
7. The signature of the preparer; and
8. The signature of either:

- i. The check bank cashier, if the funds are to be used for Counter Check or Slot Counter Check redemption or the payment of a returned Counter Check or Slot Counter Check; or
- ii. The general cashier, if the funds are to be used for a cash deposit.

(e) A cage cashier shall transmit the duplicate copy and any supporting documentation to the accounting department, and forward the original Wire Transfer or Electronic Fund Transfer Acknowledgment Form to:

1. The Check bank cashier, if the funds are to be used for Counter Check or Slot Counter Check redemption or the payment of a returned Counter Check or Slot Counter Check, who shall:

- i. Post the amount of the funds to the patron's credit account;
- ii. If appropriate, return the redeemed Counter Check or Slot Counter Check to the patron;

- iii. Forward to the accounting department the original Wire Transfer or Electronic Fund Transfer Acknowledgment Form for comparison to the duplicate; and
- iv. Forward to the accounting department the redemption copy of any Counter Check redeemed; or

2. The general cashier, if the funds are to be used to establish a cash deposit, who shall:

- i. Prepare a patron deposit file;
- ii. Prepare a Patron Deposit Form; and
- iii. Forward to the accounting department the original Wire Transfer or Electronic Fund Transfer Acknowledgment Form for comparison to the duplicate.

(f) At the end of the month, a copy of the Wire Transfer and Electronic Fund Transfer Log shall be forwarded to the accounting department and reconciled with all Wire Transfer or Electronic Fund Transfer Acknowledgment Forms prepared during that month.

**13:69D-1.24B Procedure for sending funds by wire transfer or electronic fund transfer**

(a) Whenever a patron requests a casino licensee to send funds by wire transfer or electronic fund transfer to a financial institution on his or her behalf, the patron shall present to the general cashier the cash, cash equivalents, casino check, chips, plaques, slot tokens or prize tokens representing the amount sought to be transferred, or, in the case of a cash deposit, request that the unused balance of the cash deposit be transferred.

(b) The general cashier shall obtain a Wire Transfer or Electronic Fund Transfer Request Form, a four-part serially prenumbered form, and shall record thereon, at a minimum, the following:

1. The name of the patron;
2. The date of the transaction;
3. The amount of funds to be transferred, stated in numbers and in words;
4. The source of funds to be transferred;
5. The name and address of the financial institution to which the funds will be transferred and the account number to which the funds will be credited;
6. The signature of the patron if the request is made in person at the cage or, if the request is made by mail, an indication that a signed

written request from the patron is attached to the Wire Transfer or Electronic Fund Transfer Request Form;

7. The signature of the general cashier; and
8. The signature of the main bank cashier.

(c) Prior to completing the Wire Transfer or Electronic Fund Transfer Request Form, the general cashier shall perform and maintain documentation supporting the following verifications:

1. If the request is made in person, the general cashier shall compare the patron's signature on the Wire or Electronic Fund Transfer Request and the patron's physical appearance with:
  - i. The signature and general physical description recorded in a patron identification file; or
  - ii. The signature on the patron's identification credential and the patron's photograph or physical description, if any, recorded on the identification credential; or
2. If the request is made by mail, the general cashier shall compare the signature on the attached written request with the signature in a patron identification file.

(d) After verifying the patron's signature, the general cashier shall present the Wire Transfer or Electronic Fund Transfer Request Form to the main bank cashier, who shall sign the form and retain the original and duplicate copy. The general cashier shall retain the triplicate copy of the form and shall give the patron the quadruplicate copy of the form as evidence of the wire transfer or electronic fund transfer request.

(e) The main bank cashier shall immediately forward the original Wire Transfer or Electronic Fund Transfer Request Form to the accounting department as authorization to affect the transfer, and shall retain the duplicate copy for agreement with the triplicate copy held by the general cashier. At the end of the gaming day, and upon agreement of the duplicate and triplicate copies of the Wire Transfer or Electronic Fund Transfer Request Form, the main bank cashier shall forward both copies of the form to the accounting department.

(f) Upon authorizing a transfer of funds pursuant to this section, the accounting department shall either:

1. Record on the original Wire Transfer or Electronic Fund Transfer Request Form:
  - i. The name and title of the person contacted at the casino licensee's bank;
  - ii. The date and time that the wire transfer or electronic fund transfer was authorized; and

- iii. The signature of the accounting department employee authorizing the wire transfer or electronic fund transfer; or
2. If the wire transfer or electronic fund transfer is authorized by means of a direct computer link between the casino licensee and its bank, print a copy of the wire transfer or electronic fund transfer authorization from the computer screen which shall:
- i. Indicate the information and signature required in (f)1ii and iii above; and
  - ii. Be attached to the original Wire Transfer or Electronic Fund Transfer Request Form.

(g) At the end of the gaming day in which the wire transfer is transmitted, the accounting department shall compare the duplicate and triplicate copies of the Wire Transfer or Electronic Fund Transfer Request Form to the original.

**13:69D-1.25 Procedure for acceptance of checks, cash equivalents, and credit cards; issuance of Counter Checks or Slot Counter Checks**

(a) A casino licensee may, at a location outside the casino, accept a personal check or checks from a person for up to \$ 5,000 in exchange for cash or cash equivalents and may, within a casino at a cashiers' cage, satellite cage, or a slot booth, accept a personal check or checks from a person for up to \$ 5,000 in exchange for cash, cash equivalents, tokens, chips, or plaques to enable that person to take part in gaming or simulcast wagering as a player, provided that:

1. The check is drawn on the patron's bank or brokerage cash management account;
2. The check is for a specific amount;
3. The check is made payable to the casino licensee;
4. The check is dated but not post-dated;
5. The patron's identity is verified in accordance with N.J.S.A. 5:12-101(h);
6. The check is restrictively endorsed "For Deposit Only" to the casino licensee's bank account or, for an electronic check, an alternative methodology approved by the Division, and deposited on the next banking day following the date of the transaction;
7. The total amount of personal checks accepted by any one licensee pursuant to this subsection that are outstanding at any time,

including the current check being submitted, does not exceed \$  
5,000;

8. The casino licensee has a system of internal controls in place that will enable it to determine the amount of outstanding personal checks received from any patron pursuant to this subsection at any given point in time; and
9. The casino licensee maintains a record of each such transaction.

(b) A casino licensee may accept a check or checks from a person in exchange for cash or cash equivalents, in order to establish a customer deposit account or in payment of outstanding Counter Checks, provided that:

1. The check is:
  - i. For a specific amount, dated but not post-dated, accepted at the cashiers' main cage or satellite cage by general cashiers, and issued by a casino licensee, which is made payable to the person presenting the check, and issued for a purpose other than employment compensation or as payment for goods or services rendered (a casino check);
  - ii. Issued by a banking institution which is chartered in a country other than the United States on its account at a Federally-chartered or state-chartered bank and made

payable to "cash," "bearer," the casino licensee, or the person presenting the check (a foreign bank check);

- iii. Issued by a banking institution which is chartered in the United States on its account at another Federally-chartered or state-chartered bank and made payable to "cash," "bearer," the casino licensee, or the person presenting the check (a domestic bank check); or
  - iv. Issued by a slot system operator or pursuant to an annuity jackpot guarantee as payment for winnings from a WAP or MSPS slot machine system jackpot (slot system operator check);
2. The patron's identity is verified in accordance with N.J.A.C. 13:69D-1.5A; and
  3. A casino employee records the date, time and method of verification which shall be completed by:
    - i. For a casino check, confirming the validity of the check with the drawer of the check and that the check has not been issued for the purpose of employment compensation or as payment for goods or services rendered; or

- ii. For other checks presented pursuant to this subsection, ensuring the validity of the bank upon which the check is drawn.

(c) A casino licensee may accept traveler's checks and cash equivalents from a person at the cashiers' main cage or satellite cage by general cashiers for:

1. Exchanging cash or cash equivalents;
2. Establishing a customer deposit account; or
3. Payment of outstanding Counter Checks.

(d) Upon a patron's request, or if required by a casino licensee, an instrument accepted pursuant to (b) or (c) above may be held for repurchase. If not held for repurchase, the instrument shall be restrictively endorsed "For Deposit Only" to the casino licensee's bank account and deposited on the next banking day following the date of the transaction. For instruments held for repurchase, a casino licensee shall limit the repurchase rights of the patron to a maximum of five calendar days following the date of acceptance. If the patron fails to repurchase the instrument within five days, the casino licensee shall restrictively endorse the instrument "For Deposit Only" to the bank account of the casino licensee and deposit the item no later than the next banking day.

(e) A person may obtain cash or slot tokens at the cashiers' cage or slot booth or cash at the simulcast counter or keno booth to be used for gaming purposes by presenting a recognized credit or debit card to a general cashier, pari-mutuel cashier,

keno writer, or slot cashier. When processing the transaction for cash, the casino shall follow the procedures set forth in N.J.A.C. 13:69D-1.18C and those established by the card's issuer. When processing the transaction for slot tokens, the casino licensee shall follow the procedures established by the card's issuer.

(f) A casino licensee may, at a location within the casino, authorize a patron who has established a computerized patron account in accordance with this chapter to draw against it using a Counter Check or Slot Counter Check. All patron account transactions shall be recorded in chronological order including the following:

1. The date and amount of each cash deposit;
2. The date, amount, location of issuance and number of each check issued to the patron;
3. The date, amount, and check number of each consolidation check and the check numbers of the check(s) returned to the patron;
4. The date, method and amount of each redemption transaction and the check number of the check(s) returned to the patron;
5. The date and amount of each substitution transaction and the check number of the check(s) returned to the patron;
6. The date, amount and check number of each check deposited;

7. The date, amount and check number of each check returned to the casino licensee by the patron's bank and the reason for its return;
8. The outstanding balance after each transaction; and
9. The date, amount and check number of any checks which have been partially or completely written off by the casino licensee and a brief explanation of the reason for such write off.

(g) When the computer system is inoperable, a casino licensee may issue manual Counter Checks and Slot Counter Checks against an approved credit limit or patron deposit account provided that a check bank cashier maintains a manual record with the information required in (f) above in the check bank. The record shall include, the patron's name, account number and, if applicable, approved credit limit. When the system becomes operable, the manual transaction information shall be entered into the computer system by a cage cashier or above. The computer system shall maintain a record of the date and time the information was entered and the identification of the cashier or above entering the information.

(h) Whenever a patron requests to withdraw funds from a patron account by a Counter Check or Slot Counter Check, a general cashier, casino clerk, floorperson, or above, or a slot attendant or above if the counter check is issued at a slot machine, shall prepare a Counter Check Request (Request), which shall include, at a minimum:

1. The date of the request;
2. The originating location of the request (table game, slot location, or cashiering location identifier);
3. The amount requested;
4. The printed question and patron's response: "Are you the Governor, any State officer or employee, or any special State officer or employee, any member of the Judiciary, any member of the Legislature, any officer of a municipality or county in which casino gaming is authorized, or any gaming related casino employee?";
5. The patron's signature, if applicable;
6. The sequence number of a previously issued Counter Check number, if the patron's identity is verified pursuant to (i)3 below;  
and
7. The signature of the verifier in accordance with (i) below.

(i) Prior to generating a Counter Check or Slot Counter Check, the patron's identity shall be verified by:

1. A general cashier or casino clerk comparing the signature on the Request to the patron identification file established pursuant to N.J.A.C. 13:69D-1.5A;
2. A casino or slot supervisor attesting to the identity of the patron by signing the Request; or
3. The general cashier or casino clerk who, during his or her shift, previously verified the patron's identity in accordance with (i)1 above.

(j) A general cashier or casino clerk shall verify that there are sufficient funds in the patron account to satisfy the patron's Request by accessing the patron account at a computer terminal. If the computer system is inoperable, the general cashier or casino clerk shall obtain the available balance from a check bank cashier and record the name and license number of the check bank cashier on the Request.

(k) All Counter Checks and Slot Counter Checks shall be four-part forms (original, redemption, issuance and accounting) and sequentially numbered, the series numbers of which shall be accounted for by casino accounting department employees with no incompatible functions.

1. Computer generated Counter Checks and Slot Counter Checks shall be inserted in a printer that will simultaneously print the

original and the duplicates and store the information in machine-readable form that shall not be susceptible to change or removal.

2. Manually prepared Counter Checks and Slot Counter Checks shall be attached in a manner that will permit an individual check in the series and all duplicate copies to be written upon simultaneously and will allow for the removal of the original and all copies.
3. The original and all copies of void Counter Checks shall be marked "VOID" and shall require the signature of the preparer and the reason for the void.

(l) Upon receipt of a Request, a Counter Check or Slot Counter Check shall be prepared by a general or slot booth cashier or casino clerk, as applicable, and made payable to the casino licensee or include an indication that the funds are drawn from a patron deposit account. Counter Checks and Slot Counter Checks shall, at a minimum, include the following:

1. The patron's name;
2. The name of the patron's bank or an indication that the funds are drawn from a patron deposit account;
3. The date and time of issuance;
4. The location of issuance (pit or cashiering location identifier);

5. The amount of the check expressed in numbers and words;
6. A restrictive endorsement "for deposit only" to the casino licensee's bank account (only on the back of the original check);  
and
7. The signature of the preparer.

(m) For Counter Checks issued at a table game, a general cashier or casino clerk shall present the Counter Check to a casino supervisor who shall review the Counter Check for accuracy and sign the original and duplicates. The general cashier or casino clerk shall then present the original and duplicates to the patron for signature; provided, however, that a casino licensee may require the patron to sign only the original and have a computer generated facsimile of the signature exemplar obtained from the patron's identification file pursuant to N.J.A.C. 13:69D-1.5A preprinted on the duplicates.

1. A general cashier or casino clerk shall maintain the accounting copy and the Request in a secure location in the pit until transferred to the casino accounting department at the end of the gaming day.
2. In the presence of a casino supervisor, the issuance copy shall be distributed to the dealer or boxperson who upon receipt shall, issue gaming chips and/or plaques to the patron in an amount

equal to the Counter Check. The dealer or boxperson shall then sign the issuance copy and deposit the issuance copy in the drop box.

3. The original and redemption copy shall be:
  - i. Transported expeditiously to the cage by a security department member, cage supervisor, or pneumatic tube system, and maintained in the check bank; or
  - ii. Maintained by a general cashier or casino clerk in a secure location in the pit approved by the Division, if the patron requests that the Counter Check be held for pit redemption. No later than the end of the gaming day, if not redeemed, the original and redemption copy of Counter Checks shall be removed from each gaming pit and expeditiously forwarded to the check bank for processing.

(n) For Slot Counter Checks issued to the patron at the cashier's cage, satellite cage, or slot booth, the general or slot booth cashier shall present the original and all duplicate copies to the patron for signature; provided, however, that a casino licensee may require the patron to sign only the original and have a computer generated facsimile of the signature exemplar obtained from the patron's identification file

pursuant to N.J.A.C. 13:69D-1.5A preprinted on the duplicate copies. The general or slot booth cashier shall:

1. Prior to the issuance of funds to the patron, obtain the signature of a cage, slot booth, or slot supervisor on the original and duplicates verifying that the Slot Counter Check was prepared for the correct amount and correct patron at the time of issuance;
  2. Issue cash, tokens, or gaming voucher(s) to the patron in an amount equal to the Slot Counter Check and maintain the issuance copy in his or her imprest drawer;
  3. Deliver the original and redemption copy to the check bank via pneumatic tube, security department member or cage supervisor, as applicable; and
  4. Place the accounting copy and the Request in a locked accounting box located in the cage or slot booth until transferred to the casino accounting department at the end of the gaming day.
- (o) For Slot Counter Checks issued to a patron at a slot machine:
1. The general cashier or slot booth cashier upon receipt of a Request shall prepare a slot counter check and issue the cash, tokens, or gaming voucher(s) to a slot attendant or above who shall verify that the amount received agrees to the Slot Counter

Check and the Request. The slot attendant or above shall sign the original and all copies.

2. The slot attendant or above shall be escorted by a security department member, a slot department supervisor with no incompatible functions, or a general cashier or above (verifier) who shall verify that the amount received agrees to the Slot Counter Check and the Request. The verifier shall sign the original and duplicates. The slot attendant or above shall return the issuance copy to the general cashier or slot booth cashier to evidence receipt of the funds, and maintain the Request and the original, redemption and accounting copy in order to complete the transaction at a slot machine;
3. The slot attendant or above, in the presence of the verifier, shall present the original, redemption and accounting copy of the Slot Counter Check to the patron for signature, provided, however, that a casino licensee may require the patron to sign only the original of the Slot Counter Check and have a computer generated facsimile of the signature exemplar obtained from the patron's identification file pursuant to N.J.A.C. 13:69D-1.5A preprinted on the duplicate copies. The slot supervisor or above shall verify the signature of the patron on the original Slot Counter Check to the

Request and the slot attendant or above shall issue the cash, tokens, or gaming voucher(s) to the patron. The slot attendant or above and the verifier shall sign the back of the accounting copy of the Slot Counter Check evidencing the transfer of the funds to the patron; and

4. The slot attendant or above who conducted the transaction shall return the Request and the original, redemption and accounting copies to the general cashier or slot booth cashier who shall:
  - i. Agree the documents to the issuance copy;
  - ii. Deliver the original and redemption copy to the check bank via pneumatic tube, security department member or cage supervisor, as applicable;
  - iii. Maintain the issuance copy in his or her imprest drawer;  
and
  - iv. Place the accounting copy and the Request in a locked accounting box located in the cage or slot booth until transferred to the casino accounting department at the end of the gaming day.

(p) A check bank cashier shall acknowledge receipt of the original and redemption copies of the Counter Check or Slot Counter Check by entering a confirmation into the computer system.

(q) A casino accounting department employee with no incompatible functions shall obtain, on a daily basis, the accounting copy of all Counter Checks and Slot Counter Checks and Requests from the gaming pits and locked accounting boxes in the cage or slot booth for reconciliation to the issuance copy removed from the table game drop boxes and stored data.

**13:69D-1.26 Redemption, substitution, and consolidation of Counter Checks or Slot Counter Checks at the cashiers' cage; redemption of Counter Checks at a gaming table**

(a) No casino licensee or any other person licensed under the Act, or any other person acting on behalf of or under any arrangement with a casino licensee shall accept any payment in redemption, consolidation or substitution of any Counter Check or Slot Counter Check for the purpose of avoiding or delaying the deposit dates established pursuant to Section 101 of the Act (N.J.S.A. 5:12-101).

(b) If a drawer has more than one undeposited Counter Check or Slot Counter Check, such checks shall be redeemed in reverse chronological order (the most recently dated patron check redeemed first). If more than one check bears the same date, the drawer may choose the order in which to redeem the identically dated checks. The casino licensee may waive the reverse chronological order requirement if the casino licensee does not have reason to believe that the redemption is being made for the purpose of avoiding or delaying the deposit of a patron check. The decision to waive this requirement shall:

1. Be made for each individual check;
2. Take into consideration the gaming credit activity of the patron;  
and
3. Be documented in the patron's credit file. Such documentation shall include for each check, the name and signature of the person authorizing the waiver and the date of and reason for the waiver.

(c) The drawer of one or more undeposited Counter Check or Slot Counter Check may initiate a redemption, substitution or consolidation by personally appearing at the cashiers' cage, satellite cage or slot booth. The drawer may:

1. For a full or partial redemption, present cash, cash equivalents, complimentary cash gifts, slot tokens, gaming chips or plaques or checks authorized pursuant to Section 101 of the Act;
2. For a full or partial redemption by substitution, present a personal check drawn on an account which has been previously verified and recorded in the patron's credit file; or
3. Verbally request consolidation of more than one Counter Check or Slot Counter Check.

(d) To process a redemption (full or partial), substitution, or consolidation for the drawer at the cashiers' cage, satellite cage, or slot booth, a general cashier shall:

1. Verify the identity of the patron pursuant to N.J.A.C. 13:69D-1.5A;
2. Prepare a payment voucher to document the transaction. The payment voucher shall be, at a minimum, a two-part form and include the following:
  - i. The date and time;
  - ii. The patron name and account number;

- iii. The location of the transaction;
  - iv. The type of transaction (redemption, substitution, or consolidation);
  - v. The series number(s) and amount (s) of the check(s);
  - vi. The amount and method of payment (for example, cash, cash equivalents, or chips);
  - vii. The signature of the preparer; and
  - viii. The signature of the check bank cashier;
3. Forward the payment voucher to a check bank cashier who shall:
- i. Agree the payment voucher to the original and redemption copy of the Counter Check(s) or Slot Counter Check(s);
  - ii. Sign the payment voucher;
  - iii. Deliver the original check(s) being redeemed, substituted or consolidated and the original payment voucher to the general cashier;
  - iv. Retain the duplicate payment voucher and redemption copy of the check(s) until forwarded to the casino accounting department at the end of the gaming day; and

- v. Update the patron's credit file for the transaction;
4. Return the original copy of the redeemed, substituted or consolidated check(s) to the patron; and
5. Maintain the original payment voucher.

(e) For a partial redemption, the general cashier shall prepare a Replacement Counter Check in an amount equal to the unpaid balance. The Replacement Counter Check shall include the information required by N.J.A.C. 13:69D-1.25(j) except that the check shall be dated with the issuance date of the partially redeemed Counter Check or Slot Counter Check and include the partially redeemed check number. The general cashier shall process the Replacement Counter Check as follows:

1. Obtain the patron's signature on the check and verify the identity of the patron pursuant to N.J.A.C. 13:69D-1.5A;
2. Obtain the signature of a cage supervisor on the check;
3. Forward the original and redemption copy to the check bank to be maintained therein until either redeemed or deposited;
4. Retain the issuance copy; and
5. Place the accounting copy in a locked accounting box.

(f) For a substitution, the general cashier shall date and time stamp the personal check and restrictively endorse the check "For Deposit Only" to the casino

licensee's bank account. The deposit date of the personal check shall be the deposit date of any check the personal check replaces. If more than one check, the deposit date of the earliest check the personal check replaces shall be the deposit date. The general cashier shall transfer the personal check to the check bank where it shall be maintained until either redeemed or deposited. The casino licensee shall process the subsequent redemption or deposit of the personal check as if the check was a Counter Check or Slot Counter Check.

(g) For a consolidation, the general cashier shall prepare a Replacement Counter Check in an amount equal to the total value of the Counter Checks and/or Slot Counter Checks being consolidated. The Replacement Counter Check shall include the information required by N.J.A.C. 13:69D-1.25(j) except that the check shall be for the total value of the checks being consolidated, dated with the issuance date of the earliest issued check being consolidated and include the consolidated check numbers. The general cashier shall process the Replacement Counter Check in accordance with (e) above.

(h) The drawer of one or more outstanding Counter Checks or Slot Counter Checks may initiate a total redemption transaction by mailing an authorized instrument to the casino licensee. A casino accounting department representative with no incompatible functions shall on a daily basis:

1. Record the receipt of the authorized instrument on a log that shall be maintained in the casino accounting department, which log shall include, at a minimum:
  - i. The date;
  - ii. The name of the drawer;
  - iii. The amount; and
  - iv. The signature of the casino accounting department employee; and
  
2. Transfer the mail-in payment to a general cashier. The general cashier shall process the check in accordance with (d) above except that:
  - i. The patron's identity is not required to be verified; and
  - ii. The original Counter Check or Slot Counter shall be marked "Paid" and returned to the patron by mail unless the patron has specifically requested that the check be destroyed. If the patron does not provide instructions as to the disposition of the check, the casino licensee may destroy the check after 14 days.

(i) A casino licensee may, in its discretion, permit a person other than a junket representative, employee or agent of a junket enterprise, or employee or agent of a casino licensee (payor), to make a payment for the benefit of the drawer of a patron check or a personal check used in a substitution transaction. The payor may present cash, cash equivalents, slot tokens, gaming chips or gaming plaques to a general cashier for the purpose of having such payment applied to the full redemption of a patron check or a personal check used in a substitution transaction. The general cashier accepting the payment shall:

1. Prepare a payment voucher in accordance with (d)2 above;
2. Prepare a two-part receipt that shall include, at a minimum:
  - i. The date;
  - ii. The series number(s) and amounts of the check(s);
  - iii. The names of the drawer and the payor;
  - iv. The signature of the payor; and
  - v. The signature of the preparer;
3. Forward the payment voucher and the receipt to a check bank cashier who shall:

- i. Agree the payment voucher to the original and redemption copy of the Counter Check(s) and/or Slot Counter Check(s);
  - ii. Sign the payment voucher and return the original payment voucher and original receipt to the general cashier;
  - iii. Maintain the duplicate of the receipt and the original check(s) as a paid item in the check bank until retrieved by the drawer or destroyed at the request of the drawer. If the patron does not provide instructions as to the disposition of the check, the casino licensee may destroy the check after 14 days;
  - iv. Retain the duplicate payment voucher and redemption copy of the check until forwarded to the casino accounting department at the end of the gaming day; and
  - v. Update the patron's credit file for the transaction;
4. Issue the original receipt to the payor; and
  5. Maintain the original payment voucher.

(j) A drawer may redeem one or more Counter Checks at a gaming table by exchanging gaming chips or plaques, provided that the redemption occurs on the same gaming day and at the same gaming pit where the check was issued and held for pit

redemption in accordance with N.J.A.C. 13:69D-1.25. Upon the request of the drawer to redeem the Counter Check, a general cashier or casino clerk shall:

1. Remove the original and redemption copy of the Counter Check(s) from its secured location in the pit;
2. Prepare a pit redemption form which shall be a two part form, sequentially numbered and accounted for by casino accounting employees with no incompatible functions. The pit redemption form shall include at a minimum:
  - i. The date and time;
  - ii. The table game;
  - iii. The patron's name;
  - iv. The Counter Check number(s) and amount(s); and
  - v. Signature of the preparer;
3. Present the pit redemption form and the original and redemption copy of the Counter Check(s) to the dealer or boxperson who shall, in the presence of a casino supervisor:
  - i. Verify that the amount of chips presented by the patron agrees with the amount of the original Counter Check(s) and the pit redemption form;

- ii. Place the gaming chips into the table inventory;
  - iii. Sign the pit redemption form;
  - iv. Deposit the original of the pit redemption form in the drop box;
  - v. Return the original Counter Check(s) to the patron; and
  - vi. Return the redemption copy of the Counter Check(s) and the duplicate of the pit redemption form to the general cashier or casino clerk;
4. Forward the redemption copy of the Counter Check(s) to the check bank for processing; and place the duplicate of the pit redemption form in the locked accounting box for forwarding to the casino accounting department at the end of the gaming day.

**13:69D-1.27 Procedures for establishing patron credit accounts, and recording checks exchanged, redeemed, or consolidated**

(a) Prior to establishing a patron credit account, a casino employee with no incompatible functions shall prepare a patron account file that shall include the patron's name and address. The casino employee preparing the credit file shall record therein the date the file was prepared and his or her signature.

(b) A casino licensee shall establish procedures for separately recording all transactions pursuant to section 101 of the Act (N.J.S.A. 5:12-101) involving the Governor, any State officer or employee, or any special State officer or employee, any member of the Judiciary, any member of the Legislature, any officer of a municipality or county in which casino gaming is authorized, or any gaming related casino employee, and for the quarterly filing with the Attorney General, through the Division, of a list reporting all such transactions.

(c) For each patron requesting, and prior to the approval of an initial extension of credit, a casino licensee shall:

1. Prepare a credit application form that shall be included in the patron account file and upon which shall be recorded, at a minimum, the following information:
  - i. The patron's name, address and place of employment;
  - ii. Banking information including the name, address and account number of the patron's personal or sole proprietorship checking account upon which the patron is

individually authorized to draw and upon which all Counter Checks and all checks used for substitution, redemption or consolidation will be drawn;

- iii. The credit limit requested by the patron;
  - iv. The capacity of the patron if he or she is a person identified in (b) above; and
  - v. The patron's signature indicating acknowledgement of the following statement: "I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (insert the name of the casino licensee) to conduct such investigations pertaining to the above information as it deems necessary for the approval of my credit limit. I am aware that this application is required to be prepared by the regulations of the Division of Gaming Enforcement and I may be subject to civil or criminal liability if any material information provided by me is willfully false.";
2. Verify the patron's identification in accordance with N.J.A.C. 13:69D-1.5A. Such verification shall include a comparison of the signature recorded on the application to the signature recorded in the patron's identification file; and

3. Verify the patron's banking account information, provided, however, that if a patron's bank declines to provide the verifying information, the casino employee requesting the information shall document and attest to the refusal and shall perform a credit check of the patron.

(d) The verifications required in (c)2 and 3 above shall be completed by a casino employee with no incompatible functions, who shall record in the file the date and time of the verification and his or her signature.

(e) A casino supervisor, other than the employee performing the verifications in (c) above, shall approve the initial credit limit. The casino supervisor approving the credit limit shall have no incompatible functions. The amount of the credit limit and the signature of the employee approving the credit limit shall be recorded in the patron account file with the date and time of the approval.

- (f) Prior to approving a credit limit increase, a casino licensee shall:
1. Obtain a written request from the patron, which shall include:
    - i. The date and time of the patron's request;
    - ii. The amount of credit limit increase requested by the patron; and
    - iii. The signature of the patron; and
  2. Document the approval of a credit limit increase in the patron's credit file by the signature of the authorizing employee and the amount approved in accordance with its internal controls. If the

employee authorizing the increase is not available to sign the file, the employee may authorize a credit limit either verbally or electronically. The name of the employee receiving the verbal or electronic approval shall record in the file the name of the person authorizing the credit limit and the date and time the approval was received. Upon the authorizer's return to the casino, he or she shall sign and date the file. Nothing in this subsection shall preclude the use of remote access to obtain the signature of the employee authorizing the credit limit as authorized by N.J.A.C. 13:69D-2.

(g) Any patron having a check returned to any casino unpaid by the patron's bank shall have his credit privileges suspended at all New Jersey casino licensees until such time as the returned check has been paid in full or the reason for the derogatory information has been satisfactorily explained. All derogatory information concerning a patron's credit account shall be reported by each casino licensee on a daily basis to a casino credit bureau used by New Jersey casino licensees. Each New Jersey casino licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that casino licensee on a daily basis by a casino credit bureau used by New Jersey casino licensees. All documentation obtained from the casino credit bureau shall be maintained in the patron's patron account file. Any casino licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the returned check may do so if the licensee

records the explanation for its decision in the patron account file before accepting any further checks from the patron along with the signature of the credit department representative accepting the explanation.

**13:69D-1.27A Patron request for suspension of credit privileges**

(a) Any patron may voluntarily suspend his or her credit privileges at all licensed casinos. Such request may be submitted in person or by mail on a form prescribed by the Division, the requirements of which are specified in (b) below.

1. If submitted in person, the patron shall present valid identification credentials containing the patron's signature and either a photograph or a general description to the Division at its offices located in the Arcade Building, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey.
2. If submitted by mail, the patron shall address the request to the Division of Gaming Enforcement, Arcade Building, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey 08401. The request shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgement by such notary public or other person attesting to the identity of the person making the request.

(b) A request for suspension of credit privileges shall be on a form prescribed by the Division, which shall include the following:

1. The name of the person requesting suspension of credit privileges;
2. The address of the person's residence;
3. The person's date of birth;

4. The name of each licensed casino where the person currently has an approved line of credit;
5. The signature of the person requesting suspension of credit privileges, indicating acknowledgement of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Division of Gaming Enforcement to direct all New Jersey casino licensees to suspend my credit privileges.";
6. If the request for suspension of credit privileges is made in person:
  - i. The type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and
  - ii. The signature of a Division employee authorized to accept such request, indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her identification credentials and that any physical description or photograph of the person appears to agree with his or her actual appearance; and
7. If the request for suspension of credit privileges is made by mail,

a certificate of acknowledgement executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.

(c) The Division shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to this section, and shall notify each casino licensee electronically and in writing of any additions to or deletions from the list. The casino licensee shall date and time stamp any such written notice immediately upon receipt.

(d) Each casino licensee shall suspend the credit privileges of any listed person, effective immediately upon receipt of notice that such person's name has been added to the list and shall maintain an updated master list of persons who have requested suspension of credit privileges.

(e) Each casino licensee shall note any suspension or reinstatement of credit privileges pursuant to this section in any existing credit file for the affected patron, including the following:

1. A copy of any applicable Division notice of the suspension or reinstatement of credit privileges; and
2. The date, time and signature of the casino representative making the suspension or reinstatement entry in the credit file.

(f) Any person whose credit privileges have been suspended pursuant to this section may, no sooner than 30 days after the request for suspension of credit

privileges, request reinstatement of his or her credit privileges by submitting a written request to the Division in accordance with the procedures specified in (a)1 and 2 above.

1. Such request shall be in a form prescribed by the Division, which shall include the following:
  - i. The information specified in (b)1, 2, 3, 4, 6, and 7 above;  
and
  - ii. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgement of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Division of Gaming Enforcement to permit any New Jersey casino licensee to reinstate my credit privileges."
2. The Division shall delete such person's name from the list established pursuant to (c) above, and so notify each casino licensee, no later than three days from submission of the written request for reinstatement of credit privileges. The casino licensee shall date and time stamp any such notice immediately upon receipt.
3. Upon receipt of notice that such person's name has been deleted

from the list, a casino licensee may reinstate such person's credit or may extend credit to such person in accordance with the procedures set forth in N.J.A.C. 13:69D-1.27.

(g) Information furnished to or obtained by the Division pursuant to this section shall be deemed confidential, and shall not be disclosed except in accordance with this section and N.J.A.C. 13:69. No casino licensee shall divulge that any person's name is designated on the master list maintained pursuant to subsection 101j of the Act (N.J.S.A. 5:12-101j) and this section, other than to authorized credit department employees or other casino personnel whose duties and functions require access to such information. If, in the ordinary course of business, a casino licensee is requested to provide information regarding the status of the patron's credit account, the casino licensee shall not disclose any information other than to identify the credit account as voluntarily suspended.

**13:69D-1.27B Electronic credit system; patron deposits, credit account withdrawals, and redemption transactions**

(a) A casino licensee may use an electronic credit system, approved by the Division, to process electronic counter check transactions and/or patron deposit transactions in a manner consistent with N.J.A.C. 13:69D-1.24, 1.25, 1.26, 1.28, and 1.29.

(b) The electronic credit system shall be capable of maintaining independently or in conjunction with another computer system as approved by the Division, the following information:

1. A digital photograph and signature of the patron;
2. Encrypted employee and patron personal identification numbers (PINs);
3. For each patron account and transaction, the information required to be recorded by N.J.A.C. 13:69D-1.24, 1.25, 1.26, 1.28, and 1.29, as applicable; and
4. A record of each electronic transaction, printable in the check bank, which record shall include at a minimum:
  - i. Date and time;
  - ii. Transaction type;
  - iii. Document number;
  - iv. Location;
  - v. Patron name and account number; and
  - vi. Amount.

(c) If a transaction processed pursuant to this section is required to be voided, a cashiers' cage supervisor or above shall follow procedures set forth in the casino licensee's internal controls. A record of the voided transaction and the reason for the void shall be maintained in the electronic credit system.

(d) If the electronic credit system becomes inoperable, all patron deposit or counter check transactions shall be accurately recorded and all revenue accounted for in accordance with the licensee's internal controls.

(e) For patron deposits utilizing the electronic credit system, a cashier with no incompatible functions shall:

1. Access the patron's account in the electronic credit system using a portable device or other approved method by entering his or her PIN or other method of identification approved by the Division;
2. Credit the patron's account by the amount of the deposit;
3. Input the date and method of deposit (for example, cash, chips, or other authorized items);
4. Require the patron to enter his or her PIN and signature to verify the amount of the deposit;
5. Digitally sign attesting to the accuracy of the transaction; and
6. Generate a two-part receipt detailing the transaction, one part to be provided to the patron and the other to be maintained by the cashier as part of his or her imprest inventory.

(f) Electronic withdrawals from a patron's deposit or credit account (counter checks) that occur at the casino cage or other location approved by the Division not specifically addressed in this section shall be issued by a cashier with no incompatible functions. The cashier shall:

1. Access the patron's file in the electronic credit system using a portable device or other approved method;
2. Enter the amount requested, which the system shall reject if the amount exceeds the amount available;
3. Require the patron to enter his or her PIN and record his or her digital signature in the system;
4. Verify the patron's identity by comparing the patron's appearance to the digital photograph in the electronic credit system;
5. Enter his or her PIN and signature verifying the accuracy of the transaction;
6. Disburse the funds as requested by the patron (cash, electronic counter check, casino check, wire transfer, cashier generated voucher, or electronic transfer); and
7. Generate a document to be maintained by the cashier as part of his or her imprest inventory.

(g) Electronic withdrawals from a patron's deposit or credit account that occur at a slot machine shall be issued as follows:

1. A slot attendant shall prepare a two-part Counter Check Request (Request) consisting of an original and a duplicate, which shall include, at a minimum:
  - i. Patron's name and account number;
  - ii. Date and time of the request;
  - iii. Asset number and location;
  - iv. Amount requested;
  - v. Method of withdrawal (for example, cash or cashier-generated voucher);
  - vi. The patron's response to the printed question: "Are you the Governor, any State officer or employee, or any special State officer or employee, any member of the Judiciary, any member of the Legislature, any officer of a municipality or county in which casino gaming is authorized, or any gaming related casino employee?";
  - vii. Signature of the patron; and
  - viii. Signature of the slot attendant processing the transaction.
2. The slot attendant shall present the Request to a cashier with no incompatible function who shall verify that there are sufficient funds in the patron's account to satisfy the request.
3. The cashier processing the Request shall disburse the funds to the slot attendant in the presence of a slot supervisor and:

- i. Sign the Request;
  - ii. Maintain the original of the Request as a part of his or her imprest inventory;
  - iii. Provide the slot attendant with a portable device connected to the electronic credit system; and
  - iv. Provide the duplicate of the Request to the slot attendant.
4. The slot attendant, accompanied by a slot supervisor, shall transport the funds to the patron at the slot machine. Prior to presenting the funds to the patron, the slot attendant shall:
- i. Access the patron's file in the electronic credit system using a portable device or other approved method by entering his or her PIN;
  - ii. Enter the amount requested, which the system shall reject if the amount exceeds the amount available;
  - iii. Require the patron to enter his or her PIN and record his or her digital signature in the system;
  - iv. Verify the patron's identity by comparing the patron's appearance to the digital photograph in the electronic credit system;
  - v. Present the portable device to the supervisor who shall enter his or her PIN and signature on the portable device verifying the accuracy of the transaction;

- vi. Disburse the funds as requested by the patron (cash or cashier generated gaming vouchers); and
  - vii. Drop the duplicate of the Request in a locked accounting box.
5. If the transaction cannot be completed for any reason, the slot attendant and supervisor shall return the funds and the Request to a cashier with no incompatible functions. The cashier shall clearly and conspicuously record "VOID" on the duplicate of the Request and maintain the document as part of his or her imprest inventory.
  6. On a daily basis, the casino accounting department shall compare the original and duplicate Requests to the electronic credit system. Any instances of misappropriation of funds or other irregularities shall be immediately reported to the Division.

(h) Electronic patron deposit or credit account withdrawals that occur at a gaming table shall be processed by a casino clerk or casino supervisor. The casino clerk or casino supervisor shall:

1. Access the patron's file in the electronic credit system using a portable device or other approved method by entering his or her PIN;
2. Enter the amount requested, which the system shall reject if the amount exceeds the amount available;

3. Require the patron to enter his or her PIN and record his or her digital signature in the system;
4. Verify the patron's identity by comparing the patron's appearance to the digital photograph in the electronic credit system;
5. Enter his or her PIN and signature on the portable device verifying the accuracy of the transaction;
6. Require the dealer to enter his or her PIN and record his or her digital signature in the system;
7. Instruct the dealer to place the portable device and chips or plaques in a manner that allows for the display of the value on the portable device and chips or plaques to be viewed by the surveillance department;
8. Require the dealer to disburse the chips and/or plaques in the amount requested by the patron; and
9. If required by the Division, generate a document that shall be deposited in the drop box.

(i) A patron may redeem his or her electronically issued counter check(s) at a gaming table. Only full redemptions shall be permitted at a gaming table by presenting only chips or plaques to a dealer. Prior to accepting the funds, the dealer shall summon a casino supervisor who shall:

1. Enter his or her PIN on a portable device;

2. Access the patron's file in the electronic credit system using the portable device or other approved method;
3. Verify the patron's identity by comparing the patron's appearance to the digital photograph in the electronic credit system;
4. Determine which outstanding counter check(s) will be redeemed;
5. Verify the total amount of outstanding counter check(s) being redeemed;
6. Verify that the amount presented agrees with the total amount of the electronic counter check(s) to be redeemed;
7. Instruct the dealer to verify that the chips or plaques equal the amount of outstanding counter check(s) being redeemed;
8. Instruct the dealer to display the portable device in a manner that allows for the portable device to be viewed by the surveillance department;
9. Require the dealer to enter his or her PIN and record his or her digital signature in the system;
10. Observe the dealer place the chips or plaques in the table inventory container;
11. Enter his or her PIN and signature on the portable device acknowledging the completion of the transaction;

12. Generate a two-part receipt detailing the transaction, one part to be provided to the patron and the other deposited into the drop box.

(j) A patron may fully redeem his or her electronically issued counter check(s) at a cashiers' cage by presenting cash, cash equivalents, complimentary cash gifts, slot tokens, gaming chips, or plaques or checks authorized pursuant to section 101 of the Act. A cage cashier shall:

1. Access the patron's file in the electronic credit system using a portable device or other approved method by entering his or her PIN;
2. Determine which outstanding counter check(s) will be redeemed;
3. Verify the total amount of outstanding counter check(s) being redeemed;
4. Verify that the amount presented agrees with the total amount of the electronic counter check(s) to be redeemed;
5. Sign the portable device acknowledging the completion of the transaction; and
6. Generate a two-part receipt documenting the transaction, one part to be provided to the patron and the other to be maintained by the cashier as part of his or her imprest inventory.

(k) A patron may partially redeem his or her electronically issued counter check only at a cashiers' cage by presenting cash, cash equivalents, complimentary cash

gifts, slot tokens, gaming chips, or plaques or checks authorized pursuant to section 101 of the Act. A cage cashier shall:

1. Access the patron's file in the electronic credit system using a portable device or other approved method by entering his or her PIN;
2. Determine which outstanding counter check will be partially redeemed;
3. Verify the amount presented and create an electronic counter check in accordance with (f) above for the difference between the amount presented and the electronic counter check being partially redeemed;
4. Sign the portable device acknowledging the completion of the transaction; and
5. Generate a two-part receipt documenting the transaction, one part to be provided to the patron and the other to be maintained by the cashier as part of his or her imprest inventory.

(l) A patron may substitute his or her electronically issued counter check(s) at a casino cage by:

1. Presenting a personal check drawn on an account that has been verified and recorded in the patron's credit file, whereupon a cashier with no incompatible function shall enter the transaction in the electronic credit system; or

2. Drawing an electronic counter check in accordance with this section on a different account that has been verified and recorded in the patron's credit file.

(m) A patron may consolidate his or her electronically issued counter checks at a cashiers' cage in accordance with a casino licensee's internal controls.

(n) A casino licensee that uses an electronic credit system shall record each electronic deposit and credit account withdrawal by a patron at a gaming table on the Master Game Report required by N.J.A.C. 13:69D-1.33 in accordance with a methodology approved by the Division.

**13:69D-1.28 Procedure for depositing checks received from gaming patrons**

(a) Unless redeemed or consolidated prior to the time requirements herein, all checks received from gaming patrons shall be deposited in the casino licensee's bank account, or presented directly to the patron's bank by a casino key employee with no incompatible function or an attorney. Such deposit or presentment shall occur no later than:

1. The banking day after the date of the check for a non-gaming check;
2. Seven calendar days after the date of the check for a check in an amount of \$1,000 or less;
3. Fourteen calendar days after the date of the check for a check in an amount greater than \$1,000 but less than or equal to \$5,000;  
or
4. Forty-five calendar days after the date of the check for a check in an amount greater than \$5,000.

(b) In computing a time period prescribed by this section, the last day of the period shall be included unless it is a Saturday, Sunday, or a State or Federal holiday, in which event the time period shall be extended to the next business day.

(c) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.

(d) In accordance with N.J.S.A. 5:12-101, if a check is presented directly to a

patron's bank for payment by a casino key employee or an attorney, the casino licensee shall:

1. Document the release of the patron check from the cashiers' cage;
2. Require the prompt deposit by the casino key employee or attorney, of the proceeds of the check to the casino's bank account via a wire transfer or a check drawn by the patron's bank and made payable only to the casino licensee, if the patron's check is honored and paid; and
3. Require the person presenting the check for payment to provide written notice to the casino licensee that the check has been paid in full by the patron's bank.

(e) If a casino licensee determines, prior to the deposit or presentment of a Counter Check or Slot Counter Check that the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check are incorrect due to a data entry error (for example, a misspelling, a wrong number, or a transposition of numbers), a check bank cashier may correct the erroneous entry with the written approval of a cage supervisor prior to the alteration of any check. A casino licensee may not use this subsection to change the verified bank account on which the Counter Check or Slot Counter Check was originally drawn.

**13:69D-1.29 Procedure for recording and collecting checks returned to the casino after deposit**

(a) All dishonored checks returned by a bank ("returned checks") after deposit shall be returned directly to, and controlled by, accounting department employees and shall be maintained by check bank cashiers. Such employees shall have no incompatible functions.

(b) No person other than one licensed as a casino key employee or as a casino registered employee in a separate collection section within the accounting department, and one who has no incompatible functions may engage in efforts to collect returned checks except that an attorney-at-law representing a casino licensee may bring action for such collection. Any verbal or written communication with patrons regarding collection efforts shall be made with the full knowledge of the collection employees and shall be documented in a collection file.

1. Continuous records of all returned checks shall be maintained in a collection file by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:
  - i. The date of the check;
  - ii. The name and address of the drawer of the check;
  - iii. The amount of the check;
  - iv. The date(s) the check was dishonored;
  - v. The check number; and
  - vi. The date(s) and amount(s) of any collections subsequently

received on the returned check(s).

(c) A returned check may be immediately redeposited if there is sufficient reason to believe the check will be honored the second time. If a casino licensee determines that a Counter Check or Slot Counter Check was returned by a bank because the bank name, routing number, the patron's bank account number or the micro-encoding number contained on the check was incorrect due to a data entry error (for example, a misspelling, a wrong number, or a transposition of numbers), a check bank cashier may correct the erroneous entry and cause the check to be redeposited. Prior to correcting a check, the check bank cashier shall obtain written approval from a cage supervisor, which approval shall be maintained by the casino licensee. A casino licensee may not use this subsection to change the verified bank account on which the Counter Check or Slot Counter Check was originally drawn.

(d) Statements shall be sent to patrons, by accounting department employees with no incompatible functions, immediately upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if the check was immediately redeposited, and such statements shall include, but not be limited to, the following:

1. The name and address of the drawer;
2. The date of the check; and
3. The amount of the check.

(e) Patrons to whom statements are sent shall be advised of a return address and department to which replies shall be sent.

(f) Employees with no incompatible functions shall receive directly and shall initially record all collections.

(g) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.

(h) After reasonable collection efforts, returned checks may be considered uncollectible for accounting purposes and charged to the casino licensee's allowance for uncollectible patrons' checks. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

**13:69D-1.30 Uncollected table game vigorish**

(a) Whenever table game vigorish is not collected from a patron by a casino licensee, a casino clerk or casino supervisor shall prepare a sequentially numbered, two-part Uncollected Vigorish form which shall be accounted for by employees of the casino accounting department. The form shall include, at a minimum, the following:

1. The date;
2. The table game;
3. The amount of the uncollected vigorish;
4. The patron name, if known;
5. The signature of the dealer; and
6. The signature of the casino clerk or casino supervisor.

(b) Upon completion of the Uncollected Vigorish form, the dealer shall deposit the original in the drop box. The casino clerk or casino supervisor shall deposit the duplicate in a locked accounting box for forwarding to the casino accounting department at the end of the gaming day.

(c) The casino accounting department shall agree the original and duplicate Uncollected Vigorish forms and report an increase to table game revenue in a manner approved by the Division.

**13:69D-1.31 Slot machine statistics**

(a) A casino licensee shall, for each slot machine, review one or more statistical reports to determine whether the machine operates in accordance with the prototype approved by the Division.

(b) A casino licensee shall identify and investigate all slot machines that have a variance between the theoretical and actual RTP inconsistent with the approved prototype taking into consideration the volume of play.

(c) A casino licensee shall notify the Division of any slot machines identified in (b) above and the results of the investigation.

**13:69D-1.32 Count rooms; physical characteristics; count protocols**

(a) A casino licensee shall have one or more rooms to be known as a "count room" in an area approved by the Division specifically designated, designed, and used for counting the contents of table drop boxes, slot cash storage boxes, slot drop buckets, and slot drop boxes. If a casino licensee counts the contents of slot drop buckets and slot drop boxes in a different room from the room where the table drop boxes and slot cash storage boxes are counted, "soft count room," it shall be known as the "hard count room." The count room may be utilized to count non-gaming revenue provided the casino licensee complies with all requirements of this section and the count occurs separately from the count of gaming revenue.

(b) Each casino licensee shall include in its internal controls a description of all equipment and software used in the counting and recording process and all other systems used for purposes related to the counting of gross revenue.

(c) A casino licensee shall design and construct each count room to provide maximum security with, at a minimum, the following security measures:

1. A metal door installed on each entrance and exit equipped with a lock, the key to which shall be maintained and controlled by the casino security department in accordance with a security submission approved by the Division;
2. An alarm device, which audibly signals the surveillance and security departments whenever a count room door is opened;

3. A light system, which illuminates one or more lights in the surveillance department and at each count room door, for purposes of maintaining constant surveillance on the entrance and exits to the count room;
4. Closed circuit television cameras wired to the surveillance department capable of, but not limited to, the following:
  - i. Video monitoring of the entire count process; and
  - ii. Continuous video-monitoring of the interior of the count room, including storage cabinets or trolleys used to store drop boxes, slot cash storage boxes, slot drop buckets, and emergency drop boxes; and
5. For the soft count room only, microphones wired to the surveillance department for audio monitoring of the entire count process.

(d) In addition to the requirements of (c) above, a count room used to count slot drop boxes and buckets shall have:

1. A fixed-door type or a hand-held metal detector used by a security department member to inspect all persons exiting the hard count room; and

2. A separate light system or other device approved by the Division which shall provide a continuous visual signal at the count room door, whenever any access door to the count room is opened while the system is activated. The light system or device shall:
    - i. Maintain the visual signal until the system is reset or deactivated; and
    - ii. Be designed so as to permit its activation, deactivation or resetting only by a member of the security department.
- (e) The soft count room shall have:
1. A table constructed of clear glass or similar material for the emptying, counting, and recording of the contents of drop boxes and slot cash storage boxes which shall be known as the "count table." Prior to the start of the count process, the key which secures the contents of the drop boxes shall be tethered and locked to the count table by the count team supervisor. The key shall not be removed until the count process is completed;
  2. A table constructed of clear glass or similar material for the stacking of the contents of table drop boxes and slot cash storage boxes which have been counted, prior to the recount and

acceptance by the cage cashier or cashier supervisor. The table shall be known as the "banking table;" and

3. A locked accounting box or other approved device, the key to which shall be maintained and controlled in the casino accounting department and not be accessible to any member of the count team once the documents have been placed in the locked box or other approved device.

(f) The count room doors shall be secured at all times except when opened for the following authorized purposes:

1. To allow one or more members of the count team to change shifts or take a work break;
2. To permit access to equipment by authorized IT department employees;
3. To permit table drop boxes or slot cash storage boxes to be secured in the count room;
4. To permit empty table drop boxes, slot cash storage boxes, emergency table game drop boxes or emergency slot cash storage boxes that were not part of the current count to be removed from the count room;

5. To allow a main bank cashier or cage supervisor to enter the count room to recount and accept the drop;
6. To allow the count team to exit the room at the conclusion of the count; or
7. In the event of an emergency.

(g) A casino licensee shall file a workflow diagram with the Division that shall indicate, at a minimum, the location of all equipment in a count room, all equipment used in the counting process and the flow of all currency, coupons, gaming vouchers and paperwork from the start of the count to the conclusion of the count.

(h) The count team may simultaneously count the contents of the table drop boxes and the slot cash storage boxes provided that the contents of the table drop boxes remain segregated from the contents of the slot cash storage boxes throughout the count and acceptance by the main bank cashier or cage supervisor.

(i) Except during an emergency, with the exception of the count team and agents of the Division, prior to anyone entering or leaving a count room during the soft count process, all contents that have been removed from either a drop bucket, drop box or slot cash storage box shall be counted at least once and secured. Any trolleys that contain uncounted drop boxes or slot cash storage boxes shall be secured.

(j) The opening, counting, and recording of the contents of table drop boxes, slot cash storage boxes, slot drop buckets, and slot drop boxes shall be performed in the

presence of a casino key employee who shall be referred to in this section as a count room supervisor. The count shall be performed by at least three employees ("count team"), which shall include the count room supervisor. The counting and recording process shall be discontinued where the minimum number of count room personnel is not present or are not capable of performing their responsibilities.

(k) All persons present in the count room during the counting process, except agents of the Division, shall:

1. Wear as outer garments, only a full-length, one-piece, pocketless garment with openings only for the arms, feet, and neck;
2. Not be permitted to wear a long sleeve garment under the outer garment in (k)1 above; and
3. Not be permitted to carry a pocketbook or other container unless it is transparent.

(l) Access to the count room during the counting process shall be limited to the count team, other persons authorized by the Division, or agents of the Division. No count room employee shall, during the soft count process, enter a storage area for table drop boxes or slot cash storage boxes adjacent to the count room to perform any function not directly related to the counting process.

(m) No person shall remove his or hands from or return them to a position on or above the count table, banking table or counting equipment unless the backs and

palms of his or her hands are first held straight out and displayed to other members of the count team and surveillance cameras. In addition, whenever any person enters or leaves the count room during the counting process, any employee remaining in the count room shall be required to step away from the count table, banking table and counting equipment until the person has entered or left the count room.

(n) Immediately prior to the commencement of the count, doors to the count room shall be securely locked and remain locked at all times, except when opened for an authorized purpose in (f) above. A count team member shall notify surveillance that the count is about to begin, after which surveillance shall make a continuous video and, if applicable, audio recording, with the time and date inserted thereon, of the entire counting process. A count room member shall also notify surveillance whenever a count room door will be opened during the count.

(o) Once all currency, gaming vouchers, coupons, coin and/or slot tokens have been counted and the final count totals have been obtained, no employee shall be permitted to leave the count room, except in an emergency, until the recount and acceptance of the drop is completed by a cage cashier or cashier supervisor.

(p) The count room supervisor shall prepare a record of the names and credential or license numbers of each employee who was present in the count room during any part of the count process. Such record shall be forwarded to the accounting department at the conclusion of the count.

**13:69D-1.33 Procedure for opening, counting, and recording contents of table drop boxes and slot cash storage boxes**

(a) Immediately prior to the commencement of the count process, a count room supervisor shall:

1. Obtain a preliminary master game report which shall list forms and documents related to the table drop box count that were entered into the computer system at the time of preparation;
2. Sign out the following keys:
  - i. Trolley or cabinet keys from a security supervisor for the purpose of gaining access to the drop boxes; and
  - ii. Key(s) securing the contents of the table drop boxes and/or slot cash storage boxes ("boxes") and the tether padlock key from the casino accounting department;
3. Reconcile the number of boxes recorded on the drop box or slot cash storage box verification form to the number of boxes secured in the trolley;
4. Remove the emergency drop box log and reconcile the log to the boxes removed from the emergency drop box cabinet or trolley; and

5. Document any unresolved discrepancies on a two-part Drop Variance Report, the original of which shall be delivered to the Division and the duplicate placed in the locked accounting box.

(b) A casino licensee shall open, count, and record the contents of each drop box or slot cash storage box in the soft count room except that an emergency slot cash storage box may be held and counted on the regularly scheduled count for the slot machine from which it originated. For currency, gaming vouchers, and coupons, a casino licensee shall perform a second count to obtain the aggregate total of each denomination of currency and coupon, and the total number of gaming vouchers counted. The counts shall be independent of each other and access to the result of the first count shall not be available to the employee performing the second count until completion of the second count. At the completion of the second count, a comparison of the two counts shall be made and any discrepancies resolved by the count team supervisor.

(c) A casino licensee shall use a counting machine approved by the Division to count currency, gaming vouchers, and coupons unless otherwise authorized by the Division. If a counting machine cannot be used due to mechanical failure or other emergent situation, the items shall be counted in a manner described in the casino licensee's internal control procedures.

1. A casino licensee may use one counting machine that automatically provides the counts required in (b) above of the

items at different stages of the counting process. If the counts are not in agreement, the machine shall document the discrepancy and cease operation until the discrepancy is resolved by a count team member.

2. If a casino licensee does not use a counting machine described in (c)1 above, two different counting machines shall be used. Upon completion of the count using the first machine, the cash storage bins or cassettes shall be emptied and displayed to the full view of a closed circuit television camera to assure that the contents have been emptied. The second machine count shall be performed to verify the totals of the first machine. If the counts are not in agreement, the count team shall resolve the discrepancy before continuing the second count.
3. Each machine shall generate a report at the completion of its count documenting the following:
  - i. The total of each denomination of currency;
  - ii. The total of all currency;
  - iii. The total number of gaming vouchers;

- iv. The total number and amount of coupons for which the count machine can determine the value of the coupon ("machine count coupons"); and
- v. The total number of coupons for which the count machine cannot determine the value of the coupon ("manual count coupons").

(d) A test count shall be conducted prior to the start of the first use of each counting machine, each gaming day, and prior to each count. The count room supervisor shall:

1. Verify that the counting machine has a zero balance on its display and cause a receipt to be printed which denotes "-0- cash, gaming vouchers or coupons on hand" and "-0- notes, gaming vouchers or coupons in machine," or other approved means to indicate that the machine has been cleared of all currency, gaming vouchers and coupons;
2. Visually check the counting machine to be sure there are no bills, gaming vouchers or coupons remaining in the various compartments of the machine;
3. Supervise a count team member who shall select a drop box or slot cash storage box. If slot storage boxes are being counted that

day, a slot cash storage box must be selected and it must contain currency, and if issued by the licensee, gaming vouchers and coupons. The count team member shall place the entire contents of the table drop box or slot cash storage box into the first counting machine, which shall count the currency by denomination as well as any gaming vouchers and coupons. Any soiled or off-sorted bills, gaming vouchers or coupons shall be re-fed into the machine. Any items which the counting machine is not able to count automatically, such as coins, tokens, gaming chips or mutilated or torn currency, gaming vouchers, and coupons shall be manually counted, recorded either manually or entered into the counting machine, and segregated from items which the counting machine was able to count automatically. The count team member shall cause the counting machine, in conjunction with the gaming voucher system, to produce one or more test receipts of the count, and the count shall not be shown to anyone until completion of the final verification process;

4. Supervise a second count team member, independent of the team member performing the initial count, who shall manually count or use a second counting machine to count and summarize the items on test receipts;

5. Compare the totals on the test receipts for agreement. If the totals are in agreement, the count room supervisor shall sign and date the test receipts and place them in the locked accounting box to be forwarded to the casino accounting department at the end of the count process. If the totals do not agree, the test count procedures shall be repeated. The test count procedures shall be repeated until the totals are in agreement or a determination is made that the count machine cannot be used. The count room supervisor shall not permit a counting machine to be used until these totals are in agreement;
6. Supervise a count team member who, at the conclusion of the test procedure shall display the cash bin or storage cassettes to the full view of a closed circuit television camera to assure that the contents have been emptied prior to replacing cassettes into the counting machine; and
7. Verify that the counting machine has a zero balance in accordance with  
  
(d)1 above.

(e) Procedures for the count of boxes shall be as follows:

1. The contents shall be segregated and counted so as to permit the contents to be recorded for the box from which it was removed.

Each box shall be individually:

- i. Placed on the count table at which time one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the surveillance audio recording device, the game and table number marked thereon for table drop boxes, or the asset or unique identification number marked thereon for slot cash storage boxes; and

- ii. Unlocked and the contents emptied on the count table. The inside of the box shall be held up to the full view of a closed circuit television camera to assure all contents of the drop box or slot cash storage box have been removed, after which the drop box or slot cash storage box shall be locked and placed in the storage area for drop boxes and slot cash storage boxes;

2. A count team member shall segregate:

- i. Currency, machine count coupons and gaming vouchers;

- ii. Coin, tokens, gaming chips, manual count coupons and any mutilated or torn items; and
    - iii. Forms and documents;
  3. A count team member shall attempt to match pieces of mutilated or torn items which shall be processed as follows:
    - i. Mutilated or torn currency shall be recorded as revenue if the bill includes one entire serial number and one letter and number of the serial number from the other half of the bill;
    - ii. Mutilated or torn currency that is not recorded as revenue shall be placed in a sealed transparent envelope or container and transferred to the main bank by the main bank cashier or cage supervisor at the end of the count; and
    - iii. All mutilated or torn coupons and gaming vouchers shall be recorded as revenue regardless of condition;
4. The value and number of coin, tokens, gaming chips, manual count coupons (by denomination) and any mutilated or torn items shall be manually entered into the counting machine for each drop box or slot cash storage box;

5. Currency, machine count coupons and gaming vouchers shall be placed in a counting machine. The counting machine shall count and calculate the value of the currency. The value of each gaming voucher or coupon shall be obtained from the counting machine or an approved gaming voucher system, as applicable;
6. Upon completion of the machine count:
  - i. For each drop box, the counting machine shall generate the report required by (c)3 above;
  - ii. The currency, table game coupons, coin, tokens, and gaming chips counted shall be placed on the banking table;  
and
  - iii. Any drop box coupon which has not already been cancelled upon acceptance or during the count shall be cancelled prior to the conclusion of the count;
7. The forms and documents shall be compared to the preliminary master game report for accuracy by a count team member who shall not simultaneously have access to currency. Any discrepancies shall be recorded on the preliminary master game report to be resolved by the casino accounting department. The forms and documents and preliminary master game report shall

be placed in the locked accounting box to be forwarded to the casino accounting department at the end of the count process; and

8. The count team supervisor shall prepare a detailed written report describing all count room incidents that may have negatively impacted the opening, counting and recording of the drop boxes (for example, a computer interface problem, dropped basket). The report shall include a description of any corrective action taken and shall be electronically filed with the Division at the conclusion of the count.

(f) As the contents of each table drop box are counted, if not already recorded in the computer system used to create the Master Game Report or supporting documentation as authorized by the Division, a count team member shall manually record or cause a computer system to record, the following information by game and table number:

1. The value of each denomination of currency counted;
2. The value of coin, tokens and/or gaming chips counted;
3. The total number of slot cash storage boxes opened and counted;
4. The value of each denomination and total value of coupons other than match play coupons;

5. The value of each denomination and total value of match play coupons and table game wager coupons;
6. Fifty percent of the total value of match play coupons and table game wager coupons;
7. The amount recorded on each document and the total of all documents evidencing a credit card chip transaction;
8. The amount recorded on each document and the total of all documents evidencing a debit card chip transaction;
9. The amount of the Opener;
10. The amount of the Closer;
11. The serial number and amount of each Counter Check and the total amount of all Counter Checks;
12. The serial number and amount of each Pit Redemption Form and the total of all Pit Redemption Forms;
13. The serial number and amount of each Fill and the total amount of all Fills;
14. The serial number and amount of each Credit and the total amount of all Credits;

15. The amount recorded on each Uncollected Vigorish Form and the total amount of all Uncollected Vigorish Forms;
16. The table game win or loss or, for poker, the poker revenue; and
17. The table game win or loss percentage.

(g) In addition to the requirements of (f) above, the Master Game Report shall include:

1. The gaming date of the items recorded;
2. The grand total for each of the items in (f)3 through 17 above;
3. The total number of drop boxes opened and counted; and
4. The date and time prepared.

(h) If the casino licensee offers the game of poker, the count room supervisor shall review the Master Game Report to ensure that negative poker revenue has not been reported for any poker table. If negative poker revenue has been reported for a poker table, the count room supervisor shall initial the Master Game Report for each such poker table and immediately notify the surveillance department of the poker table(s) and corresponding negative poker revenue reported thereon.

(i) As the contents of each slot cash storage box are counted, if not already recorded in the computer system used to create the Slot Cash Storage Box Report and

supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by asset number:

1. The asset number of the bill changer to which the slot cash storage box contents correspond;
2. The value of each denomination and total value of currency counted;
3. The number and value of each cashable coupon counted, and if a gaming voucher system is used to redeem coupons, the validation number and value of each coupon counted, and total number and value of all cashable coupons;
4. The number and value of each non-cashable coupon counted, and if a gaming voucher system is used to redeem such coupons, the validation number and value of each coupon counted, and total number and value of all non-cashable coupons;
5. A listing of the validation number and value of each gaming voucher counted, and total number and value of all gaming vouchers; and
6. Any additional information on the Slot Cash Storage Box Report as may be required by the Division.

(j) In addition to the requirements of (i) above, the Slot Cash Storage Box Report shall include:

1. The gaming date of the items recorded;
2. The grand total for items in (i)2 through 5 above;
3. The total number of slot cash storage boxes opened and counted;
4. The date and time prepared.

(k) After preparation of the Master Game Report or the Slot Cash Storage Box Report, the count room supervisor shall compare the total number of boxes counted to the number of boxes, including any emergency boxes, collected and recorded on the box reconciliation form. Any unresolved discrepancy shall be documented on the Drop Variance Report which shall be filed with the Division.

(l) All suspected counterfeit currency shall be counted and recorded as drop on the Master Game Report or Slot Cash Storage Box Report. The counterfeit currency shall be segregated from all other currency and placed in a transparent container. A count room supervisor shall:

1. Complete a Department of Treasury Counterfeit Note Report and place the container and report on the banking table; and

2. Notify the Division's Technical Services Bureau of all suspected counterfeit currency removed from a slot cash storage box, including the asset number of the slot machine.

(m) A count team member designated as the banker shall count each denomination of currency, tokens, and gaming chips, and verbalize the amounts. The count room supervisor shall verify the amount verbalized to the amount recorded on the Master Game Report or Slot Cash Storage Box Report. The banker and count team supervisor shall sign the report(s) attesting to the accuracy of the information recorded thereon. The information recorded thereon shall not be accessible to any person outside the count room until after the main bank cashier or cage supervisor ("cashier") has verified and accepted the drop unless otherwise authorized by the Division.

(n) All other count team members shall sign the Master Game Report and/or the Slot Cash Storage Box Report as evidence of their participation in the counting of the drop boxes and/or slot cash storage boxes.

(o) After the contents of the boxes have been counted and recorded on the Master Game Report and/or Slot Cash Storage Box Report, the count room supervisor shall notify the main cage. A cashier shall enter the count room and not have any access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report. The cashier, in the presence of the banker, shall count the currency, coins, tokens, gaming chips, and mutilated or torn items.

1. Currency, coin, tokens, and gaming chips shall be presented in the count room by the banker to a main bank cashier or cage supervisor (cashier). Prior to having access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report, the cashier, in the presence of the banker, shall count the items in accordance with the following requirements:
  - i. The cashier shall have physical access to all items presented for counting and no currency presented for counting shall be wrapped or placed in any sealed bag or container until the entire count has been completed and the Master Game Report or the Slot Cash Storage Box Report has been signed by the cashier;
  - ii. The cashier shall bulk count all strapped currency. The cashier shall count all partial straps, loose currency, mutilated or torn currency and coupons, coin, tokens, and gaming chips either by hand or with an approved counting machine. If a discrepancy in an individual denomination is discovered during the initial count, the cashier shall recount the currency of that denomination either by hand or with an approved counting machine; and

- iii. The cashier shall randomly count five straps of currency for each denomination. The count shall be by hand or with an approved counting device.
2. If the total currency counted by the cashier does not agree with a total on the Master Game Report or Slot Cash Storage Box Report and the variance cannot be resolved, a Drop Variance Report shall be completed by the count room supervisor. The original shall be delivered to the Division and the duplicate placed in the locked accounting box in the count room. The report shall include, at a minimum, the following:
  - i. The date of preparation;
  - ii. The reason for the variance;
  - iii. The denomination(s) of the source of the variance;
  - iv. The amount of the variance;
  - v. The measures taken to detect the source of the variance;
  - vi. The name and signature of the count room supervisor; and
  - vii. The name and signature of the cashier.
3. Upon completion of the cashier's count, the cashier shall attest by signature on the Master Game Report and/or Slot Cash Storage

Box Report, that the amount of cash from drop boxes counted and, if applicable, the Drop Variance Report, agrees with the total amount of cash counted by the count team. Upon attestation, all items other than coupons and vouchers shall be under the exclusive control of the cashier and shall not be handled by a count team member.

(p) Once all required signatures have been obtained, an electronic copy of the totals page of the original Master Game Report and Slot Cash Storage Box Report shall be filed with the Division within 48 hours of the completion of the drop.

(q) If a count room employee generates any copy of an original Master Game Report or Slot Cash Storage Box Report, it shall be stamped "copy" by the count room supervisor.

(r) Any coupons and gaming vouchers for which the value could not be determined by the count machine or the gaming voucher system shall be segregated and placed in the locked accounting box for review.

(s) The original Master Game Report and Slot Cash Storage Box Report, after signing, and any other supporting documentation shall be placed in the locked accounting box or other approved secure device located in the count room. A member of the casino accounting department shall retrieve the contents of the locked accounting box and the gaming vouchers and coupons which were processed during the count after the cashier verifies, accepts, and removes the drop from the count room.

(t) A count room supervisor shall conduct a thorough inspection of the entire count room and all counting equipment located therein to verify that no cash, tokens, gaming chips, gaming vouchers, or coupons remain in the room. The supervisor shall sign and record the date and time of the inspection on a count room inspection log maintained in the count room.

(u) The keys shall be returned and signed in by the count room supervisor to the security department or the accounting department, as applicable, immediately following the conclusion of the count of the drop boxes or if the count room supervisor leaves the count room during the count process.

(v) Whenever unsecured currency, coins, chips, a gaming voucher, or a coupon is found inside the count room at a time other than during the count process, an electronic notification shall be submitted to the casino controller and the Division. The casino licensee shall secure the funds in the emergency box trolley or a locked container in the count room until the next count at which time the funds will be included on either the Master Game Report or Slot Cash Storage Box Report, as applicable.

**13:69D-1.33A Procedure for opening, counting and recording the contents of bill validator boxes from gaming voucher redemption machines**

(a) At least once every seven days, a casino licensee shall coordinate the removal of the bill validator boxes from all gaming voucher redemption machines and the insertion of empty, replacement bill validator boxes into the machines (the “bill validator drop”).

(b) Prior to the bill validator drop, a casino accounting supervisor shall count the number of empty bill validator boxes to be exchanged as part of the bill validator drop and confirm, in writing on a bill validator drop form, that the count equals the number of boxes scheduled to be collected. Prior to the drop, the form shall include at a minimum:

1. The date;
2. The gaming voucher redemption machine number(s) or location(s);
3. The number of boxes to be dropped; and
4. The signature of the casino accounting supervisor.

(c) A casino security department member and a casino accounting department member shall obtain the keys necessary to perform the bill validator drop from their respective departments.

(d) In the presence of the casino security department member, the accounting department member shall:

1. Place the appropriate number of empty bill validator boxes required for the bill validator drop into a secure cart;
2. Transport the cart and the boxes to the casino floor;
3. Unlock the cabinet(s) housing the bill validator boxes;
4. Exchange the bill validator boxes; and
5. Place the boxes removed in the secure cart.

(e) Immediately upon removal of each bill validator box, the gaming voucher redemption machine shall generate a receipt (Bill Validator Receipt) that documents the total value of each item (gaming vouchers, coupons and/or currency) in the bill validator box. Such receipt shall be placed into a locked accounting box by the accounting department member.

(f) Prior to the movement of the collected boxes, the casino accounting department member shall verify and confirm in writing by signing the bill validator drop form, that the number of boxes being transported from the casino floor equals the number of boxes in (b) above. Any discrepancies shall be immediately reported to the surveillance department and in writing to the Division in-house office.

(g) Accompanied by a casino accounting department member and a casino security department member, the locked cart containing the bill validator boxes shall be transported to:

1. The cashiers' cage for counting or a secure area approved by the Division under the control of the main bank or master coin bank and stored there until counted; or

2. The count room for counting only when the count of table game drop boxes or slot machine drop containers is not in progress.
- (h) The contents of the bill validator boxes shall be counted as follows:
1. If the boxes are counted in the cashiers' cage, a main bank or master coin bank cashier shall document their contents, by item and amount, on a two-part Balance Receipt.
    - i. The cashier who documents the contents of boxes shall retain the original Balance Receipt as an inventory document until forwarded directly to the casino accounting department with the main bank or master coin bank end-of-day paperwork.
    - ii. The cashier shall place the duplicate Balance Receipt in a locked accounting box.
  2. If the boxes are counted in the count room, the casino accounting department member(s) performing the count shall document the count for each individual bill validator box on a Balance Receipt. If the counting equipment documents the count of each individual bill validator box, the gaming vouchers, coupons and currency need only be documented for the entire bill validator drop and not for each individual bill validator box. At the completion of the count, a main bank or master coin bank cashier shall verify the contents on the Balance Receipt.

- i. The casino accounting department member(s) shall transport the gaming vouchers and coupons directly to the casino accounting department together with the original Balance Receipt and the supporting documentation for each bill validator box.
- ii. The main bank or master coin bank cashier shall transport the currency directly to the main bank or master coin bank together with the duplicate Balance Receipt.
  - (i) A casino licensee shall generate reports as described in its internal controls necessary to reconcile the funds placed into and dispensed by the gaming voucher redemption machines pursuant to N.J.A.C. 13:69D-1.35.

**13:69D-1.34 Table game revenue reporting requirements; keno revenue; gaming tournament revenue**

- (a) On a daily basis, a casino accounting department member shall:
1. Audit the Master Game Report generated in the count room in accordance with internal control procedures;
  2. Identify and record all adjustments as necessary to ensure the accurate reporting of gross revenue on the Master Game Report;
  3. Generate a final audited Master Game Report;
  4. Prepare a report of all adjustments over \$ 2,000 to the Master Game Report which shall be filed with the Division at month-end; and
  5. Prepare a report of all exceptions noted during the daily audit which shall be filed with the Division at month-end.

(b) If a casino licensee offers the game of poker, a casino accounting department member shall review the count room copy of the Master Game Report for the initials of the count room supervisor indicating that negative poker revenue has been reported at one or more poker tables. For each instance of negative poker revenue, the casino accounting department member shall:

1. Conduct an investigation to determine the reason that negative poker revenue was reported in consultation with, as necessary,

the table games or poker departments, the surveillance department and the security department;

2. Adjust the negative poker revenue on the Master Game Report to either:
  - i. Reflect the correct revenue amount as determined by the investigation; or
  - ii. Reflect a zero revenue amount unless the casino accounting department member determined that the negative revenue was offset by an overstated revenue amount on another gaming table or another gaming day;
3. Prepare and sign a written report detailing the results of the investigation and action taken;
4. Attach the report to the Master Game Report; and
5. Submit a copy of the written report to the Division within five days of the date of the Master Game Report.

(c) If a casino licensee utilizes one or more electronic table games whereby only cash or chip coupons are accepted and deposited in either a drop box or a bill validator and chips for buy-ins and cash-outs are processed through the table inventory, a casino accounting department member shall:

1. Generate an Electronic Table Game Daily Win Report ("ETG win report") for each table from the electronic table game system as required by the Division;
2. Compare the electronic table game system reported amount to the win or loss amount reported on the Master Game Report;
3. Prepare a monthly summary report which details the daily report comparisons;
4. Electronically file the report in (c)3 above with the Division; and
5. Unless otherwise authorized by the Division, report a month-end adjustment to increase table game revenue for each daily variance where the electronic table game system report exceeded the amount recorded on the Master Game Report.

(d) If a casino licensee utilizes an account based wagering system for electronic table game withdrawals and deposits, a casino licensee shall generate an Electronic Table Game Daily Win Report ("ETG win report") for each table from the electronic table game system as required by the Division. A casino accounting department shall report the ETG win report amounts as gross revenue in a manner approved by the Division. A casino licensee shall also generate a report (meter comparison report) on a daily basis that compares, for each electronic table game, the amounts withdrawn from and deposited to patron accounts to its corresponding

electronic transfer credit meter. A casino accounting department member shall review the meter comparison report on a daily basis, investigate each variance, and:

1. Prepare one or more summary schedules of all cashable and non-cashable electronic transfer credit variances which detail the date, the electronic table game number, the variance amount and the reason for the variance;
2. Report a manual adjustment to increase the ETG win report amount for any cashable and non-cashable electronic transfer credit withdrawal variance where the meter exceeds the patron withdrawal amount, unless the reason for the variance documented in (d)1 above is sufficient to support a determination that a patron withdrawal transaction did not occur as listed on supporting documentation; and
3. Report a manual adjustment to increase the ETG win report amount for any cashable and non-cashable electronic transfer credit deposit variance where the meter is less than the patron deposit amount, unless the reason for the variance documented in (d)1 above is sufficient to support a determination that a patron deposit transaction did occur as listed on supporting documentation.

(e) A casino licensee may, if authorized by the Division, summarize the daily variance report review required in (d) above in a manner and on a monthly schedule prescribed by the Division.

(f) If a casino licensee utilizes an electronic table game which accepts gaming vouchers or coupons enrolled in a gaming voucher system in addition to currency, the daily gaming revenue shall be reported on the Slot Win Report in accordance with N.J.A.C. 13:69D-1.43A.

(g) If a casino licensee conducts gaming tournaments in accordance with the rules of the Division, a casino accounting department member shall calculate the daily gaming tournament revenue and prepare a gaming tournament revenue report in a manner approved by the Division.

(h) A casino licensee may report a month-end adjustment to reduce table game revenue for counterfeit currency included in the daily calculation of gross revenue provided that certified Department of Treasury Counterfeit Note Reports substantiate the deduction.

(i) Any coupon deposited in a drop box shall be counted and included in the calculation of gross revenue, without regard to the validity of the coupon.

(j) If a casino licensee offers the game of keno, a casino accounting department member shall determine the daily keno win amount by comparing a win report from the keno computer system to the reconciliation of the keno drawers. The

casino licensee shall be required to report keno revenue as the higher amount unless otherwise authorized by the Division.

**13:69D-1.35 Accounting controls for automated payout machines and gaming voucher redemption machines**

(a) In conjunction with the removal of the bill validator boxes as required by N.J.A.C. 13:69D-1.33A, a casino licensee shall reconcile the contents of the gaming voucher redemption machines. In addition, at least once every seven days, automated payout machines shall be emptied and reconciled.

(b) A Currency Cassette/Coin Hopper Fill Slip (Cash Fill) shall be prepared by a main bank or master coin bank cashier whenever an automated payout machine or gaming voucher redemption machine fill is to be performed. Cash Fills shall be serially prenumbered, each series of Cash Fills shall be used in sequential order, and the series numbers of all Cash Fills received by a casino licensee shall be accounted for by the casino accounting department. All original and duplicate void Cash Fills shall be marked "VOID" and shall require the signature of the preparer.

(c) Cash Fills shall be, at a minimum, a two-part form, manually prepared or computer generated and shall contain, at a minimum, the following information:

1. The designation of the machine to which the fill is to be performed as an automated payout machine or gaming voucher redemption machine and its identification number;
2. The denomination(s) of currency and coin;
3. The total value of each denomination of currency and coin and the total number of bills and coins per denomination;

4. The total value of all currency cassette and coin hopper fills;
5. The date and time prepared;
6. The signature of the main bank or master coin bank cashier who prepared the Cash Fill attesting to the accuracy of the information thereon; and
7. The signature of the employee responsible for performing the fill.

(d) A casino accounting department employee with no incompatible function completing the fill shall receive the currency cassettes, currency cassette reject bins, coin hoppers, or coin hopper fills from the cashier. The main bank or master coin bank cage cashier shall maintain the original Cash Fill, and the employee performing the fill shall retain the duplicate until the fill is completed.

(e) The employee performing the fill shall sign out one or more keys that provide access to the machine's cassettes from a cage supervisor in accordance with the casino licensee's sign-out and sign-in procedures.

(f) The employee performing the fill shall:

1. Remove any currency cassettes, currency cassette reject bin, coin hoppers or coin and cause the machine to generate a receipt (Credit Receipt) that, at a minimum, includes:

- i. The designation of the machine as an automated jackpot payout machine or gaming voucher redemption machine and its identification number;
  - ii. The date and time;
  - iii. The denomination of the currency or coin for each cash cassette or coin hopper being replaced or coin hopper being filled; and
  - iv. The total value of the cash, or the total number of bills or coin per denomination remaining in each currency cassette, currency cassette reject bin and coin hopper being replaced or filled;
2. Insert the replacement currency cassettes, currency cassette reject bin, coin hoppers or coins into the machine; and
3. Enter data into the machine's computer that describes the fill, and cause the machine to print a corresponding receipt (Fill Receipt) that, at a minimum, includes:
  - i. The designation of the machine as an automated jackpot payout machine or gaming voucher redemption machine and its identification number;
  - ii. The date and time the fill was performed;

- iii. The denomination of currency or coin for each currency cassette, coin hopper or coin being inserted into the machine; and
- iv. The total value of the cash, or the total number of bills or coins per denomination, for each currency cassette, coin hopper or coin being inserted into the machine.

(g) The employee performing the fill shall lock the cabinet and sign the duplicate copy of the Cash Fill a second time attesting that the fill was completed. The Fill Receipt and the Credit Receipt shall then be attached to the duplicate copy of the Cash Fill and deposited in a locked accounting box.

(h) The employee performing the fill shall return all removed currency cassettes, currency cassette reject bins, coin hoppers, and coin to the main bank, master coin bank, or other location approved by the Division. The key shall be returned to the cage supervisor.

(i) A main bank or master coin bank cashier or an accounting department employee with no incompatible function shall count and document the value of the contents of each removed currency cassette, currency cassette reject bin, and removable coin hopper, and any returned coin, on a two-part receipt (Balance Receipt).

(j) The original Balance Receipt shall be forwarded to the main bank or master coin bank as an accountability document. The duplicate Balance Receipt shall be placed in a locked accounting box.

(k) Any manual slot payout funded from an automated payout machine, but subsequently voided due to a slot machine malfunction or any other reason, shall be deposited with a main bank or master coin bank cashier and recorded and documented.

(l) At the end of each gaming day, at a minimum, all forms required by this section shall be forwarded as follows:

1. The original Cash Fills and Balance Receipts shall be forwarded to the casino accounting department; and
2. The duplicate Cash Fills with the attached Fill Receipts, the duplicate Balance Receipts and, if applicable, the attached Credit Receipts and Bill Validator Receipts, shall be collected from the locked casino accounting boxes by a casino accounting department employee and returned to the casino accounting department.

(m) In accordance with (a) above, a main bank or master coin bank cashier or supervisor thereof shall obtain a report (Inventory Report) from each automated payout machine and gaming voucher redemption machine in order to determine the starting inventory amount for the machines.

1. The Inventory Report shall include, at a minimum:
  - i. The date the report was generated;
  - ii. An indication whether the machine is an automated payout machine or gaming voucher redemption machine and the identification number of the machine; and
  - iii. The total amount of cash paid from the machine during the gaming day, and the cash inventory balance remaining in the machine at the end of the gaming day;
2. The information shall be reconciled with any Cash Fills and the net total from the Inventory Report shall be the starting inventory amount for the automated payout machine or gaming voucher redemption machine; and
3. Once the net total figure has been determined, it shall be recorded as part of the inventory of the main bank or master coin bank cashier and forwarded directly to casino accounting.

(n) The casino accounting department shall generate a report or reports (Automated Payout Machine Journal Report) from each automated payout machine or related computer that documents each transaction conducted at the machine and shall also generate an independent report (Manual Slot Payout Report) from the casino licensee's slot monitoring system which includes, at a minimum, as to each manual slot

payout dispensed by an automated payout machine, the time and date, the asset number of the slot machine, the amount of the manual slot payout, and whether the manual slot payout was a jackpot, a progressive jackpot, or a credit meter payout. The casino accounting department shall confirm that:

1. The value of the currency cassette and coin hopper fills, as set forth on the Automated Payout Machine Journal Report, agrees with the values recorded on the original Cash Fills, Fill Receipts, and the value of fills recorded on the main bank and/or master coin bank closeout form;
2. The value of cash remaining in removed currency cassettes, currency cassette reject bins, coin hoppers and any returned coin, as set forth on the Automated Payout Machine Journal Report, agrees with the values recorded on the Credit Receipts and Balance Receipts and main bank and/or master coin bank closeout form; and
3. The value of cash dispensed, as set forth on the Automated Jackpot Payout Machine Journal Report, agrees with the values recorded on the original Jackpot Payout Slips and the Manual Slot Payout Report.

(o) The casino accounting department shall generate a report or reports (Gaming Voucher Redemption Machine Journal Report) from each gaming voucher

redemption machine or related computer that documents each transaction conducted at the machine, and confirm that:

1. The value of currency cassette and coin hopper fills, as set forth on the Gaming Voucher Redemption Machine Journal Report, agrees with the values recorded on the original Cash Fills, Fill Receipts, and the value of fills recorded on the main bank and/or master coin bank closeout form; and
2. The value of cash remaining in removed currency cassettes, currency cassette reject bins, coin hoppers and any returned coin, as set forth on the Gaming Voucher Redemption Machine Journal Report, agrees with the values recorded on the Credit Receipts, Balance Receipts and main bank and/or master coin bank closeout form.

(p) The casino licensee shall be required to count and verify all currency in each currency cassette at least once every seven days and all coin in each coin hopper at least once a month, by removing all currency and coin from each currency cassette, currency cassette reject bin and coin hopper and reconciling the cash contained therein and all transactions.

(q) Any variance of \$ 500.00 or more shall be documented by the accounting department and reported in writing to the Division within 72 hours of the end of the gaming day during which the variance was discovered. The report shall indicate the

cause of the variance and shall contain any documentation required to support the stated explanation.

**13:69D-1.36 Slot machines and bill changers; coin and slot token containers; slot cash storage boxes; entry authorization logs**

- (a) Each slot machine which accepts coin or tokens shall have:
1. A container, to be known as a payout reserve container ("hopper"), in which coins or slot tokens are retained by the slot machine to automatically dispense coins or slot tokens to pay jackpots or credits remaining on a slot machine, or to automatically replenish another hopper in the slot machine with coins or slot tokens. The slot machine shall be designed to divert accepted coins or slot tokens that exceed the amount of the initial hopper fill from the hopper to the slot drop bucket or, if applicable, the slot drop box;
  2. A container, known as a slot drop bucket or slot drop box, to collect coins or slot tokens that are retained by the slot machine and are not used to make change or automatic jackpot payouts. Each slot drop bucket or slot drop box shall be identified by a number which corresponds to the asset number of the slot machine, and which is permanently imprinted on or affixed to the outside of the slot drop bucket or slot drop box in numerals. The number shall be conspicuous and clearly visible to persons involved in removing or replacing the slot drop bucket or slot drop box in the slot machine and through the casino licensee's closed

circuit camera coverage system. The size and location of the number are subject to prior approval by the Division. In addition to bearing an asset number, each slot drop bucket or slot drop box may also be identified by a bar code label that is securely affixed thereto. Each bar code label affixed to a slot drop bucket or slot drop box shall be:

- i. Encoded, at a minimum, with the asset number of the slot machine in which the slot drop bucket or slot drop box is housed; and
  - ii. Prepared in accordance with a casino licensee's internal controls, which controls shall require, without limitation, the completion of a Bar Code Label Request Form that is signed by the requester and the preparer; provided, however, that a bar code label prepared by a member of the count team shall be tested and verified by a count room supervisor or representative of the casino accounting department other than a member of the count team, prior to the label being attached to the slot drop bucket or slot drop box; and
3. On those slot machines which include a bill changer, a secure, tamper-resistant container known as a slot cash storage box, in

which shall be deposited all currency, gaming vouchers, and coupons inserted into the bill changer.

(b) A slot drop bucket shall be housed in a secure compartment separate from any other compartment of the slot machine. Access to the compartment shall be by two keys, both of which are different from each other and different from the keys utilized to secure all other compartments of the slot machine. One key shall be maintained and controlled by the casino security department and the other key shall be maintained by the casino accounting department in a secure area within that department. Access to the key may be gained only by a supervisor of the department and shall require the use of a sign-in and sign-out procedure.

(c) Any slot machine equipped to accept slot tokens in denominations of \$ 25.00 or more shall utilize a slot drop box, rather than a slot drop bucket.

(d) A slot drop box shall have:

1. A slotted opening through which coins and slot tokens can be deposited;
2. A device that will automatically close and lock the slotted opening upon removal of the slot drop box from the slot machine; and
3. A key securing the contents of the slot drop box which is different from the keys utilized to secure all other compartments of the slot machine. The key shall be maintained and controlled by the

accounting department in a secure area within that department.

Access to the key may be gained only by a supervisor in that department and shall require the use of a sign-in and sign-out procedure.

(e) A slot drop box shall be housed in a locked compartment separate from any other compartment of the slot machine. The compartment in which the slot drop box is located shall be secured by a key, which shall be different from the key securing the contents of the slot drop box and any other compartment of the slot machine. The compartment key shall be maintained and controlled by the casino security department in a secure area within that department. Access to the key may be gained only by a supervisor in that department and shall require the use of a sign-in and sign-out procedure.

(f) Each slot cash storage box shall:

1. Have a key securing the contents of the slot cash storage box which is different from the keys utilized to secure all other compartments of the slot machine. The key shall be maintained and controlled by the accounting department in a secure area within that department. Access to the key may be gained only by a supervisor in that department and shall require the use of a sign-in and sign-out procedure;

2. Have a slot opening through which currency, gaming vouchers and coupons can be inserted into the slot cash storage box;
3. Have a mechanical arrangement or device that prohibits removal of currency, gaming vouchers and coupons from the slot opening whenever the slot cash storage box is removed from the bill changer;
4. Be fully enclosed, except for such openings as may be required for the operation of the bill changer or the slot cash storage box; provided, however, that the location and size of such openings shall not affect the security of the slot cash storage box, its contents or the bill changer; and
5. Have an asset number that is permanently imprinted, affixed or impressed on the outside of the slot cash storage box which corresponds to the asset number of the slot machine to which the bill changer has been attached. In lieu of the asset number, a casino licensee may develop and maintain, in accordance with its internal controls, a system for assigning a unique identification number to its slot cash storage boxes. The asset number or unique identification number must be conspicuous and clearly visible to persons involved in removing or replacing the slot cash storage box in the bill changer and through the casino licensee's

closed circuit television system. In addition to bearing an asset number or unique identification number, each slot cash storage box may also be identified by a bar code label that is securely affixed thereto. Each bar code label affixed to a slot cash storage box shall be:

- i. Encoded, at a minimum, with the asset number of the slot machine in which the slot cash storage box is housed; and
- ii. Prepared in accordance with a casino licensee's internal controls, which controls shall require, without limitation, the completion of a Bar Code Label Request Form that is signed by the requester and the preparer; provided, however, that a bar code label prepared by a member of the count team shall be tested and verified by a count room supervisor or representative of the casino accounting department other than a member of the count team, prior to the label being attached to the slot cash storage box.

(g) The area in which the slot cash storage box is located shall be secured by a key and separate from and accessible independently of any other compartment of the slot machine, the slot drop bucket or the slot drop box. The key to the lock securing the area where the slot cash storage box is located shall be different from the key securing

the contents of the slot cash storage box. The compartment key shall be maintained and controlled by the casino security department or the slot department in a secure area within that department. Access to the key may be gained only by a supervisor in that department; provided, however, if the slot department controls the key, the slot department supervisor may issue the key to a casino security department supervisor, who may give it to appropriate casino security department personnel only for the purpose of participating in the transportation of slot cash storage boxes. Access to the key shall require the use of a sign-in and sign-out procedure.

(h) Except as otherwise provided above in this section, keys to each slot machine, or any device connected thereto which may affect the operation of the slot machine, including, without limitation, keys that activate a jackpot-to-credit-meter switch, shall be maintained in a secure place and controlled by the slot department. Access to the keys shall require the use of a sign-in and sign-out procedure.

(i) Any key removed from a department's secure area pursuant to (b), (d), (e), (f), or (g) above, shall be returned no later than the end of the shift of the department member to whom the key was issued, and the department shall establish a sign-out and sign-in procedure for all such keys removed.

(j) Unless a computer which automatically records the information required below is connected to the slot machines in the casino, as specified in the casino licensee's internal controls, the following entry authorization logs shall be maintained by the casino licensee:

1. Whenever a slot machine, or any device connected thereto which may affect the operation of the slot machine, is opened, with the exception of a bill changer, certain information shall be recorded on a "Machine Entry Authorization Log." The information shall include, at a minimum, the date, time, purpose of opening the machine or device, and the signature of the authorized employee opening the machine or device. The Machine Entry Authorization Log shall be maintained in the slot machine and shall have recorded thereon a sequential number and a manufacturer's serial number or the asset number of that slot machine;
2. Whenever a progressive controller not housed within the cabinet of a slot machine is opened, the information specified in (j)1 above shall be recorded on a "Progressive Entry Authorization Log." The Progressive Entry Authorization Log shall be maintained in the progressive unit and shall have recorded thereon a sequential number and serial number of the progressive controller;
3. With the exception of the transportation of slot cash storage boxes, whenever a bill changer, other than a separate slot cash storage box compartment, is opened, certain information shall be recorded on a "Bill Changer Log." The information shall include, at

a minimum, the date, time, purpose of opening the bill changer, and the signature of the authorized employee opening the bill changer. The Bill Changer Log shall be maintained in the bill changer and shall have recorded thereon a sequential number and the serial number or asset number of the bill changer. If the bill changer is contained completely within the cabinet of a slot machine and there is no separate access to the bill changer unit, the information may be recorded on the Machine Entry Authorization Log required by (j)1 above, provided that any information that concerns the opening of the bill changer may be distinguished from any information that concerns the opening of the slot machine or any other device connected thereto; and

4. Whenever a printer for an approved gaming voucher system is accessed, the date, time, purpose of such access, and the signature of the authorized employee shall be recorded in the log required by either (j)1 or 3 above, or a separate log.

**13:69D-1.36A Slot machines; hopper storage areas**

(a) A hopper storage area may be used in connection with the operation of a slot machine, for the purpose of temporarily storing coins, prize tokens, or slot tokens that are to be deposited only into the slot machine's hopper that corresponds with the coin or type of token stored in the hopper storage area.

(b) A hopper storage area shall be a separate secure compartment located within or adjacent to its corresponding slot machine. A single hopper storage area may be used to store hopper fills for two or more slot machines. A hopper storage area used to supply two or more slot machines shall:

1. Be located on the casino floor in close proximity to its corresponding slot machines; and
2. Contain a separate marked compartment for each corresponding slot machine, so that all hopper fills stored in the hopper storage area can be segregated and identified by slot machine.

(c) Each hopper storage area shall:

1. Be constructed so as to provide maximum security for the coins or tokens stored in it;
2. Be secured by two separate locks, the keys to which shall be different from each other. One of the keys, which may be the same as the key which opens the slot machine corresponding to that hopper storage area, shall be maintained and controlled by the slot department. The other key, which shall be different from

the key securing the corresponding slot machine, shall be maintained and controlled by the security department, in a secure area within that department, and access to that key may be gained only by a supervisor in that department. The key from this area shall be returned no later than the end of the shift of the department member to whom the key was issued, and upon the approval of a supervisor of that department, and entry of the following information into a log:

- i. The signature of the department member to whom the key was issued;
  - ii. The signature of the supervisor authorizing such issuance;
  - iii. The date and time issued; and
  - iv. The date and time replaced; and
3. Include a device that indicates when the door of the hopper storage area is open.

(d) Hopper storage areas shall be filled and utilized in accordance with the rules of the Division and a casino licensee's system of internal controls. No hopper storage area and no compartment within a hopper storage area that supplies two or more slot machines shall contain more than triple the hopper inventory level of each of the hoppers in its corresponding slot machine.

**13:69D-1.37 Account based wagering system procedures**

(a) A casino licensee may operate an electronic account based wagering system which permits a patron to upload and download efunds.

1. A casino licensee may have a complimentary efund program, which shall have internal controls that include:
  - i. Audit programs that, at a minimum, shall only permit data to be adjusted by authorized casino personnel;
  - ii. Procedures for handling customer disputes; and
  - iii. If applicable, the manner in which a patron access control is obtained from a New Jersey or out-of-State affiliate of the casino.
2. A casino licensee may issue efunds that are cashable or non-cashable, whether as a complimentary, in exchange for a gift card, or otherwise purchased by a patron in accordance with internal controls. If a slot machine has both cashable and non-cashable efunds available for play, all non-cashable efunds shall automatically be wagered before any cashable efunds are wagered.

(b) All aspects of an account based wagering system, including all hardware and software utilized therein, shall be subject to testing and approval by the Division.

(c) The internal audit department shall be responsible for testing a designated sample of electronic gaming devices on an annual basis to ensure the accuracy, integrity, and suitability of the system in accordance with an audit program approved by the Division prior to implementation of account based wagering.

(d) A casino accounting department employee shall review the reports required by N.J.A.C. 13:69E-1.37A and report the daily revenue amounts in accordance with the rules of the Division.

(e) Upon the request of a patron, each casino licensee using an electronic account based wagering system shall make available a monthly statement to each patron which shall include balance and any activity on the account during the statement period.

(f) Any slot machine or table game that utilizes non-cashable efunds, as well as all written promotional materials and application forms relating to such efunds shall disclose all restrictions upon the use of non-cashable efunds. Such disclosure shall, at a minimum, provide notice that a non-cashable efund transfer:

1. Cannot be converted into cash by a patron; and
2. Is automatically wagered before any cashable efunds are wagered.

**13:69D-1.37A Slot machines; tokenization; residual slot credit**

(a) A slot machine equipped with tokenization shall accept only slot tokens with a denomination of \$1.00 or less if the residual slot credit cannot be redeemed.

(b) Any residual slot credit not played or redeemed by a patron shall be deemed abandoned; provided, however, that any such credit shall remain on the slot machine until:

1. Played or redeemed by a patron; or
2. Cancelled by the casino licensee in a manner approved by the Division.

(c) Any slot machine equipped with tokenization shall bear the notices required by the rules of the Division.

(d) A casino licensee using slot machines equipped with tokenization shall maintain internal controls that set forth the manner in which tokens from different denominations of tokenized machines will be segregated, counted and recorded by denomination of slot machine including, but not limited to, the following requirements:

1. The front and back of slot drop buckets and slot drop boxes for slot machines equipped with tokenization shall be conspicuously marked in a manner approved by the Division to identify the fact that the slot machine is equipped for tokenization, as well as the denomination of that slot machine; and
2. If a casino licensee offers slot machines which are equipped for tokenization and other slot machines which accept tokens but are

not so equipped, the slot drop buckets and slot drop boxes from slot machines equipped with tokenization shall be segregated from all slot drop buckets and slot drop boxes from slot machines which accept tokens of the same denomination but are not so equipped, from the time they are removed from a slot machine until the contents of the slot drop buckets and slot drop boxes are counted.

**13:69D-1.37B Testing of electronic gaming devices on the casino floor**

(a) For purposes of this section:

1. "Test currency" means currency, coin or tokens, coupons, or gaming vouchers issued by a casino licensee to a slot department or Internal Audit department employee to test gaming equipment;
2. "Electronic test credits" means efunds deposited to a test account established by the IT department solely for testing electronic gaming devices; and
3. "Employee test card" means a card issued to a designated employee through an approved slot monitoring system that electronically tracks the identity and activity of the designated employee at each electronic gaming device while the card is in use.

(b) Prior to using test currency or electronic credits, a licensee shall establish internal controls designed to ensure the safeguarding of assets. Such internal controls shall, at a minimum:

1. Prescribe procedures for the issuance of test currency from the casino cage including the use of a two-part Test Currency form to document the issuance and return of test currency. The original

Test Currency form shall be retained by the cage cashier and the duplicate distributed to the receiving slot department or internal audit employee;

2. Require that no more than one test account be activated for an employee at any time;
3. Require the use of an employee test card for testing a gaming device which shall be inserted into the device prior to inserting test currency or using electronic credits and shall not be removed until completion of testing and, if applicable, credits remaining on the credit meter have been cashed out or transferred to the test account;
4. Prescribe procedures for the disposition of slot machine lock ups;
5. Prescribe procedures for the return of test cards and deactivation of test accounts;
6. Prescribe procedures for the return of test currency and the Test Currency form to the casino cage prior to the end of the slot department or internal audit employee's shift; and
7. Prescribe procedures for auditing testing activity by casino accounting to ensure the accountability of test currency and that there is no negative impact on gross revenue.

(c) Gaming vouchers created by an electronic gaming device during testing may be used to test other electronic gaming devices. Gaming vouchers created, but not used for testing other electronic gaming devices, shall be returned to the cage and voided or redeemed by a cage supervisor pursuant to internal controls.

**13:69D-1.38 Gaming tables; slot machines and bill changers; movement; removal from a casino floor**

(a) All gaming table, electronic table game, and slot machine movements shall comply with the requirements of this section and N.J.A.C. 13:69C-7.7.

(b) Prior to moving or removing a gaming table, including an electronic table game that accepts chips:

1. The table inventory shall be credited from the table;
2. The table drop box or slot cash storage box shall be removed during a scheduled drop box pick-up and a replacement box not placed on the table; and
3. If applicable, all meters shall be read and recorded in conformity with the rules of the Division.

(c) Prior to moving or removing a slot machine or electronic table game that accepts gaming vouchers:

1. The machine's slot drop container(s) and hopper contents shall be removed during scheduled slot drop container pick-ups. Any hopper contents shall be placed in the corresponding slot drop box or slot drop bucket, as applicable;
2. All meters shall be read and recorded in conformity with the rules of the Division;

3. Any coins or slot tokens in any of the slot machine's corresponding hopper storage area shall be removed, transported, and counted;
4. Any credits remaining on the slot machine shall be cancelled; and
5. The machine entry authorization log shall be:
  - i. Retained with the slot machine if the slot machine is being relocated on the casino floor;
  - ii. Retained with the slot machine if the slot machine is being temporarily removed from the casino floor; or
  - iii. Forwarded to either casino accounting department or the slot department if the slot machine is being removed from the casino floor, in accordance with the licensee's internal controls.

**13:69D-1.39 Progressive slot machine jackpots**

(a) A slot machine may offer one or more progressive jackpots that increase in value as the machine is played based upon a set rate of progression, and is awarded for a specific game outcome.

(b) When a progressive controller does not reside within the main program of a slot machine, the controller shall either be sealed by the Division or stored in a compartment or cabinet which has two separate locks. The key to one lock shall be maintained and controlled by the security department, and the key to the second lock shall be maintained and controlled by the slot department. Compartments or cabinets shall contain a progressive entry authorization log in accordance with N.J.A.C. 13:69D-1.36(j).

(c) Whenever the progressive controller has been accessed, written notification shall be provided to the Division.

(d) Except as permitted by (m) below, a linked progressive slot machine shall:

1. Be of the same denomination and have the same probability of winning the progressive jackpot as every other linked slot machine connected to the progressive display unit;
2. Require the same invested amount to entitle the player to a chance at winning the progressive jackpot;

3. Require each wager to increment the progressive display(s) by the same rate of progression as every other linked slot machine connected to the progressive display(s); and
4. Provide clear notice to the patron that the slot machine being played is incrementing the value(s) listed on the display(s).

(e) If a progressive slot machine does not contain an individual progressive display, it shall be connected to an external progressive display. An external progressive display shall be in a clear line of sight to each patron playing a slot machine incrementing the display.

(f) Prior to establishing or modifying a progressive jackpot, the casino licensee or, as applicable, the slot system operator shall submit to the Division's Technical Services Bureau notification (Division form known as "Appendix E"), which shall include the following:

1. A description of the progressives offered and the specific reason for the notification;
2. The initial and reset amounts for each progressive jackpot;
3. The rate of progression for each progressive jackpot;
4. The location and asset number of each slot machine;
5. Each slot machine game program used;

6. The progressive reserve rate if applicable;
  7. The jackpot limit, if applicable;
  8. Theoretical RTP;
  9. The calculated probability of winning each progressive jackpot;
  10. The reset dollar threshold at which the progressive jackpot is expected to exceed \$ 5,000 prior to being won;
  11. A statement as to whether the slot machine requires the progressive feature to achieve at least 83 percent RTP; and
  12. Identifying information of the progressive controller, which shall include the following, if applicable:
    - i. The location;
    - ii. The manufacturer;
    - iii. The model; and
    - iv. The software version.
- (g) No progressive display shall be turned back to a lesser amount unless:
1. The amount indicated has been paid to a winning patron;
  2. The progressive jackpot amount won by the patron has been recorded in accordance with a system of internal controls;

3. The change is necessitated by a slot machine or meter malfunction, in which case:
  - i. An explanation shall be entered on the Progressive Slot Summary required in (o) below;
  - ii. The change shall be authorized by casino accounting; and
  - iii. Prior notification shall be provided to the Division's Technical Services Bureau;
4. The patron has opted to risk the progressive award as permitted by the rules of the slot machine game; or
5. The jackpot has been removed or transferred in a manner consistent with Division rules.

(h) The probability of winning a progressive jackpot shall not be decreased unless the progressive jackpot has been won by a patron or the progressive jackpot is transferred.

(i) A casino licensee or slot system operator may, upon approval of the Division, transfer all or part of a progressive jackpot to any other progressive display upon the expiration of a minimum 10-day public notice, provided, however, the transferred amount shall at a minimum include all patron contributions.

(j) A casino licensee may, upon approval of the Division, discontinue offering the progressive jackpot after having been won if:

1. Public notice was provided prior to the winning of the progressive jackpot; and
2. The slot machines that offered the progressive jackpot are shut down or rendered unplayable.

(k) A casino licensee may establish a progressive payout limit, upon approval of the Division, prior to the time that the limit is registered on the progressive display.

(l) A casino licensee or a slot system operator may, with 24-hour advance notice to the Division, reduce the number of slot machines in a progressive link provided that:

1. At least one slot machine offering the same progressive jackpot remains; and
2. The reduction is authorized pursuant to a multi-casino progressive slot system agreement, if applicable.

(m) Linked progressive slot machines may be of different denominations and/or have different minimum wagers required to win the progressive jackpot, provided that:

1. The probability of winning the progressive jackpot is directly proportional to the minimum wager required to win that jackpot. For example, if on the same link, a nickel slot machine requires 20 coins (a \$ 1.00 wager), a quarter slot machine requires eight coins (a \$ 2.00 wager), and a dollar slot machine requires three coins (a \$ 3.00 wager) to win the progressive jackpot, then the probability of a winning wager must be three times more likely on a linked dollar machine than on the linked nickel machine, and twice more likely on a linked quarter machine than on the linked nickel machine. Similarly, if among three linked quarter denomination slot machine games, the first required two coins (a \$.50 wager), the second required four coins (a \$ 1.00 wager) and the third required eight coins (a \$ 2.00 wager) to play for the progressive jackpot, then on each handle pull, the probability of winning the jackpot would be twice more likely on the second machine than on the first machine, and four times more likely on the third machine than on the first machine; and
2. The probability of winning a progressive jackpot offered on linked slot machines may vary among such machines when necessary to enable a casino licensee or the slot system operator to institute a change in the probability which is otherwise permitted by this

section, if the change is completed expeditiously in accordance with procedures that have been approved by the Division.

(n) The slot department shall notify casino accounting of each slot machine which has one or more progressive jackpots expected to exceed \$ 5,000 prior to being won. At least once every seven calendar days, a casino accounting department or slot department member shall record on a Progressive Slot Summary, the amount indicated on any progressive display expected to exceed \$ 5,000. The Progressive Slot Summary shall be signed by the preparer. A representative of the casino accounting department shall, within one gaming day, calculate the amount that should appear on the primary progressive display and notify the Division of any necessary adjustment. The calculated amount shall be compared to the amount on the Progressive Slot Summary. If the amounts do not agree, a casino accounting member shall calculate the progressive display value for all progressive jackpot levels recorded on the Progressive Slot Summary for that stand alone slot machine or progressive link, as applicable.

(o) If an adjustment to a progressive meter is necessary, a casino accounting representative shall notify the slot department of the value of the adjustment to be made within 24 hours. Documentation supporting the adjustment shall be maintained by casino accounting, which shall include, at a minimum:

1. The date;
2. The asset number of the slot machine;

3. The amount of the adjustment; and
4. The signature of the slot department member making the adjustment.

(p) A stand alone progressive slot machine or one or more slot machines on a progressive link may be temporarily disabled or removed from the casino floor with prior notification to the Division's Technical Services Bureau. Unless otherwise approved by the Division, the slot machines shall be restored within 10 gaming days. When restored, the amount which appears on the progressive display shall not be less than the amount that appeared on the progressive display(s) at the time they were disabled or removed.

(q) A casino licensee may terminate a stand alone progressive jackpot or local area progressive jackpot prior to being won or transferred by providing a minimum of 30 days advance public notice. The notice shall conspicuously state that the progressive jackpot will terminate on a specified date if not won by that time. Any progressive jackpot game theme and denomination that is terminated prior to being won or transferred shall be permanently removed from the casino.

(r) A WAP controlled by a system operator may be terminated only after having been won or after the progressive jackpot is transferred to another WAP.

(s) Secondary jackpots that reside on a slot machine connected to a WAP, but independent of the jackpot offered through the WAP, may be made static or terminated in accordance with this section.

(t) All public notices required by this section shall be conspicuously placed on the progressive slot machine or progressive display and notification shall be made to the Division's Technical Services Bureau at the time that the notice is provided to the public.

**13:69D-1.39A Linked slot machines interconnected in more than one casino; slot system operator; computer monitoring room**

- (a) Two or more casino licensees may, with the prior approval of the Division, operate a wide area progressive (WAP).
- (b) Each WAP shall be operated and administered:
1. By the participating casino licensees in accordance with the terms of a written slot system agreement that has been executed by each participating casino licensee and approved by the Division;  
or
  2. In whole or in part, by a casino service industry enterprise applicant or licensee on behalf of the participating casino licensees provided that a written slot system agreement is executed by the casino service industry enterprise.
- (c) The person or persons designated in a slot system agreement responsible for the operation and administration of a WAP shall be referred to as a slot system operator.
1. More than one slot system operator may be involved in the operation and administration of a WAP. A slot system operator may be involved in the operation and administration of more than one WAP.

- i. If more than one slot system operator is involved in the operation and administration of a particular WAP, there may be more than one slot system agreement with regard to that WAP; and
  - ii. Each participating casino licensee shall be a party to all slot system agreements for a particular WAP.
2. An agreement between a slot system manufacturer and a casino licensee pursuant to which the slot system manufacturer agrees to sell, lease, or service, but not operate or administer, WAP components shall not be considered a slot system agreement. A separate agreement may be entered between the slot system manufacturer and each casino licensee participating in the WAP.

(d) Each slot system agreement shall specifically identify and describe the role, authority, and responsibilities of each participating casino licensee and each slot system operator in the conduct of the WAP. The agreement shall include:

1. A description of the process by which significant decisions that affect the operation of the game are approved and implemented by each casino licensee or slot system operator;

2. If applicable, the casino licensee or slot system operator responsible for establishing and serving as trustee of a trust for a WAP offering an annuity jackpot;
3. The casino licensee or slot system operator initially responsible for the funding and payment of all jackpots, fees, and taxes associated with the operation of the WAP; and
4. The casino licensee or slot system operator responsible for generating, maintaining and filing all records and reports required by the Act and rules of the Division.

(e) Each party to a slot system agreement shall only be liable for acts, omissions and violations of the Act or the rules of the Division related to its own individual responsibilities under the slot system agreement, unless the slot system agreement specifically provides for joint and several liability.

(f) Each casino licensee or slot system operator seeking approval to participate in a WAP shall submit to the Division a system of accounting and internal controls specifying the manner in which the participating casino licensees and slot system operators will satisfy the requirements of the Act and the Division's regulations concerning the operation of slot machines and WAPs. The internal controls shall include a list of each employee of the casino service industry enterprise serving in a slot system operator position title.

(g) Each WAP shall be controlled and operated from a computer monitoring room approved by the Division. The computer monitoring room for a WAP shall:

1. Be under the sole possession and control of, and maintained and operated by, employees of the slot system operator designated in the slot system agreement for that slot system;
2. Have continuous clandestine CCTV coverage of the operation of the slot system and its equipment by:
  - i. The surveillance department of a casino licensee designated in the slot system agreement for that slot system (the "surveillance casino"); or
  - ii. A video surveillance system maintained in a secure area of the computer monitoring room that is accessible only in accordance with internal controls submitted to the Division and which, at a minimum:
    - (1) Provide continuous dedicated CCTV coverage to the Division;
    - (2) Continuously record the transmissions of the CCTV system and be capable of superimposing the time and date of the transmission on each recording;and

- (3) Require the secure retention of the recordings made by the CCTV system on tape or other storage media for a period of no less than 30 days or for such longer period as may be directed by the Division if particular recordings are determined by the Division to be of evidentiary value;
3. Maintain a video surveillance system in a location approved by the Division for the purposes of providing coverage as required herein in an emergency situation;
4. Be accessible only through a locked door, which door shall be equipped with an alarm device that signals either the CCTV monitoring room of the surveillance casino, if the computer monitoring room is operated pursuant to (h)2i above, or the employees of the slot system operator, if operated pursuant to this section, whenever the door to the computer monitoring room is open;
5. Have a Computer Monitoring Room Entry Log, which Log shall be:
  - i. Kept in the computer monitoring room;

- ii. Maintained in a book with bound numbered pages that cannot be readily removed or in an electronic format as approved by the Division; and
  - iii. Signed by each person whose presence is not expressly authorized and identified in the internal controls of the computer monitoring room slot system operator, with each Log entry containing, at a minimum, the following information:
    - (1) The date and time entering the computer monitoring room;
    - (2) The entering person's name, his or her department or employer and, if applicable, his or her employee license number;
    - (3) The reason for entering the computer monitoring room;
    - (4) The name of the person authorizing the person's entry into the computer monitoring room; and
    - (5) The date and time of exiting the computer monitoring room;
6. Be readily accessible to Division personnel 24 hours a day;

7. Be in a location within Atlantic County, New Jersey approved by the Division;
8. Be housed in a facility approved by the Division that is owned or leased by a slot system operator;
9. Be designed in a manner that assures that the multi-casino progressive slot system shall not be disrupted; and
10. Comply with the requirements of N.J.A.C. 13:69D-2.

(h) A system operator may, with Division approval, establish a secondary remote computer monitoring room that is located outside of Atlantic County, used to duplicate all or some of the processes controlled by the computer room located in Atlantic County, and for disaster recovery, data collection, and system integrity. It may also be used to identify potential system malfunctions provided that only the employees of the computer room located in Atlantic County are authorized to respond to service calls and issues pertaining to Atlantic City casinos. The secondary location shall be supervised by an employee licensed or registered by the Division and the location shall be accessible to employees of the Division.

**13:69D-1.40 Payouts from electronic gaming devices**

(a) Whenever a lock up of less than \$ 75,000 occurs on an electronic gaming device, with a payout other than merchandise, annuity, multi-casino, or multi-state payout, a casino licensee shall process one of the following Requests for Payout ("Request") for the winning patron:

1. Hand Pay;
2. Transfer to Credit Meter;
3. Pouch Payout;
4. Credit Owed Slip; or
5. Payout Receipt.

(b) The Request shall include the following:

1. The date and time;
2. The asset number and location of the electronic gaming device;
3. The amount of the payout;
4. The winning combination or notation of a credit meter payment;
5. The type of payout; and
6. The signature or identification code of the preparer.

(c) Payout Slips shall be sequentially numbered, each series of which shall be accounted for by casino accounting department employees with no incompatible functions. All original and duplicate void Payout Slips shall be marked "VOID" and shall require the signature of the preparer.

1. Manually prepared Payout Slips shall be a three-part form attached in a manner that permits each form to be written on simultaneously and allows for the removal of the original and the duplicate, and maintains the triplicate in a secure manner.
2. Computer generated Payout Slips shall consist of an original and duplicate, and all information thereon, other than the serial number of any casino check used as payment, shall be maintained in stored data as the triplicate. The stored data shall not be susceptible to change or removal after preparation of a Payout Slip.

(d) A Payout Slip shall include, at a minimum, the following information:

1. The asset number and location of the electronic gaming device;
2. The winning combination or notation that it was a credit meter payout;
3. The date and time of preparation;
4. The amount;

5. The method of payment (for example, cash, slot tokens, casino check, gaming voucher, or gaming chips);
6. A notation of a cash payout in lieu of or in combination with a merchandise jackpot, if applicable;
7. A notation of an override, if applicable;
8. The cashiering location;
9. The serial number of any casino check issued; and
10. The signatures or, if computer prepared, identification codes as required by this section.

(e) If a lock up is processed by a Hand Pay, a slot attendant or above shall prepare a Request electronically at the slot machine or manually. If a payout amount is not viewable within the slot monitoring system prior to the generation of the Payout Slip ("blind entry"), a lock up verifier shall not be required. If the payout amount is viewable, a lock up verifier shall be required for a payout exceeding \$ 2,500. If the amount of the lock up being processed does not agree to the lock up electronic signal amount in the slot monitoring system, a slot supervisor or above with no incompatible function shall determine the amount to be paid to the patron from the display of the electronic gaming device. The slot supervisor shall authorize the transaction as an override, provided, however, the supervisor shall not be required for a variance of less than \$ 25.00 for a progressive jackpot.

1. If a Payout Slip is generated by a cashier, the cashier shall:
  - i. Sign the original, duplicate, and, if applicable, triplicate;
  - ii. Obtain the signature of the slot attendant or above on the original and duplicate;
  - iii. Obtain the signature of a lock up verifier, if applicable, on the original and duplicate;
  - iv. Obtain the signature of a slot attendant supervisor, if applicable, on the original and duplicate;
  - v. Retain the original as an imprest item; and
  - vi. Distribute the duplicate and the funds to a slot attendant or above who shall deposit the duplicate in a locked accounting box after payment of the funds to the patron.
  
2. If a Payout Slip is generated by a slot attendant or above at an automated payout machine, the slot attendant or above shall:
  - i. Sign the original and duplicate;
  - ii. Obtain the signature of a lock up verifier, if applicable, on the original and duplicate;
  - iii. Obtain the signature of a slot attendant supervisor, if applicable, on the original and duplicate;

- iv. Obtain the funds from the automated payout machine;
- v. Deposit the original in a locked box attached or adjacent to the automated payout machine; and
- vi. Provide the funds to the patron and deposit the duplicate in a locked accounting box.

(f) A jackpot lock up may be processed as a Transfer to Credit Meter by a slot attendant or above or by other means approved by the Division, by transferring the credits to the credit meter of the slot machine, provided that:

1. The amount is less than \$ 10,000;
2. The slot monitoring system is operable; and
3. The Request is electronically submitted at the slot machine and agrees to the lock up electronic signal amount.

(g) A lock up may be processed by a slot attendant from funds secured in a pouch imprest with an amount not to exceed \$ 5,000. A slot attendant or above shall prepare and sign a sequentially numbered two-part Pouch Payout. If the payout amount exceeds \$ 100.00, a lock up verifier shall verify the amount to be paid and sign the Pouch Payout.

(h) At the end of a slot attendant's shift or when replenishing a pouch, the slot attendant shall present all Pouch Payouts to a general or slot booth cashier who

shall process a Payout Slip. If the amount does not agree to the lock up electronic signal amount in the slot monitoring system, a cage supervisor shall authorize the transaction as an override. The cashier shall:

1. Sign the original, duplicate and, if applicable, triplicate of the Payout Slip;
2. Obtain the signature of the slot attendant on the original and duplicate of the Payout Slip;
3. Obtain the signature of the cage supervisor, if applicable, on the original and duplicate of the Payout Slip;
4. Attach the original Payout Slip to the original Pouch Payout to be maintained as an imprest item; and
5. Present the duplicate Payout Slip to the slot attendant for deposit with the duplicate Pouch Payout Slip into a locked accounting box.

(i) A slot department member may reset an electronic gaming device prior to payment utilizing a Credit Owed Slip if the gaming voucher system is inoperable and the amount does not exceed \$ 500.00. The Credit Owed Slip shall be a sequentially numbered two-part form prepared and signed by a slot department member who shall provide the original to the patron for exchange with a general or slot booth cashier. The slot department member shall deposit the duplicate in a locked accounting box.

(j) When a patron presents an original Credit Owed Slip to a general cashier, the cashier shall pay the patron, sign the Credit Owed Slip, and maintain the Credit Owed Slip as an imprest item.

(k) A slot attendant may reset an electronic gaming device prior to payment by preparing a Payout Receipt if:

1. No patron is present to claim the lock up amount;
2. The patron does not have valid identification; or
3. Requested by the patron.

(l) A Payout Receipt shall be a sequentially numbered three-part form. If the amount exceeds \$ 100.00, a lockup verifier shall confirm the transaction. The slot attendant shall transport the original to a general cashier and present the duplicate to the patron. If a patron is not present, the slot attendant shall deliver the original and duplicate of the Payout Receipt to the cage to be maintained by the main bank. The slot attendant shall deposit the triplicate in a locked accounting box. The Payout Receipt shall contain, at a minimum:

1. The signature of the patron on the original only, or a notation that a patron was not present;
2. The address of the patron if available;

3. The reason for issuing the receipt (for example, game back in play or unclaimed);
4. The signature of the lock up verifier, if applicable; and
5. The signature of the slot attendant.

(m) When a patron presents a duplicate Receipt to a general cashier, the cashier shall retrieve the original Receipt and obtain the patron's signature on the duplicate Receipt, which shall be compared for agreement to the signature on the original. The cashier shall process a Payout Slip. If the amount does not agree to the lock up electronic signal amount in the slot monitoring system, a cage supervisor shall authorize the transaction as an override. A cashier shall:

1. Sign the original, duplicate, and, if applicable, triplicate of the Payout;
  2. Present the funds to the patron;
  3. Maintain the original Payout Slip and Receipt as an imprest item;
- and
4. Deposit the duplicate Payout and Receipt into a locked accounting box.

(n) On a daily basis, a casino accounting department employee with no incompatible functions shall:

1. Reconcile all original Payout Slips and, as applicable, original Requests to duplicates and triplicates or stored data;
2. Enter all manual Payout Slips into the system;
3. Ensure that any unprocessed lock ups or Payout Slips in the system have been voided; and
4. Review a system report of jackpots transferred to the credit meter.

(o) Unless authorized by the Division or as authorized by N.J.A.C. 13:69D-1.43A(l), no deduction from gross revenue will be allowed for a payout unless the casino accounting department verifies that the appropriate meters support the amount of the payout.

(p) A casino licensee shall notify the Division prior to the payment of any jackpot greater than \$ 75,000. Payment shall be withheld for three business days unless otherwise directed by the Division.

1. No reset shall be allowed until the casino licensee prepares a Payout Receipt pursuant to the requirements of (l) above and determines:
  - i. That the slot monitoring system recorded the lock up;
  - ii. There is no evidence of tampering; and

- iii. The Division seals are intact.
  2. The Division shall determine if any portion of the winnings is subject to withholding for a jackpot winner who is:
    - i. In arrears of a child support order; or
    - ii. A former recipient of Aid to Families with Dependent Children or Work First New Jersey, food stamp benefits, or low-income home energy assistance benefits with an overpayment that has not been repaid.
  3. If any amount is subject to withholding pursuant to (p)2 above, the Division shall notify the casino licensee to withhold payment until the Probation Division of the Superior Court or the Department of Human Services authorizes payment.

(q) Failure of the Division to object to the payment of a jackpot shall not constitute waiver or estoppel of any charge, issue, or claim raised in any criminal or regulatory complaint subsequently filed against any person in connection with the winning or payment of that jackpot.

**13:69D-1.40A Jackpot payouts of merchandise or other things of value; cash jackpot payouts offered together with or as an alternative to jackpot payouts of merchandise or other things of value**

(a) A casino licensee may offer a slot machine jackpot that includes merchandise or a thing of value, or a combination of cash and merchandise or a thing of value ("merchandise jackpot") if approved by the Division.

(b) Any merchandise or thing of value awarded to a patron shall not be included in the total of all sums paid out as winnings to patrons for purposes of determining gross revenue. If an electronic gaming device includes an offer of merchandise or a thing of value in lieu of cash for a specific winning combination or outcome, the licensee's actual cost of the merchandise or thing of value shall be used in determining the minimum 83 percent payout percentage. The casino licensee shall retain supporting documentation relating to the acquisition and valuation of any merchandise or thing of value offered as a payout.

(c) Whenever a patron wins a merchandise jackpot, a slot attendant or above shall prepare a Merchandise Request in the presence of a lock up verifier, which shall include, at a minimum:

1. The date and time;
2. The asset number and location of the electronic gaming device;
3. A description of the merchandise or thing of value to be awarded;

4. A notation whether any part of the payout included cash in combination with merchandise or a thing of value, if applicable;
5. The winning combination;
6. The signature of the preparer; and
7. The signature of the lock up verifier.

(d) A slot attendant or above shall present the Merchandise Request to a cage cashier who shall prepare a sequentially numbered two-part Merchandise Payout Slip, which shall include the following:

1. The asset number and location of the electronic gaming device;
2. The winning jackpot display;
3. The date and time of preparation;
4. A description of the merchandise or thing of value won;
5. The signature of the preparer; and
6. The signature of the slot attendant or above.

(e) The cashier shall distribute the duplicate copy of the slip to the slot attendant or above for deposit in a locked accounting box and maintain and control the original with the Merchandise Request. At the end of each gaming day, the Merchandise

Request and original and duplicate Merchandise Payout Slips shall be forwarded to the accounting department for agreement.

(f) A casino licensee shall maintain documentation supporting the receipt by the patron of the merchandise or thing of value.

(g) A casino licensee may terminate a merchandise jackpot by providing a minimum of 30 days notice to patrons. The notice shall conspicuously state that the merchandise jackpot will terminate on a specified date if not won by that time. Notice of termination shall be provided to the Division's Technical Services Bureau at the time the notice of termination is provided to the public.

**13:69D-1.40B Jackpot payouts in the form of an annuity**

(a) A casino licensee may offer an annuity jackpot. Prior to offering an annuity jackpot, a casino licensee or slot system operator shall obtain Division approval. No annuity jackpot shall be permitted unless it expressly prohibits the winner from encumbering, assigning, or otherwise transferring in any way his or her right to receive the future cash payments, except as permitted by N.J.S.A. 5:12-100.1.

(b) Whenever an annuity jackpot is won, the casino licensee or slot system operator shall notify the Division prior to any payment. The Division shall determine if any portion of the winnings is subject to withholding for a jackpot winner who is:

1. In arrears of a child support order; or
2. A former recipient of Aid to Families with Dependent Children or Work First New Jersey, food stamp benefits, or low-income home energy assistance benefits with an overpayment that has not been repaid.

(c) If any amount is subject to withholding pursuant to (b) above, the Division shall notify the casino licensee to withhold payment until the Probation Division of the Superior Court or the Department of Human Services authorizes payment.

(d) A casino licensee or slot system which offers an annuity jackpot shall provide clear notice of the following:

1. That the displayed jackpot amount will be paid over time;

2. The number of payments and the time interval between payments; and
3. That the right to receive the jackpot payments may not be encumbered, assigned, or otherwise transferred in any way except as permitted by N.J.S.A. 5:12-100.1 and the rules of the Division.

(e) A casino licensee may offer an option to a patron who has won an annuity jackpot to be paid a single cash payment in lieu of future installments in an amount that is equal to the present value of the face amount of the jackpot ("cash payout option") provided that:

1. The present value shall be calculated by applying a discount rate to the amount of the jackpot taking into consideration the number of years that the annuity would otherwise be payable; and
2. The discount rate shall equal the prime rate as defined in Title 54 of the New Jersey Statutes or other rate as approved by the Division.

(f) When an annuity jackpot lock up occurs, a slot attendant or above shall prepare and present to a cage or slot booth cashier an Annuity Request, which includes:

1. The date and time;

2. The asset number and location;
3. The display amount;
4. The patron's name and identification information; and
5. The patron's Social Security number.

(g) When an annuity jackpot lock up occurs, the casino licensee or slot system operator shall generate a Jackpot Report in a manner approved by the Division. The Jackpot Report shall be provided to a cage or slot booth cashier of the casino licensee where the lock up occurred. The Jackpot Report shall include, at a minimum:

1. The date and time;
2. The asset number and location;
3. A game or link description;
4. The slot system operator, if applicable;
5. The name of casino licensee; and
6. The amount to be paid.

(h) Upon receipt of the Annuity Request and Jackpot Report, either a slot department supervisor or a cage or slot booth cashier shall prepare a Jackpot Acknowledgement which shall include, at a minimum, the following information:

1. The date;

2. The patron's name and address;
3. The patron's Social Security number;
4. The jackpot amount as recorded on the Jackpot Report;
5. The amount of the annual payments calculated as a factor of the number of years over which the annuity shall be paid;
6. If applicable, the offer of a cash payout option;
7. A disclosure that the casino licensee or the slot operator will provide information to the patron within three business days as to payment options;
8. A disclosure that the patron's name and identification information shall be provided to the Department of Human Services in order to determine if any portion of the winnings shall be subject to withholding if the annuity jackpot winner is:
  - i. In arrears of a child support order; or
  - ii. Is a former recipient of Aid to Families with Dependent Children or Work First New Jersey, food stamp benefits, or low-income home energy assistance benefits with an overpayment that has not been repaid;
9. The signature of a slot attendant or above; and

10. The signature of the patron.

(i) The Annuity Jackpot Acknowledgement form shall either be a multi-part form or copied for distribution, at a minimum, to the following:

1. Casino accounting;
2. The slot system operator, if applicable;
3. The Division; and
4. The patron.

(j) The casino licensee or slot system operator shall, within three business days, provide a Jackpot Acceptance form for patron completion and notify the patron either personally or by certified mail of the following:

1. The date of notice;
2. The date of the annuity jackpot;
3. The amount and number of years over which the annuity is payable;
4. The amount of the annual payments;
5. If applicable, the cash payout value and method of calculation;

6. A disclosure that a part or all of the payment shall be withheld if the Department of Human Services determines that the winner is subject to payout withholding;
7. A statement that the patron shall have 60 days to return the Jackpot Acceptance form selecting the annuity or, if applicable, the cash option; and
8. A disclosure that payment shall not be made for 30 days from the date of the patron's selection unless otherwise authorized by the Division.

(k) Upon receipt of the Division's authorization that the patron is not subject to payout withholding and patron's Jackpot Acceptance form, a casino licensee or slot system operator shall, within five business days, issue a check or authorize an electronic payment to the patron in an amount equal to: the present value of the cash payout amount, less any required withholding; or the first installment of the annuity jackpot, less any required withholding. The casino licensee or slot system operator shall then establish and fund an account to pay the remainder of the annuity jackpot in a manner approved by the Division.

(l) On or before the fifth day of each month, a casino licensee or slot system operator shall submit to the Division a summary report of all annuity jackpots paid to one or more patrons during the prior month and, if applicable, supporting

documentation related to the funding of one more accounts established to pay annuity remainder payments.

1. A casino licensee individually offering an annuity jackpot shall be entitled to a gross revenue deduction as follows:
  - i. The present value of the cash payout amount; or
  - ii. The first installment of the annuity jackpot and the amount used to fund the remainder payments.
  
2. A slot system operator shall calculate the total gross revenue deduction in the same manner as (1) above and prorate the deduction amount to each casino licensee participating in the annuity jackpot. The slot system operator shall distribute reports to the Division and each participating casino licensee delineating the respective gross revenue deduction amounts.

### **13:69D-1.40C Multi-casino slot system or multi-state slot system jackpot payouts**

(a) Whenever a non-annuity WAP or MSPS payout ("instant pay") greater than \$ 75,000 is won in a New Jersey casino, the casino licensee or slot system operator shall notify the Division prior to any payment. The Division shall determine if any portion of the winnings is subject to withholding for an instant pay winner who is:

1. In arrears of a child support order; or
2. A former recipient of Aid to Families with Dependent Children or Work First New Jersey, food stamp benefits, or low-income home energy assistance benefits with an overpayment that has not been repaid.

(b) If any amount is subject to withholding pursuant to (a) above, the Division shall notify the casino licensee to withhold payment until the Probation Division of the Superior Court or the Department of Human Services authorizes payment.

(c) A slot system operator shall receive Division approval of a slot system agreement detailing the terms of an instant pay prior to implementation.

(d) Whenever a lock up occurs on an electronic gaming device that offers an instant pay:

1. A slot attendant or above shall prepare and deliver to a cage or slot booth cashier a manual Instant Pay Request including the following:

- i. The date and time;
  - ii. A game or link description;
  - iii. The asset number and location of the electronic gaming device;
  - iv. The amount of the payout;
  - v. The winning combination; and
  - vi. The signature of the preparer.
2. A slot system operator shall generate a Jackpot Report from an approved WAP or MSPS system in support of the payout amount. The Jackpot Report shall be provided to a cage or slot booth cashier of the casino licensee where the lock up occurred. The Jackpot Report shall include, at a minimum:
  - i. The date and time;
  - ii. The asset number and location;
  - iii. A game or link description;
  - iv. The slot system operator, if applicable;
  - v. The name of the casino licensee; and
  - vi. The amount to be paid.

(e) Upon receipt of the Instant Pay Request and Jackpot Report, either a slot department supervisor or a cage or slot booth cashier shall prepare an Instant Pay Acknowledgement which shall include, at a minimum, the following information:

1. The date;
2. The patron's name and address;
3. The patron's Social Security number;
4. The jackpot amount as recorded on the Jackpot Report;
5. A disclosure that the patron's name and identification information shall be provided to the Department of Human Services in order to determine if any portion of the winnings shall be subject to withholding if the jackpot winner is:
  - i. In arrears of a child support order; or
  - ii. Is a former recipient of Aid to Families with Dependent Children or Work First New Jersey, food stamp benefits, or low-income home energy assistance benefits with an overpayment that has not been repaid;
6. The signature of a slot attendant or above; and
7. The signature of the patron.

(f) The Instant Pay Acknowledgement form shall either be a multi-part form or copied for distribution, at a minimum, to the following:

1. Casino accounting;
2. The slot system operator, if applicable;
3. The Division; and
4. The patron.

(g) Upon receipt of the Division's authorization, that the patron is not subject to payout withholding a slot system operator shall, within five business days of receipt, issue a check or authorize an electronic payment to the patron in an amount equal to the jackpot less any required withholding.

(h) A slot system operator shall prorate the gross revenue deduction to each casino licensee participating in the WAP or the MSPS. The slot system operator shall distribute reports to the Division and each participating casino licensee delineating the respective gross revenue deduction amounts on or before the fifth day of each month.

**13:69D-1.40D (RESERVED)**

**13:69D-1.40E (RESERVED)**

**13:69D-1.40F (RESERVED)**

**13:69D-1.41 Procedure for filling payout reserve containers of slot machines and hopper storage areas**

(a) Each hopper of a slot machine may be filled by a slot attendant, slot mechanic or slot supervisor by requesting coin, slot tokens or prize tokens that are compatible with the hopper to be filled from a slot cashier, general cashier or master coin bank cashier or by obtaining coin, slot tokens or prize tokens that are compatible with the hopper to be filled from its corresponding hopper storage area.

1. A slot hopper may be refilled at any time, provided, however, that:
  - i. An entire sealed bag of coin or tokens is used for the hopper fill and placed into the hopper;
  - ii. The hopper cannot be filled beyond its operational capacity; and
  - iii. The hopper cannot be filled beyond its present inventory level.

(b) The filling of a hopper or a hopper storage area with coin, slot tokens or prize tokens obtained from a slot cashier, general cashier or master coin bank cashier shall be accomplished as follows:

1. Whenever a slot supervisor, attendant or mechanic requests coins, slot tokens or prize tokens to fill a hopper or a hopper storage area of a slot machine, he or she shall obtain a completed and signed Hopper Fill Slip ("Hopper Fills") from a slot cashier, general cashier or master coin bank cashier;

2. Hopper Fills shall be serially prenumbered forms, each series of Hopper Fills shall be used in sequential order, and the series numbers of all Hopper Fills received by a casino licensee shall be accounted for by employees independent of the cashiers' cage and the slot department. All original and duplicate void Hopper Fills shall be marked "VOID" and shall require the signature of the preparer. A casino licensee may utilize a serially prenumbered combined Jackpot Payout/Hopper Fill form;
3. For Hopper Fills which are manually prepared, the following procedures and requirements shall be observed:
  - i. Each series of Hopper Fills shall be a three-part form, at a minimum, and shall either be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser or attached in a manner that will permit each form to be written on simultaneously and will allow for the removal of the original and the duplicate and maintain the triplicates; and
  - ii. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and

accounting for the unused supply of Hopper Fills, placing Hopper Fills in the dispensers, and removing from the dispensers the triplicates remaining therein;

4. For Hopper Fills which are computer prepared, each series of Hopper Fills shall be a two-part form, at a minimum, and shall be inserted in a printer that simultaneously prints an original and duplicate, stores in machine-readable form all information printed on the original and duplicate, and discharges the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Hopper Fill;
5. The Hopper Fill shall include the following information:
  - i. The asset number and denomination of the slot machine to which the coins, slot tokens or prize tokens are to be distributed;
  - ii. The date and time during which the coins, slot tokens or prize tokens are distributed;
  - iii. The denomination of the coin, slot tokens or prize tokens that are to be distributed;
  - iv. The amount of coins, slot tokens or prize tokens that are to be distributed;
  - v. The location from which the coins, slot tokens or prize tokens are distributed;

- vi. The signature and, if computer prepared, the identification code of the preparer;
  - vii. The signature or identification code of the slot attendant, slot mechanic or slot supervisor requesting coins, slot tokens or prize tokens to fill the hopper (on the original and the duplicate only);
  - viii. Whether the coins, slot tokens or prize tokens are to be placed in the slot machine's:
    - (1) All-purpose hopper and/or any reserve hoppers that automatically replenish the all-purpose hopper;
    - (2) Payout-only hopper and/or any reserve hoppers that automatically replenish the payout-only hopper reserve hopper; or
    - (3) In its corresponding hopper storage area; and
  - ix. Whether the Hopper Fill is to be witnessed and verified by a second casino employee;
6. All coins, slot tokens or prize tokens distributed from a slot booth, master coin bank or the cashiers' cage to a slot machine or its corresponding hopper storage area shall, during their transportation to the machine or hopper storage area, remain in pre-wrapped secured bags;

7. The coin, slot tokens or prize tokens shall be transported directly to the slot machine or its corresponding hopper storage area, along with the duplicate Hopper Fill. A second casino employee shall observe the deposit of the coins, slot tokens or prize tokens in the appropriate slot machine hopper or the slot machine's corresponding hopper storage area, and the closing and locking of the slot machine or its corresponding hopper storage area by a slot mechanic, slot attendant or slot supervisor before obtaining the signature of the slot mechanic, slot attendant or slot supervisor on the duplicate copy of the Hopper Fill;
8. The surveillance department shall monitor the transportation to and deposit of the fill;
9. A slot mechanic who participates in filling a slot machine hopper shall inspect the slot machine and, if the hopper is empty, determine if the empty hopper resulted from a slot machine malfunction. A slot attendant or slot supervisor participating in a hopper fill shall review the Machine Entry Authorization Log and alert a slot mechanic to inspect the slot machine if the entries in the log indicate a consistent malfunction problem;
10. Signatures attesting to the accuracy of the information contained on the Hopper Fill shall be, at a minimum, the following personnel at the following times:

- i. The original shall be signed by the slot cashier, master coin bank cashier or general cashier upon preparation of the Hopper Fill and by the casino employee transporting the coins, slot tokens or prize tokens to the slot machine upon receipt from the cashier of the coins or tokens to be transported; and
  - ii. The duplicate shall be signed by the slot cashier, master coin bank cashier or general cashier upon preparation of the Hopper Fill, by the casino employee transporting the coins, slot tokens or prize tokens to the slot machine upon receipt from the cashier of the coins or tokens to be transported and by the slot mechanic, slot attendant or slot supervisor after completing the fill procedures in the presence of the casino employee transporting the fill;
11. Upon meeting the signature requirements, the slot cashier, master coin bank cashier or general cashier shall maintain and control the original Hopper Fill and the casino employee who transported the fill shall deposit the duplicate in a secure, locked box controlled by the casino accounting department;
12. At the end of each gaming day, at a minimum, the original and duplicate Hopper Fill Slip shall be forwarded as follows:

- i. The original Hopper Fill Slip shall be forwarded, in exchange for coin, currency or credit, to the master coin bank if prepared by a slot cashier or to the main bank if prepared by a general cashier. All original Hopper Fill Slips received or prepared by the master coin bank or received by the main bank shall then be forwarded to the accounting department, which shall confirm that the information on the original Hopper Fill agrees with the information on the triplicate or in stored data; and
  - ii. The duplicate Hopper Fill Slip shall be forwarded directly to the accounting department, which shall record the information from the Hopper Fill Slip on the Slot Win Report, and shall confirm that the information recorded on the Hopper Fill Slip agrees with the information on the triplicates or in stored data; and
13. A casino licensee may use one Hopper Fill Slip to document fills to more than one hopper storage area or to a hopper storage area that supplies more than one slot machine, if:
  - i. All of the fills are for the same denomination of slot machine and are accomplished at the same time; and
  - ii. The Hopper Fill Slip contains:

- (1) The amount to be distributed to each hopper storage area or, if applicable, each compartment in a hopper storage area that supplies more than one slot machine;
- (2) Spaces for slot and casino employee to initial after each individual fill; and
- (3) The total amount of all hopper fills that are documented by the Hopper Fill Slip.

(c) Whenever a slot machine's hopper requires coin, slot tokens or prize tokens, a slot attendant or mechanic, after confirming that its corresponding hopper storage area contains the necessary coin, slot tokens or prize tokens to replenish the hopper to be filled, may, in the presence of a second casino employee, transfer the necessary coin, slot tokens or prize tokens from that slot machine's hopper storage area directly to the appropriate hopper of the corresponding slot machine. The second casino employee shall observe the deposit of the coins, slot tokens or prize tokens in the appropriate slot machine hopper and the closing and locking of the slot machine and its corresponding hopper storage area by the slot mechanic or attendant.

(d) After transferring the coins, slot tokens or prize tokens to the slot machine's appropriate hopper from a corresponding storage area pursuant to (c) above or upon completing a fill pursuant to (b) above of a slot machine's hopper, the slot attendant or mechanic shall make the entries required on the slot machine's log, which shall include the following:

1. The date and time of the transfer;
2. The type of hopper in the slot machine to which the coins, slot tokens or prize tokens were transferred;
3. The hopper fill slip number, if applicable;
4. The amount(s) of coins, slot tokens or prize tokens that were placed in that hopper; and
5. The name and license number of the slot attendant or slot mechanic who made the transfer or fill.

(e) Each casino licensee removing a prize token shall count it, for purposes of calculating its gross revenue as cash received from gaming operations for the face amount of the prize token.

**13:69D-1.41A Procedures governing the removal of slugs from a slot machine hopper**

(a) Whenever slugs are found in a slot machine's hopper, the following procedures and requirements shall be followed:

1. A slot attendant, slot mechanic or supervisor thereof shall immediately remove the slugs from the slot machine hopper and place the slugs into an envelope or container. The individual who found the slugs shall record the asset number and denomination of the slot machine, the quantity of slugs found, the date the slugs were found, and his or her signature on the Machine Entry Authorization. The envelope or container may be maintained inside the slot machine until the next scheduled slot drop. A count team member shall complete a two-part Slug Report which contains the following:
  - i. The date and time;
  - ii. The asset number of the slot machine from which the slugs were removed;
  - iii. The denomination of the slot machine;
  - iv. The number of slugs;
  - v. A brief description of the slugs; and

- vi. The signature of the count team member completing the two-part Slug Report;
2. Upon completion of the Slug Report, the count team member shall remove the envelope or container and transport it with the Slug Report to the master coin bank. The individual accepting receipt of the slugs shall sign the Slug Report. The original Slug Report shall be maintained in the master coin bank and the duplicate shall be delivered to the Division's in-house office by the end of each gaming day;
3. Whenever a slug is found in a slot machine's hopper, the slot department member shall inspect the slot machine and coin mechanism to determine if there is a malfunction. The results of this inspection shall be documented on the Machine Entry Authorization; and
4. All slugs shall be destroyed in accordance with procedures submitted to the Division which procedures shall include a written notification to the Division as to the date, time and location of destruction.

**13:69D-1.42 Removal of slot drop buckets, slot drop boxes, and slot cash storage boxes; unsecured currency; recording of meter readings for slot machine drop**

(a) Each casino licensee shall file with the Division a schedule setting forth the specific times at which the slot drop buckets, slot drop boxes and slot cash storage boxes ("slot drop containers") will be brought to or removed from the slot machines. The schedule shall include the number of slot drop containers to be removed each day by zone or other designation. No slot drop container shall be removed from a slot machine at other than the times specified on such schedule except with contemporaneous notification to the Division. The slot drop containers shall be removed at least once a week. If an approved slot monitoring system is used to generate a slot drop estimate report pursuant to N.J.A.C. 13.69L-1.7(c), the schedule for the removal of slot drop boxes and slot drop buckets may be extended.

(b) All slot drop containers which are not actively in use shall be stored in a secure area approved by the Division. In addition, slot drop boxes and slot cash storage boxes shall be stored in an enclosed storage cabinet or trolley, secured by a key maintained and controlled by the security department. Control of the key shall be limited to supervisors in that department and shall be documented, at a minimum, by a sign-out and sign-in procedure in accordance with the security submission approved by the Division.

(c) Slot drop containers shall be removed from a slot machine by at least three employees, two of whom shall be members of the casino security department and

one of whom shall be a member of the accounting department ("the slot drop team"). An accounting department member shall be the drop team supervisor and shall be a key licensee. Other than casino security department members, all employees participating in the removal of slot drop containers shall wear as outer garments only a full-length, one-piece pocketless garment with openings only for the hands, feet, and neck. Each casino licensee shall also maintain and make available to the Division upon request, the names and credential numbers of the slot drop team.

(d) The drop team supervisor shall notify the surveillance department at the commencement of the slot drop process. Surveillance shall make a continuous video recording, with the time and date inserted thereon, of the entire slot drop container removal process.

(e) A casino security department member shall sign out the count room door key and padlock key, which are maintained and controlled by the casino security department. Access to these keys shall be limited to security supervisors and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's security internal control submission as approved by the Division.

(f) To begin the scheduled slot drop container removal process, the drop team supervisor shall perform a physical count of the empty slot drop containers removed from storage. The count and the date shall be documented on a slot drop container verification form to be kept with the trolley throughout the pick-up process. The drop team supervisor shall compare the count of the empty slot containers to the

collection schedule. Any discrepancy between the number of empty slot drop containers physically counted and the number indicated on the collection schedule shall be recorded on the slot drop container verification form and signed by the drop team supervisor. Any discrepancy shall be investigated, explained, and reported to the Division by the drop team supervisor.

(g) The casino security department member shall remove the trolley(s) containing the empty slot drop containers from the count room or other storage area and transport the trolleys to the scheduled slot zones.

(h) Prior to removing any slot drop containers, a security department member shall, at a minimum:

1. Notify patrons that a slot machine will be closed for removing slot drop containers;
2. Restrict patrons from the slot aisles where slot drop containers are removed;
3. Secure the area while the slot drop containers are removed;
4. Secure full slot drop containers while they are transported within the casino; and
5. Remain with the trolley at all times.

(i) Procedures and requirements for removing slot drop containers from the slot machines shall be as follows:

1. The slot drop container shall be removed from its compartment. An empty slot drop container, corresponding to the slot machine, shall be placed into the compartment after which the compartment shall be closed and secured; and
2. The slot drop boxes or slot cash storage boxes removed from the slot machines shall be placed immediately in an enclosed trolley and secured by a security padlock; provided, however, that the padlock shall be in place but need not be locked when the trolley is moved between slot zones. The locking system shall be maintained and controlled by the casino security department.

(j) For each trolley, the drop team supervisor shall record on a slot drop container verification form, at a minimum, the following:

1. The gaming date; and
2. The number of slot drop containers which have been removed from the slot machines and placed into the trolley.

(k) Prior to the placement of each trolley in the count room, the drop team supervisor shall:

1. Count and record the total number of slot drop containers collected and verify that the number collected agrees with the count recorded on the slot drop container verification form. Any discrepancies between the number of collected slot drop containers and the number on the schedule shall be separately recorded on the slot drop container verification form;
2. Secure the slot containers in the trolley utilizing a padlock;
3. Sign the slot drop container verification form attesting to the accuracy of such reconciliation and that the trolley has been secured; and
4. Obtain the signature of a security department member on the slot drop container verification form attesting to the accuracy of such reconciliation and that the trolley has been secured.

(l) All slot drop containers removed from the slot machines and the slot drop container verification forms shall be transported directly to, and secured in the count room by a casino security department member and a member of the accounting department. A casino licensee may, temporarily, store trolleys in a secure staging area outside of the count room before being transferred to the count room as approved by

the Division. The security measures shall require that the staging area be recorded by the surveillance department and guarded by at least one casino security department representative whenever slot drop containers are temporarily stored in the area.

(m) A slot cash storage box removed from a slot machine in order to service the bill changer may be temporarily and securely stored in the slot machine's locked base until the bill changer repairs are completed. At all times, either a slot technician or security department member shall be present at the slot machine while the slot cash storage box is secured in the base. If the repairs cannot be completed and the slot cash storage box cannot be replaced in the bill changer, or if the bill changer must be removed from the casino floor, the slot cash storage box shall be removed from the secure slot compartment and transported to the count room in accordance with (n) below.

(n) A slot drop box or slot cash storage box replaced outside of the slot drop schedule shall be replaced with an empty emergency slot drop box or slot cash storage box by a security department member and a slot or cage department member as follows:

1. A security department member shall notify the surveillance department which shall monitor and record the transaction. If more than one slot drop box or slot cash storage box is being removed, such notification shall include the sequence in which the boxes will be removed and replaced;

2. A three-part emergency box form shall be prepared for each slot drop box or slot cash storage box documenting the replacement of the box. The form shall include at a minimum:
  - i. The date and time;
  - ii. The asset and location number;
  - iii. The reason for the removal; and
  - iv. The signatures of the security department member and slot or cage department member participating in the process;
3. The casino security department member shall sign out the keys to the count room and emergency box cabinet or trolley and the bill changer compartment. The keys shall be maintained and controlled by the casino security department. Access to these keys shall be limited to casino security supervisors and shall be controlled, at a minimum, by a sign-out and sign-in procedure described in the casino licensee's security internal control submission approved by the Division;
4. The casino security department member and a slot or cage department member shall obtain the emergency box from the count room, affix the original emergency box form to the

emergency box, and transport the box with the duplicate and triplicate emergency box form to the appropriate slot machine location;

5. A slot department member, in the presence of a casino security department member and the slot or cage department member, shall remove the slot drop box or slot cash storage box from the slot machine and replace it with the empty emergency slot drop box or slot cash storage box. The slot department member shall deposit the duplicate emergency box form in a locked accounting box prior to returning the box to the count room;
6. The slot drop box or slot cash storage box removed from the slot machine shall be transported by the casino security department member and slot or cage department member to the count room and secured in an emergency drop box cabinet or trolley by either a count room supervisor if a count is in progress, or in the alternative, by the casino security department member or slot or cage department member;
7. For each slot drop box or slot cash storage box exchanged, the casino security or slot department member shall forward the triplicate copy of the emergency box form to the Division's on-site office within 24 hours. The employee securing the box in the

trolley or cabinet shall record on an emergency box log, to be maintained with the emergency drop box cabinet or trolley, the following:

- i. The date and time the slot drop box or slot cash storage box was secured in the cabinet or trolley;
  - ii. The slot drop box or slot cash storage box location and asset number; and
  - iii. The employee's signature; and
8. The keys shall be returned and signed in by a casino security department supervisor.

(o) Whenever currency, a gaming voucher, or a coupon is found inside a bill changer but outside of the slot cash storage box ("unsecured drop") during the collection of slot cash storage boxes, the unsecured drop shall be secured and transported to the count room. The unsecured drop shall be counted and recorded with the contents removed from the corresponding slot cash storage box in accordance with internal controls.

(p) Whenever unsecured drop is found at times other than the collection of slot cash storage boxes, a slot department member shall notify surveillance. The unsecured drop shall be documented on a form that shall be transported by the slot department member to the cashiers' cage where a cashier shall sign the form. The

unsecured drop and original form shall be retained by the cashier, and the slot department member shall place a copy of the form in a locked accounting box. The accounting department shall reconcile the original form to the copy.

(q) Upon receipt of an unsecured gaming voucher or coupon, the cage cashier in the presence of the slot department member shall deface the gaming voucher or coupon, to the extent necessary, so as to prevent subsequent redemption.

(r) At the end of the gaming day, at a minimum, the original unsecured drop forms and as applicable, gaming vouchers and coupons, shall be forwarded to the accounting department. The accounting department shall reconcile the original and duplicate forms and record the appropriate amount on the Slot Win Report.

(s) In conjunction with the removal of any slot drop container, a casino licensee shall manually read, or cause an approved slot monitoring system to record, the in-meter, drop meter, out-meter, attendant paid jackpots meter, attendant paid cancelled credits meter, bill meters and handle pull meter. In addition, the following meters shall be read and recorded:

1. If the slot machine accepts gaming vouchers, the numerical and value cashable gaming voucher meters, and the numerical and value non-cashable gaming voucher meters;

2. If the slot machine accepts coupons enrolled in the gaming voucher system, the numerical and value cashable coupon meters and numerical and value non-cashable coupon meters;
3. If the slot machine accepts promotional credits, the electronic cashable credit meter and the electronic non-cashable credit meter; and
4. If the slot machine accepts funds from an account based wagering system, the wagering account transfer-in meter and the wagering account transfer out meter.

(t) The slot monitoring system shall provide a report to the accounting department for a comparison of the meter readings to the count room reports and the calculation of each slot machine's payout percentage. Only members of the casino accounting department shall have the authority to adjust meter readings subsequent to the count.

(u) Nothing shall preclude the Division from requiring a casino licensee to read slot machine meters manually as a condition of a prototype approval, as a remedial measure in the event of a malfunction, or as it may otherwise deem necessary to ensure the integrity of gaming and the accurate reporting of gross revenue.

**13:69D-1.43 Procedure for counting and recording contents of slot drop buckets and slot drop boxes**

(a) Immediately prior to the commencement of the count process, a count room supervisor shall:

1. Sign out the following keys:
  - i. Trolley or cabinet keys from a security supervisor for the purpose of gaining access to the drop boxes; and
  - ii. Key securing the contents of the drop boxes from the casino accounting department;
2. Reconcile the number of boxes recorded on the drop box verification form to the number of boxes secured in the trolley; and
3. Remove the emergency drop box log and reconcile the log to the boxes removed from the emergency drop box cabinet or trolley. Any unresolved discrepancies shall be documented on a two-part Drop Variance Report. The original shall be delivered to the Division and the duplicate placed in the locked accounting box.

(b) A casino licensee shall open, count and record the contents of each slot drop bucket and box in the count room except that an emergency drop box may be held and counted on the regularly scheduled count for the slot machine from which it originated. No slot tokens or coins shall be removed from the count room subsequent to the commencement of the count until the hard count has been completed and the

items have been recounted and accepted by a main bank or master coin cashier (“cashier”).

(c) Prior to emptying and counting the first slot drop bucket or slot drop box, a count team supervisor shall test the accuracy of any equipment used to weigh and count the contents of the slot drop to insure proper calibration for each denomination of coin and slot token. The count team supervisor shall forward all testing documentation to the casino accounting department at the conclusion of the count.

(d) A count team member shall hold each slot drop bucket or box prior to emptying its contents to the full view of the closed circuit television camera and to the count team member recording the count so as to permit proper recording of the slot machine’s asset number contained thereon.

(e) The contents of each slot drop bucket or box shall be either manually counted or emptied separately into a machine that automatically counts or weighs the contents. The inside of the slot drop bucket or slot drop box shall then be immediately held up to the full view of the closed circuit television camera and shall be shown to at least one other count team member to assure that all contents of the slot drop bucket or slot drop box have been removed.

(f) As the contents of each slot drop bucket or box are counted, one member of the count team shall manually record or cause the weighing or counting machine to record, the following information on a Hard Count Report:

1. The asset number and denomination of the slot machine;

2. The number and dollar value of the coins or slot tokens for each slot machine;
3. The number of any foreign coins;
4. The number and dollar value of foreign casino slot tokens; and
5. The total number and dollar value of the coins, slot tokens and foreign slot tokens for all slot machines.

(g) Any slugs that have been found during the hard count shall be separated from the counted coins and tokens. A count team member shall prepare a two-part Slug Report and record the date and the total number of slugs. The duplicate Slug Report shall be delivered to the Division's in-house office by the end of the gaming day. The original Slug Report shall remain with the slugs until their destruction.

(h) After the contents of all the slot drop buckets and slot drop boxes are counted and recorded, each count team member shall sign the Hard Count Report attesting to their involvement in the hard count. The count team supervisor shall notify a cashier that the count is ready to be verified. A cashier shall enter the count room and not have any access to the information recorded on the Hard Count Report. The cashier shall count the wrapped and racked coins, slot tokens, and foreign slot tokens. Bagged coins or slot tokens shall be weighed on a random sample basis as specified in a casino licensee's internal controls, provided that the greater of one bag or 10 percent of all bags shall be weighed by the cashier. If any discrepancy is found during the weighing, then the sample bag(s) shall be opened and counted by a counting machine or manually counted.

(i) If the total amounts counted by the cashier do not agree with the total on the Hard Count Report and the discrepancy cannot be resolved, a Drop Variance Report shall be completed by the count room supervisor. The original shall be delivered to the Division and the duplicate shall be delivered to the casino accounting department at the conclusion of the count. The report shall include, at a minimum, the following:

1. The date of preparation;
2. The source of the variance (coin or token);
3. The denomination(s) of the source of the variance;
4. The amount of the variance;
5. The measures taken to detect the source of the variance;
6. The name and signature of the count room supervisor; and
7. The name and signature of the cashier.

(j) Upon completion of the cashier's count, the cashier shall attest by signature on the Hard Count Report to the amount of coin, slot tokens, and foreign slot tokens counted. The coin, slot tokens, and foreign slot tokens shall then be exclusively controlled by the cashier and transported to the main bank or master coin bank.

(k) Once all required signatures have been obtained on the Hard Count Report, the original and any supporting documents shall be forwarded to the casino accounting department and a copy shall be delivered to the Division.

(l) Each photocopy of the original Hard Count Report shall be stamped with the word "copy" prior to its distribution.

(m) A security department member shall notify surveillance and:

1. Inspect all persons and all items removed from the count room with a metal detector upon exiting the count room; and
2. Conduct a thorough inspection of the entire count room and all counting equipment located therein to verify that no unsecured coins, foreign slot tokens, and slot tokens remain in the room.

(n) All keys shall be returned and signed in by the count room supervisor to the security department or the accounting department, as applicable, immediately following the conclusion of the count.

**13:69D-1.43A Slot accounting requirements; electronic table games which accept gaming vouchers or coupons redeemed by a gaming voucher system**

(a) If a casino licensee utilizes one or more electronic table games which accept gaming vouchers or coupons enrolled in a gaming voucher system, the daily gaming revenue shall be reported on the Slot Win Report. Each electronic table game shall be uniquely identified on the Slot Win Report as an electronic table game.

(b) On a daily basis, a casino licensee shall generate a report from its slot monitoring system which details the calculated win or loss and the payout percentage for each slot machine.

(c) On a daily basis, a casino accounting department member shall audit the Slot Cash Storage Box Report generated in the count room and ensure that all count room exceptions are resolved in accordance with internal control procedures. Any coupon deposited in a slot cash storage box shall be counted and included in the calculation of gross revenue, without regard to the validity of the coupon.

(d) A casino accounting department member shall calculate the daily slot machine win by preparing a Slot Win Report that summarizes the gross revenue transactions by slot machine denomination or electronic table game designation and in total as follows:

1. The value of coin, slot tokens and foreign slot tokens from the Hard Count Report;
2. The cash drop amount from the Slot Cash Storage Box Report;

3. The cashable gaming voucher drop amount from the Slot Cash Storage Box Report;
4. The non-cashable gaming voucher drop amount from the Slot Cash Storage Box Report;
5. The cashable coupon drop amount from the Slot Cash Storage Box Report;
6. The non-cashable coupon drop from the Slot Cash Storage Box Report;
7. The cashable electronic funds withdrawal amounts from an account based wagering system report;
8. The non-cashable electronic funds withdrawal amounts from an account based wagering system report;
9. The unsecured drop amounts from the unsecured drop forms;
10. The calculated total drop amount;
11. The amount of Hopper Fills as documented on the duplicate of the forms;
12. The amount of Jackpot Payouts as documented on the duplicate of the forms;

13. The value of gaming vouchers issued from a slot machine or electronic table game from the Voucher Issuance Summary Report;
14. The electronic funds deposit amounts from an account based wagering system report;
15. Miscellaneous adjustments supported by sufficient supporting documentation; and
16. The calculated win or loss amount.

(e) A casino licensee shall increase the slot machine win at each month end in a manner approved by the Division for:

1. The amount of expired cashable gaming vouchers reported pursuant to N.J.A.C. 13:69D-3.1; and
2. The amount of voided slot issued gaming vouchers unless such vouchers were previously excluded from the daily voucher issuance expense amount as reported on the Slot Win Report.

(f) A casino accounting department member shall generate a Voucher Soft Count Exception Report on a daily basis that lists gaming vouchers and coupons that the system expected to be counted but which do not appear on the Slot Cash Storage Box Report. A casino accounting department employee shall review the report in accordance with a methodology approved by the Division. A monthly schedule shall be prepared

which details the total daily exception amounts and amounts reported as an increase to slot revenue, detailed separately for gaming vouchers, cashable coupons and non-cashable coupons.

(g) A casino licensee shall generate a report on a daily basis that compares for each slot machine and electronic table game the number and value of gaming vouchers issued as reported on the Voucher Issuance Summary Report to the voucher-out meter. A casino accounting department member shall review the report on a daily basis, investigate each variance and:

1. Prepare one or more summary schedules of all cashable and non-cashable voucher issued variances which details the date, the asset number of the slot machine or electronic table game number, the variance amount and the reason for the variance; and
2. Report a manual adjustment to increase the Slot Win Report amount for each voucher issued variance where the meter is less than the Voucher Issuance Summary Report amount, unless the reason for the variance documented in (g)1 above is sufficient to support a determination that a voucher was issued as listed on the supporting documentation.

(h) In lieu of (g) above, a casino licensee may summarize the daily variance report review in a manner and on a monthly schedule prescribed by the Division.

(i) If a casino licensee utilizes an account based wagering system for slot machine withdrawals and deposits, a casino licensee shall generate a report on a daily basis that compares for each slot machine the amounts withdrawn from and deposited to patron accounts to its corresponding electronic transfer credit meter. A casino accounting department member shall review the report on a daily basis, investigate each variance and:

1. Prepare one or more summary schedules of all cashable and non-cashable electronic transfer credit variances which detail the date, the asset number of the slot machine or electronic table game number, the variance amount and the reason for the variance;
2. Report a manual adjustment to increase the Slot Win Report amount for any cashable and non-cashable electronic transfer credit withdrawal variance where the meter exceeds the patron withdrawal amount, unless the reason for the variance documented in (i)1 above is sufficient to support a determination that a patron withdrawal transaction did not occur as listed on the supporting documentation; and
3. Report a manual adjustment to increase the Slot Win Report amount for any cashable and non-cashable electronic transfer credit deposit variance where the meter is less than the patron deposit amount, unless the reason for the variance documented

in (i)<sup>1</sup> above is sufficient to support a determination that a patron deposit transaction did occur as listed on the supporting documentation.

(j) In lieu of (i) above, a casino licensee may summarize the daily variance report review in a manner and on a monthly schedule prescribed by the Division.

(k) A casino accounting department member shall compare for each slot machine, the number of coins or slot tokens counted and recorded in the count room on the Hard Count Report to the drop meter reading. All variances between the count and the meter readings shall be reported to the slot department for appropriate action. A casino accounting department member shall adjust the hard count amount as appropriate and upon notification to the Division.

(l) On a daily basis, a casino accounting department member shall compare for agreement for each slot machine the Payout slip amounts to the corresponding meter readings as summarized on a system Payout Meter Comparison report. All variances greater than \$ 25.00 between the Payout slip amounts and the corresponding meter readings shall be investigated by the casino accounting department and reported to the slot department for appropriate action and further investigation if deemed necessary. A casino accounting department member shall adjust the revenue amount as appropriate and upon notification to the Division.

(m) Whenever there is a variance of more than \$ 500.00 between the value of cash, gaming vouchers, or coupons removed from a bill changer's slot cash storage

box to their corresponding meters as recorded on a report generated by the slot monitoring system, a casino licensee shall:

1. Cause a member of its slot department, in conjunction with its casino accounting department, to investigate the cause of each variance;
2. Prepare and file an incident report with the Division no later than three weeks after the completion of the corresponding slot or table game cash storage box pickup documenting each such variance; and
3. Include on the incident report the following for each bill changer with a reportable variance:
  - i. The date of the meter reading;
  - ii. The date the report was filed;
  - iii. The amount of the variance, by denomination, with the exception of gaming vouchers, which shall be by total value;
  - iv. The asset number of the bill changer involved;
  - v. The amount of the variance by currency, gaming vouchers, and/or coupons;

- vi. The cause of the variance with any documentation attached to support the explanation;
- vii. The manufacturer and model number of the slot machine to which the bill changer is attached or embedded; and
- viii. The signature and credential number of the preparer.

**13:69D-1.44 Keys for dual locks; casino licensee-controlled keys and locks; notice to the Division and surveillance department upon malfunction and repair, maintenance, or replacement of alarms**

(a) Any key, locking mechanism, or locking system that is required by N.J.S.A. 5:12-100c or this chapter shall be patented unless otherwise approved by the Division. Such key shall be legally duplicable only by the manufacturer or an agent or successor thereof, and shall be capable of unlocking the locking device on no more than one type of secure box, compartment, or location used or maintained within any casino hotel facility.

(b) A casino licensee shall maintain an inventory identifying each controlled key, locking mechanism, or locking system and setting forth the procedure by which the key, locking mechanism, or locking system shall be controlled. Such internal controls shall, at a minimum, include an enumeration of those incidents or events which, if they occurred, would compromise the security of the casino licensee's locking systems and require it to immediately comply with the provisions herein.

(c) The types of secure boxes, compartments or locations that require a unique key, locking mechanism, or locking system shall include, without limitation, the following:

1. Drop boxes;
2. Slot cash storage boxes;

3. Trolleys to transport drop boxes from gaming tables to a secure location;
4. Trolleys or cabinets used to transport or store, respectively, slot cash storage boxes;
5. Count room entrance and exit doors;
6. Compartments housing slot drop buckets;
7. Slot drop boxes;
8. Compartments housing slot drop boxes;
9. Areas in which slot cash storage boxes are located;
10. Compartments housing microprocessors or other control units controlling progressive meter(s) for progressive slot machines;
11. Locations housing a computer that controls a progressive payout wager system for gaming tables offering a progressive payout wager;
12. Storage cabinets or trolleys for unattached slot drop boxes; and
13. Compartment housing a random number generator for the keno system.

(d) Each casino licensee shall establish inventory internal controls for any key required to be controlled and maintained by a casino licensee and for any corresponding locking device including, without limitation, any key and locking device required by N.J.S.A. 5:12-100c and this chapter for a dual control locking system. The key and locking device inventory controls of each casino licensee shall include, at a minimum, procedures for:

1. Maintenance of inventory ledgers by identified, authorized personnel for purposes of documenting:
  - i. The requisitioning of keys and locking devices from vendors;
  - ii. The receipt of blank key stock for keys listed in (c) above;
  - iii. The storage and issuance of keys and locking devices;
  - iv. Any loss, removal from service, and subsequent replacement of keys and locking devices;
  - v. The destruction of keys and locking devices; and
  - vi. The results of physical inventories;
2. The storage of duplicate keys and locking devices, including a physical description of any storage location and the identification

of authorized personnel in control of such location and access to such location;

3. The destruction of keys and locking devices, including documentation detailing in whose presence any destruction shall occur; and
4. Physical inventories of all keys and locking devices at least once every 12 months.

(e) A casino licensee shall notify the Division and its surveillance department immediately upon becoming aware of any malfunction of any alarm system or alarmed door required by the Act and these regulations, and upon any emergency service to restore their proper function. In addition, a casino licensee shall provide the Division and its surveillance department with at least 24 hours written notice prior to effecting any non-emergency repair, maintenance or replacement of any such alarm system or alarmed door including, without limitation:

1. Alarm systems for any emergency exit from the casino floor or casino simulcasting facility;
2. Alarm systems for the casino cage, its ancillary office space and any related casino vault;
3. Alarm systems for any master coin bank located outside the casino cage;

4. Alarmed emergency exit door(s) for the casino cage;
5. Alarmed doors to casino vaults signaling the closed circuit television system;
6. Alarmed doors to count rooms signaling the monitoring rooms and the casino security department;
7. Alarm systems providing for a continuous visual signal whenever any access door to the count room is open;
8. Alarm systems for any slot cashier window in a slot booth;
9. Alarm systems for separate work stations within a keno booth or satellite keno booth; and
10. Alarm systems for keno work stations in keno lockers.

**13:69D-1.45 Signatures**

(a) This section shall apply to any signature required by the rules of the Division or by a casino licensee's internal controls. Signatures shall:

1. Comply with either of the following requirements:
  - i. Be, at a minimum, the signer's first initial, last name, and credential number, written by the signer, sufficiently written so as to permit the Division to readily identify the signer and be immediately adjacent to or above the clearly printed or preprinted title or position of the signer; or
  - ii. Be the employee's identification number or other computer identification code issued to the employee by the casino licensee, if the document to be signed is authorized to be generated by computer; and
2. Signify that the signer has personally prepared forms, records, and documents, and/or authorized, observed, and/or participated in a transaction to a sufficient extent to attest to the accuracy of the information recorded thereon, in conformity with the Division's rules or the casino licensee's internal controls.

(b) Signature records shall be prepared for each person required to sign records and documents and shall include specimens of signatures including credential

number, titles of signers, and the date the signature was obtained. Such signature records shall be maintained alphabetically by last name either on a company-wide or departmental basis and shall be made available to the Division either electronically or by hard copy. The signature records shall be adjusted on a timely basis to reflect changes of personnel.

(c) Signature records shall either be:

1. Securely stored in the accounting department and filed alphabetically by last name on a signature control card; or
2. Stored in electronic form, which shall be maintained by the IT Department in a secure format so that such signature records can be promptly retrieved in the event of a computer failure.

13:69D-1.46 (Reserved)

**13:69D-1.47 Keno procedures**

(a) A casino licensee offering the game of keno shall use a keno computer system approved by the Division. A casino licensee shall immediately notify the Division of any malfunction of a keno computer system and shall not utilize the system until the malfunction has been repaired. Each casino licensee shall conduct the game of keno in accordance with internal controls for its keno computer system which shall include:

1. Access restrictions;
2. Hardware and software controls;
3. Override policies and restrictions;
4. Keno tickets and payoff information; and
5. Backup and recovery procedures.

(b) Keno shall be conducted by an individual known as a keno writer at a keno work station. A casino licensee may employ one or more "keno runners" to assist in the conduct of keno. A keno runner may act as an intermediary between a patron and a keno writer in order to facilitate the placement or redemption of a keno wager.

(c) A keno work station shall commence operation with an imprest amount of currency and coin ("keno inventory") which shall be stored in a lockable keno drawer.

(d) A keno writer or keno runner shall be authorized to accept and redeem wagers from a keno drawer assigned to the keno writer or keno runner. No casino

licensee shall cause or permit currency, coin, or gaming chips to be added to, or removed from, the keno inventory during the gaming day except:

1. In exchange for a keno ticket purchased by a patron;
2. To make change for a patron buying a keno ticket;
3. In receipt of a coupon from a patron in exchange for currency, coin, or a keno ticket;
4. To pay a winning keno ticket;
5. To refund a voided keno ticket; or
6. In conformity with keno fill and keno credit procedures.

(e) Keno drawers shall be prepared by a main bank cashier, master coin bank cashier, cage supervisor, or keno supervisor in accordance with the casino licensee's internal controls.

(f) The keys to the keno drawers containing the keno inventories shall be maintained and controlled in accordance with the licensee's internal control procedures. Each key shall be signed-in and signed-out in accordance with the casino licensee's internal control procedures.

(g) Each casino licensee shall conduct keno operations in accordance with internal controls for accounting and reconciliation of the assets. The internal controls shall include procedures detailing:

1. The verification of each keno drawer by a keno supervisor, main bank cashier, or cage supervisor;
2. The documenting of any overage or shortage;
3. The reporting of any suspicious winning keno ticket; and
4. The forwarding of all reports to casino accounting on a daily basis.

(h) If a keno writer or keno runner needs additional currency or coin, the keno writer or keno runner shall prepare a keno fill slip in accordance with the licensee's internal control procedures.

(i) A keno writer or keno runner may transfer currency, coin, gaming chips, slot tokens, and coupons to the main bank, master coin bank, or keno supervisor by preparing a keno credit slip in accordance with the licensee's internal control procedures.

(j) A keno runner may accept wagers and redeem winning tickets without the assistance of a keno writer provided that:

1. The keno runner operates from a keno drawer, pouch, or wallet;
- and
2. The keno system can generate the reports necessary for the accounting and reconciliation of the keno drawer, pouch, or wallet of each keno runner.

(k) If a patron requests to place a keno wager with a keno runner, the keno runner shall:

1. Require the patron to complete a two-part keno runner request and to present currency, coin, gaming chips, slot tokens, or coupons in an amount sufficient to fund the request;
2. Provide the duplicate of the keno runner request to the patron as a receipt for the keno wager;
3. Take the original of the keno runner request with the wager information together with the currency, coin, gaming chips, slot tokens, or coupons to a keno writer at a keno work station or to a keno booth, satellite keno booth, or keno locker where the keno runner has a keno drawer;
4. Receive the keno ticket or tickets and any change from the keno writer or generate them directly at his or her work station in a keno booth, satellite keno booth, or keno locker; and
5. Deliver the keno ticket or tickets to the patron in exchange for the duplicate copy of the keno runner request, provided that, prior to the exchange, the keno runner shall compare the two parts of the keno runner request to ensure that the ticket is presented to the correct patron.

(l) If a patron requests to redeem a winning keno ticket with a keno runner, a keno runner shall:

1. Accept the ticket from the patron in exchange for a one-part keno ticket receipt; provided, however, a keno runner who generates and redeems keno tickets at a keno work station, utilizes a winning keno ticket report to verify the winning ticket and has sufficient funds in his or her pouch or wallet to redeem the ticket may accept the ticket in exchange for the winning payout;
2. Take the winning ticket to a keno writer at a keno work station or to a work station in a keno booth, satellite keno booth, or keno locker where the keno runner has a keno drawer or, if the keno runner has paid the patron directly from his or her pouch or wallet, redeem the winning keno ticket at a keno work station no later than the end of the keno runner's shift;
3. Unless the keno runner has paid the patron directly from his or her pouch or wallet, obtain the proceeds of the ticket from the keno writer or the keno runner's drawer; and
4. Deliver the proceeds to the patron in exchange for the keno ticket receipt.

(m) No keno supervisor or keno writer shall start a keno game until all keno runners who are authorized to accept wagers for that game have recorded the wagers they have accepted. The keno supervisor or keno writer shall certify at the end of the shift that all keno runners recorded the wagers they have accepted prior to the start of each keno game during the shift.

**13:69D-1.47A (RESERVED)**

**13:69D-1.48 (RESERVED)**

**13:69D-1.49 (RESERVED)**

**13:69D-1.50 (RESERVED)**

**13:69D-1.51 (RESERVED)**

**13:69D-1.52 Payment of table game progressive payout wagers; supplemental wagers not paid from the table inventory**

- (a) This section shall apply to any table game that offers:
  - 1. One or more progressive jackpots that increases in value as the game is played based upon a set rate of progression, and awarded when a player achieves a specific game outcome; or
  - 2. A supplemental wager which is not paid from the table inventory.
- (b) A progressive jackpot shall be controlled by an external progressive controller.
- (c) An external progressive controller shall be in a location approved by the Division in a compartment or cabinet which has two separate keys. One key shall be maintained and controlled by the security department and the second key shall be maintained and controlled by the table games department.
- (d) Each casino licensee seeking to utilize a linked table game shall submit to the Division for approval the location and manner of installing the common display unit.
- (e) No table game that offers a progressive jackpot shall be placed on the casino floor until the casino licensee has submitted to the Division the following:
  - 1. The initial and reset amounts at which the "progressive meter(s)" will be set;
  - 2. The proposed system for controlling the keys and access codes;
  - 3. The rate of progression for each progressive jackpot, which shall not be changed except upon notice to the casino accounting

department, which department shall also be responsible for ensuring the required reconciliation; and

4. The calculated probability of winning each progressive jackpot, which probability shall not exceed 100 million to one.

(f) The amount on a progressive meter shall not be decreased unless:

1. The amount indicated has been paid to a winning patron;
  2. The progressive jackpot amount won by the patron has been recorded in accordance with internal controls;
  3. The change is necessitated by a table game or meter malfunction, in which case an explanation shall be entered on the Table Game Progressive Summary and the Division shall be notified in writing;
- or
4. The jackpot is removed as permitted by (h) below.

(g) Once an amount appears on a progressive meter, the probability of winning the progressive jackpot may not be decreased unless the progressive jackpot has been won by a patron or the progressive jackpot is removed as permitted by (h) below.

(h) When a casino licensee decides to permanently remove a table game progressive payout, a time limit of not less than 30 days shall be established and notice of the time limit shall be provided at each table and to the Division. Upon the expiration of such time limit, the casino licensee may remove the table game progressive payout from the casino or casino simulcasting facility or establish another time limit of not less

than 30 days. Nothing in this section shall be deemed to prohibit the immediate and permanent removal by a casino licensee of a table game progressive payout from a gaming table provided that one or more table games offering the progressive payout remain on the casino floor or in the casino simulcasting facility.

(i) Once the time limit in accordance with (h) above has expired, the amount on any progressive meters shall be documented in accordance with the casino licensee's internal controls and filed with the Division. The amount may be retained by the casino licensee.

(j) The amount indicated on the "progressive payout meter," "progressive meter," "in-meter," and, if applicable, "reset meter" on each gaming table offering a progressive payout wager shall be recorded on a Table Game Progressive Summary, at a minimum, at least once every seven calendar days and each summary shall be signed by the preparer. If not prepared by the casino accounting department, the Table Game Progressive Summary shall be forwarded to casino accounting by the end of the gaming day on which it is prepared. A representative of the casino accounting department shall be responsible for calculating the correct amount that should appear on the progressive meter. If an adjustment to the progressive meter is necessary, the accounting department shall notify the table games department, a member of which shall adjust the meter within 24 hours of the meter reading.

1. Supporting documentation shall be maintained by the casino accounting department to explain any addition or reduction in the registered amount on the progressive meter, which

documentation shall include, at a minimum, the date, the number of the table, the amount of the adjustment, the reason for the adjustment and the signature of the table games department member making the adjustment.

2. A copy of the documentation required in (j)1 above shall be provided to the Division.

(k) A table game offering a progressive payout wager may be temporarily removed from the casino or casino simulcasting facility for a period not to exceed five gaming days. The amount on the progressive meter and, if applicable, reset meter upon the return or replacement of the gaming table, shall not be less than the amount at the time of removal. Any time limit for the offering of a progressive payout pursuant to (h) above shall be extended by the number of days during which the progressive payout was not offered as the result of any action by a casino licensee pursuant to this subsection.

(l) A casino licensee shall immediately notify the Division in the event of any malfunction of a computer that controls the progressive payout wager system and shall not utilize the system until the malfunction has been remedied. A casino licensee may continue to utilize the system prior to it being remedied for a period not to exceed 48 hours, provided that:

1. The malfunction is limited to a single storage media device;
2. In addition to the malfunctioning storage media device, the system contains a backup storage media device not utilized in the

normal operation of the system, which backup device shall immediately and automatically replace the malfunctioning device, to permit a complete and prompt recovery of all information in the event of an additional malfunction; and

3. Continued use of the malfunctioning system would not limit the ability to perform a complete and prompt recovery of all information and would not otherwise harm or affect the normal operation of the progressive payout wager.

(m) Whenever a patron wins a table game progressive payout or an authorized supplemental wager, the casino licensee may either pay the winnings with gaming chips in the table inventory or issue a receipt to the patron which may be exchanged for payment at a cashiers' cage.

(n) When a supplemental wager is not paid from the table inventory or if a progressive jackpot is won, the casino supervisor of the game at which the payout was won shall verify the winning hand and amount to be paid. For progressive jackpots the casino supervisor shall record the date, time, winning configuration, amount of the jackpot and the readings of the meters in (j) above on the Table Game Progressive Summary. The casino games supervisor shall reset the progressive amount using the reset key.

(o) If the casino licensee does not pay the progressive jackpot or an authorized supplemental wager from the table inventory, the casino supervisor in (n) above shall document the payout on a two-part table game payout receipt. The receipt

shall include the following:

1. The date and time;
2. The table number;
3. The configuration of the winning hand;
4. The amount to be paid;
5. The name and signature of the patron (signature on the original only); and
6. The signature of the casino supervisor.

(p) The original table game payout receipt form shall be transported to the casino cage and the duplicate shall be provided to the patron.

(q) Upon presentation of the duplicate receipt by the patron, a cashier shall have the patron sign the duplicate, compare the duplicate to the original and, if in agreement, prepare a Table Game Payout Slip ("Payout Slip"). The Payout Slip shall be a serially numbered, two-part form. The casino accounting department shall account for the series of numbers of the Payout Slips. Payout Slips shall be used in sequential order and include the following:

1. The date and time;
2. The table number;
3. The configuration of the winning hand;
4. An indication if the payout is for a progressive jackpot or supplemental  
wager payout;
5. The amount paid;

6. The method of payment;
7. The cashier location; and
8. The signature of the cashier.

(r) Upon payment to the patron, the cashier shall attach the original receipt to the original Payout Slip and the duplicate receipt to the duplicate Payout Slip. The cashier shall retain the originals and place the duplicates in a locked accounting box. If the Payout Slip is computer generated, the data shall not be susceptible to modification or deletion. All voided forms shall be marked "VOID" and shall require the signature of the preparer.

(s) The casino accounting department shall verify the table game progressive payment which shall include verifying the meter readings and document all appropriate adjustments to the Master Game Report.

13:69D-1.53 (Reserved)

**13:69D-1.54 Gaming vouchers; procedures for issuance and redemption; redemption of coupons through a gaming voucher system**

(a) A casino licensee may issue and redeem a gaming voucher at a cashiering location, slot machine, or electronic table game if connected to a computerized gaming voucher system ("system") which has been approved by the Division. In addition, a coupon enrolled in the system may be redeemed at a slot machine or electronic table game.

(b) A casino licensee may issue a gaming voucher:

1. To automatically pay a jackpot or the amount on a credit meter, which value shall not exceed \$ 10,000. The voucher shall be dispensed automatically from an electronic gaming device to a patron;
2. From a slot machine in an amount that cannot be converted to credits on a slot machine upon a patron's redemption of a gaming voucher;
3. From a cashiering location in even exchange for currency, chips, a cash equivalent, a slot counter check, or customer deposit withdrawal issued by the casino licensee, or in payment of a manual slot payout; and
4. At an electronic table game for the purpose of cashing out electronic credits.

(c) A casino licensee may redeem a gaming voucher at:

1. Slot machines;
2. Cashiering locations; or
3. Electronic table games.

(d) With the exception of a cashier generated gaming voucher, a gaming voucher shall expire one year from the date of its issuance; provided, however, that nothing shall preclude a casino licensee from restricting the redemption location for a gaming voucher after a specified period of time, above a specified value, or both, in accordance with internal controls, provided that adequate written notice explaining the restriction or restrictions is provided to patrons.

(e) A gaming voucher system may be utilized to redeem coupons issued by the casino licensee provided that:

1. The IT department controls the uploading of the coupon file in the gaming voucher database; and
2. The casino licensee has internal control procedures for the control and reconciliation of all coupons redeemed by the gaming voucher system.

(f) A casino licensee shall not permit a gaming voucher to be redeemed if it knows, or reasonably should know, the gaming voucher is materially different from gaming vouchers issued by the casino licensee.

(g) A casino licensee shall immediately report to the Division any gaming voucher suspected of being counterfeit, altered or tampered with that is presented for redemption or otherwise discovered. The gaming voucher shall be transported and retained by the casino licensee's security department, until it is collected by the Division. Upon receipt of such voucher, an employee of the security department shall complete a two-part Suspicious Gaming Voucher form. The original form shall be provided with the voucher to the Division, and the duplicate form shall be retained by the casino licensee. The form shall include:

1. The date the gaming voucher was presented for redemption or otherwise discovered;
2. The location where the gaming voucher was presented for redemption or otherwise discovered;
3. The name and license number of the employee who received or discovered the gaming voucher; and
4. If available, the identity of the patron who presented the gaming voucher.

(h) Upon the presentation of a gaming voucher for redemption, the gaming voucher shall be scanned into the system to verify the validity of the gaming voucher, including its validation number, value and, if applicable, the expiration date. If the gaming voucher is valid, the gaming voucher system shall immediately cancel the gaming voucher electronically and permit the redemption of such gaming voucher for the value printed thereon.

(i) When the system is unable to verify the validity of a gaming voucher (unverified gaming voucher), a casino licensee may redeem the gaming voucher at a cashier's cage or satellite cage without immediately canceling the voucher provided that:

1. The licensee shall have internal controls designed to prevent employees or patrons from misappropriating the proceeds from unverified vouchers;
2. Any unverified gaming voucher that is subsequently scanned by cashier or cashier supervisor, verified and electronically canceled in the system shall thereafter be a redeemed gaming voucher;
3. At the end of each gaming day, all unverified gaming vouchers redeemed shall be transferred to the casino accounting department; and

4. On a daily basis, the casino accounting department shall prepare an Unverified Gaming Voucher document which lists the unverified gaming vouchers. The document shall include for each unverified gaming voucher:

- i. The date of issuance;
- ii. The Validation Number;
- iii. The asset number or location where the gaming voucher was issued; and
- iv. The value.

(j) A computer record for a voucher in the possession of the casino licensee not in a redeemed status may be voided provided that:

1. The void is authorized by the accounting department;
2. The casino licensee can establish the validity of the issuance of the voucher;
3. The proper patron was paid; and
4. The casino licensee maintains sufficient supporting documentation.

(k) A cage supervisor or above may also void a gaming voucher record in accordance with a methodology approved by the Division if the casino licensee:

1. Reasonably believes that the gaming voucher has been misappropriated; and
2. Maintains sufficient supporting documentation.

(f) Gaming vouchers found by any casino employee shall be immediately delivered to the security podium where a security officer shall deface the voucher's barcode in the presence of the casino employee. The voucher shall be held in a secure manner until the end of the next gaming day or otherwise claimed by a patron and confirmed by a slot department supervisor. At the beginning of each gaming day, a security supervisor shall shred all found vouchers remaining at the podium from the prior gaming day.

## **SUBCHAPTER 2. CASINO COMPUTER SYSTEMS**

### **13:69D-2.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Access” means the ability to create, read, modify, and/or delete controlled data.

“Authorized user” means a current employee of the casino licensee, affiliate, or vendor, which has been approved by the casino licensee’s Information Technology (IT) Department to access a controlled computer system.

“Computer access” or “logical access” means any access to controlled data or software.

“Computer security” means the physical and logical controls that are used to prevent unauthorized access to controlled hardware, software, and data.

“Confidential data” means any data that is collected by the casino licensee that is not in the public domain.

“Controlled computer system” means all hardware and software used to protect, generate, or store controlled data.

“Controlled data” means any casino related record, other than marketing data, that is required by the Casino Control Act and the Division rules.

“Controlled hardware” means any device that is used by a controlled computer system.

“Controlled software” means any software, other than marketing applications, that can be used to create or alter controlled data.

“Critical computer system” means all hardware and software used to protect, generate, or store critical data.

“Critical data” means any record that is used in the calculation of gross gaming revenue and does not include marketing data.

“Critical hardware” means any device that is used by a casino to store critical data.

“Critical location” means any physical location used to house critical hardware and software.

“Critical software” means any program that can be used to create or alter critical data.

“Disaster recovery plan” means written procedures, including assigned roles and responsibilities, designed to restore all or part of a casino licensee’s controlled computer system capabilities in the event that the system is rendered unusable by a disaster.

“Division best practice” means a course of action recommended by the Division. When Division best practice is not used, the casino licensee shall document in its internal controls, the course of action to be taken. Such internal controls shall be approved by the casino licensee’s Director of IT. Division best practices shall be considered a safe harbor such that a licensee that implements the Division best practice

shall not be subject to sanctions if the regulation for which the Division best practice set forth is breached.

“Firewall” means dedicated computer hardware, software, and related device security policies, which are controlled by the casino licensee’s IT department to effectively protect a controlled computer system, its software, and data from unauthorized access.

“Personal patron data” means any non-public patron information collected by the casino licensee, including date of birth, social security number, credit card numbers, bank account information, and driver’s license number.

“Qualified affiliate” is a holding, intermediary or subsidiary company of a casino licensee that has been found qualified in conjunction with such licensee’s casino license.

“Release Notes” means documents which describe and provide the reason for changes made to components, configurable options, settings, or versions of a critical computer system.

“Remote access” means connectivity to a controlled computer system from a location outside of the casino licensee’s casino facility.

“System integrity” means the validity of controlled data and the controls used to minimize human error, hardware malfunctions, transmission errors, software errors, infiltration of unwanted software (malware, virus, etc), and disasters.

### **13:69D-2.2 Use of controlled computer systems**

(a) Prior to implementing a controlled computer system, each IT department shall employ internal controls which ensure the accuracy, reliability, and system integrity of their controlled computer systems and controlled data.

(b) Nothing in the Division's rules shall preclude a casino licensee, qualified affiliate or licensed affiliate from contracting the services of a third party for the operation of a controlled computer system, provided such third party is appropriately qualified, licensed or registered.

(c) Each casino licensee shall ensure its internal controls are current and adequately safeguard its controlled computer systems and controlled data.

(d) All critical software shall be approved by the Division prior to implementation and shall require the filing of Release Notes prior to installation. Additionally, critical software shall be designed with an approved method for software version verification.

(e) The initial installation and all material modifications to critical hardware shall be approved by the Division and shall require the filing of Release Notes prior to installation.

(f) Each casino licensee shall maintain documentation for all critical hardware and software. The documentation shall include, at a minimum, the make and model of hardware, the software version, and a copy of the Release Notes.

(g) Each critical location shall be approved by the Division and be designed to prevent unauthorized access. Each casino licensee shall ensure that:

1. An access log is utilized for non-IT department employees which identifies the date and time of each access and exit, as well as the name, company affiliation, and reason for entry in accordance with the IT department's internal controls; and
2. Surveillance camera coverage of all entryways and exits of the critical location is recorded and maintained in accordance with the Division's rules.

(h) Each controlled computer system shall be capable of recovering from an outage or loss of service and shall utilize, at a minimum, the following:

1. Data redundancy which permits the complete and prompt recovery of controlled data;
2. Environmental protection designed to protect critical hardware from a disaster; and
3. Backup capability that enables the casino licensee to create periodic copies of controlled data on a storage device which shall be separate from the device containing the data.

(i) Each casino licensee shall ensure it is capable of recovering controlled systems after a disaster and have a current disaster recovery plan.

(j) Controlled computer systems shall be designed to protect the security, confidentiality, and unauthorized release of personal patron data. The casino licensee shall provide written notice to the Division within 72 hours of becoming aware that personal patron data may have been compromised or has been otherwise released

without proper authorization. The casino licensee shall notify the patron(s) affected in a timely manner, if the compromise has been confirmed via the conclusion of internal investigation and if law enforcement permits.

(k) Logical access to a controlled computer system shall be governed by the internal controls of the casino licensee's IT department that shall ensure:

1. Access requests are reviewed and approved;
2. User accounts and passwords are securely issued and stored;
3. User access is limited to only those functions necessary to perform the user's specific job responsibilities;
4. Manufacturer default passwords are not used;
5. Accounts associated with users who no longer require access are deactivated or removed;
6. Security events are monitored and logged; and
7. Except as provided in (l) below, each active user account has a password associated with a specific person.

(l) A casino licensee may issue an account not associated with a specific person provided that:

1. The account cannot be used to add, modify, or delete controlled data and/or controlled software;
2. The account is temporarily assigned by the IT department and documented in accordance with this subsection; or

3. The account is a generic system account, access to which is controlled by a casino licensee's IT department.

(m) Critical software shall not permit critical data to be altered unless the critical software provides a record of the modification. The record shall include, at a minimum:

1. The user who made the adjustment;
2. The date of the adjustment; and
3. The result of the adjustment.

(n) Controlled software shall not permit controlled data that is associated with a serially numbered document to be altered once the serially numbered document has been generated. Serially numbered documents may be voided using controlled software provided the controlled computer system maintains the original record and identifies the user that voided the record.

(o) Casino licensees shall ensure the security and integrity of access codes associated with player accounts. Division best practice is to encrypt such data where it is stored and during transmission.

(p) Critical computer systems shall monitor and report to the casino licensee any malfunction or security incident that adversely affects the integrity of critical data or system functionality. The casino licensee shall provide notice to the Division within 24 hours of becoming aware of the malfunction or security event.

(q) The casino licensee shall monitor and control access to operating systems used in conjunction with controlled computer systems. Division best practice is to

utilize a method to electronically monitor and record the actions of users that can bypass application controls to adjust, add or delete controlled data.

(r) User accounts that can bypass application controls to adjust, add or delete controlled data shall:

1. Be restricted to authorized IT department employees and authorized third parties;
2. Not be required for normal operation or routine maintenance of the controlled computer system;
3. Not be used unless authorized and documented. Such documentation shall include, at a minimum:
  - i. The name of the user;
  - ii. The name of authorizing employee;
  - iii. The date and time of access;
  - iv. The reason for access; and
  - v. A description of the data that was modified, if applicable.

(s) The casino licensee shall ensure the completion of the documentation required by (r) above. Division best practice is to utilize an electronic log that automatically records the account and date and time of access.

(t) The IT department shall be exclusively capable of booting critical hardware from more than one logical device.

(u) The casino licensee shall ensure that controlled data cannot be retrieved from decommissioned hardware.

(v) A casino licensee may provide remote access to its controlled computer system by an authorized user or computer system provided that:

1. The casino licensee has established a method to validate the identity of the user or system that is remotely connected. The validation method does not require a two-factor authentication;
2. The connection has been established using a methodology that prevents unauthorized access to the systems or to the data transmitted between the remote access user and the controlled computer system. The protection does not require data encryption;
3. A firewall or equivalent device is used by the casino licensee in conjunction with the connection;
4. Vendors which require temporary remote access to a casino licensee's controlled computer system may be issued an account in accordance with this section provided that the password is changed or the account is disabled after every use; and
5. Vendors that remotely access a casino licensee's controlled computer system using an account that can bypass application controls to adjust, add, or delete controlled data, shall maintain an independent record of such access documenting, at a minimum:
  - i. The date and time access was initiated and terminated;

- ii. The name and business affiliation of the user who accessed the controlled computer system;
- iii. The user account used during the remote session;
- iv. The name of the casino licensee's IT department employee who granted access;
- v. The reason for access; and
- vi. Description of what was modified, if applicable.

**13:69D-2.3 Installation and change controls for controlled computer systems**

(a) Each casino licensee shall maintain internal controls that govern the creation, modification, replacement, installation, and use of controlled software.

(b) A casino licensee may utilize the services of a third party to comply with the requirements of this subsection provided such third party is appropriately qualified, licensed or registered or a qualified affiliate.

(c) The casino licensee shall ensure the integrity of all controlled software created by the casino licensee, its affiliated casino licensee or qualified affiliate. Division best practice is to review source code prior to use where the review is:

1. Performed by a person capable of reviewing the source code for security issues which could lead to fraud or misuse;
2. Performed by someone other than the programmer(s) of the source code;
3. Completed within three business days following an emergency installation; and
4. Documented using a method which identifies the date the source code was reviewed, the person(s) who reviewed the source code, and the reviewer's findings or concerns.

(d) The casino licensee shall ensure all software utilized works as intended and functions properly in compliance with the Division's rules prior to installation.

Division best practice is to evaluate the functionality and integrity of the software by utilizing a test that:

1. Is performed by someone other than the programmer(s) of the code;
2. Ensures the software works as intended with no adverse effect on other applications, reports, or processes;
3. Ensures the software operates in accordance with the Division's rules and that potential weaknesses cannot be exploited for fraud or theft;
4. Is completed within three business days following an emergency installation; and
5. Is documented using a method to identify the date the test was complete, the person(s) who performed the test, and any findings or concerns that were observed.

(e) Controlled software shall not be installed by a casino licensee unless it has been approved for use by the casino licensee's IT Director or designee.

(f) Prior to the installation, change, or upgrade of critical hardware and software, the casino licensee shall ensure that:

1. It has the ability to revert back to the previous state without impacting the integrity of any critical data and software; and
2. The Division is provided with Release Notes 24 hours in advance except as provided in (g) below.

(g) The casino licensee may install or replace controlled computer system hardware or software without prior notification to the Division when an unexpected

event critically impacts the integrity or functionality of the system. The casino licensee shall provide notice to the Division within 24 hours, and shall provide Release Notes within 72 hours of installation.

#### **13:69D-2.4 Networks**

(a) Each casino licensee shall maintain internal controls that ensure the security, integrity, reliability, and functionality of the network that supports its controlled computer systems.

(b) Each casino licensee shall maintain a current network diagram which identifies all critical computer system connectivity.

(c) Each casino licensee shall protect its network from foreseeable risks. Division best practice is to evaluate risks to its network, develop a plan to mitigate those risks, implement the plan, test the plan, and update the plan when necessary.

(d) Each casino licensee shall ensure network security. Division best practice is to maintain and enforce written policies that address firewall rule sets, functionality, and monitoring for malicious or abnormal activity.

(e) Each casino licensee shall ensure network devices are working as intended. Division best practice is to perform an annual integrity assessment to ensure all components such as firewalls, routers, and switches adequately protect controlled computer systems from unauthorized access and malicious attack. Such network assessment is documented and includes:

1. The scope of the assessment;
2. The name and company affiliation of the individual(s) who conducted the assessment;
3. The date of the assessment;
4. The recommended corrective action; and

5. The casino licensee's response to the recommended corrective action.

**13:69D-2.5 Official time**

All controlled computer systems and critical computer systems shall be synchronized to Coordinated Universal Time (UTC) as determined by the U.S. Department of Commerce's National Institute of Standards and Technology (NIST). All transactions shall be adjusted to display and report in Eastern Standard and Daylight Savings Time.

### **SUBCHAPTER 3. EXPIRATION OF GAMING RELATED OBLIGATIONS OWED TO PATRONS**

#### **13:69D-3.1 Expiration of gaming-related obligations owed to patrons; payment to casino revenue fund**

(a) A representation of gaming debt shall expire if not claimed within one year of the date of the gaming transaction. Twenty-five percent of the total value of such gaming debts that expire shall be paid to the Casino Revenue Fund, and 75 percent shall be retained by the casino licensee to be used exclusively for marketing purposes.

(b) A casino licensee shall maintain a record of all gaming-related obligations that have expired.

(c) Each casino licensee shall, on or before the 20th day of each calendar month:

1. Report in a format prescribed by the Division, the total value of gaming debts owed to its patrons that expired during the preceding calendar month; and
2. Submit a check to the Division payable to the Casino Revenue Fund equal to 25 percent of the total value of the gaming debts owed to its patrons that expired during the preceding month, as stated on the report.

(d) Failure to make the payment to the Casino Revenue Fund by the due date shall result in the imposition of penalties and interest as prescribed in the State Uniform Tax Procedure Law, N.J.S.A. 54:48-1 et seq.

(e) Nothing shall preclude a casino licensee from, in its discretion, issuing a cash complimentary to a patron to compensate the patron for a gaming debt that has expired.

## **CHAPTER 69E GAMING EQUIPMENT**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69E-1.1 Gaming chips (general rules)**

(a) No gaming chip shall be utilized by a casino licensee in a casino or casino simulcasting facility until:

1. The design specifications of the proposed gaming chip, prior to the manufacture of the gaming chip, are submitted to and approved by the Division, which submission shall include a detailed schematic depicting the actual size and, as appropriate, location of the following:
  - i. Each "face" of a chip, which is the flat surface across which the diameter of the chip can be measured including any indentations or impressions;
  - ii. The "edge" which is the surface of a chip across which its thickness can be measured in a perpendicular line from one face to the other; and
  - iii. Any colors, words, designs, graphics or security measures contained on the gaming chip;

2. A sample stack of 20 gaming chips, manufactured in accordance with its approved design specifications, is submitted to and approved by the Division; and
3. The Division has confirmed that the identification requirements of this subchapter are visible using the casino licensee's closed circuit television system.

(b) Each gaming chip issued by a casino licensee shall be designed and manufactured with sufficient graphics or other security measures including, at a minimum, those features specifically required to appear on the face or edge of a gaming chip pursuant to this section so as to prevent, to the greatest extent possible, the counterfeiting of the gaming chip.

(c) No casino licensee shall use or redeem in its casino or casino simulcasting facility any gaming chip that it knows, or reasonably should know, is materially different from the approved sample or no longer conforms to the requirements of subchapter.

(d) No casino licensee or other person licensed by the Division shall manufacture for, sell to, distribute to or use in any casino outside of Atlantic City, any gaming chips having the same edge spot and design specifications as those approved for use in Atlantic City casinos and casino simulcasting facilities.

(e) A casino licensee may issue souvenir non-gaming chips that are prohibited from use in gaming or simulcast wagering in any casino or casino simulcast

facility. The physical characteristics of such chips shall be sufficiently distinguishable from approved design specifications of any gaming chip issued by any casino licensee so as to reasonably ensure that they will not be confused with authorized gaming chips. At a minimum, such chips shall:

1. Be unique in terms of size or color;
2. Have no edge designs unique to gaming chips; and
3. Bear the name of the casino licensee issuing them and language on both faces stating that they have no redeemable value.

(f) A casino licensee shall remove a set of gaming chips in use from active play whenever it has reason to believe the casino or casino simulcasting facility has accepted counterfeit chips or whenever any other impropriety or defect in the utilization of that set of chips makes removal of the chips in active use necessary or whenever the Division so directs. An approved back-up set of value chips or non-value chips shall be placed into active play whenever an active set is removed.

(g) Whenever chips in active use are removed from play, the casino licensee shall immediately notify the Division and the reason for removal.

(h) Each set of gaming chips approved by the Division for use by a casino licensee shall receive a unique and permanent alphabetical designation. This designation shall be assigned by the casino licensee during the design schematic approval process and shall be used for all inventory procedures required by

13:69E-1.2. If a casino licensee elects to commingle gaming chips pursuant to N.J.A.C.

13:69E-1.3(k), in addition to the assigned alphabetical designation for that set of chips,

each different sample within the set shall also be assigned an accompanying unique

numeric designation.

**13:69E-1.2 Receipt of gaming chips or plaques from manufacturer or distributor; inventory, security, storage, and destruction of chips and plaques**

(a) When gaming chips or plaques are received from the manufacturer or distributor thereof, they shall be opened and checked by at least three casino employees, one of whom shall be from the accounting or auditing department of the casino licensee, one who shall be from the casino games department, and one from any mandatory department other than the surveillance department of the casino licensee. Any deviation between the invoice accompanying the chips and plaques and the actual chips or plaques received or any defects found in such chips or plaques shall be reported promptly to the Division.

(b) Each casino licensee shall report to the Division promptly after an inspection required by (a) above discloses any discrepancy in the shipment including, but not limited to, the following:

1. The shipment contains defective chips or plaques; or
2. The quantity and denomination of the chips or plaques actually received does not agree with the amount listed on the shipping documents.

(c) After checking the gaming chips or plaques received, the casino licensee shall cause to be recorded in a chip inventory ledger:

1. The assigned alphabetical designation;

2. The denomination of the value chips and gaming plaques received;
3. The number of each denomination of value chip and gaming plaque received;
4. The number and description of all non-value chips received;
5. The date of any such receipt, and the signatures of the employees who checked any such chips and plaques;
6. The unique serial number, if applicable; and
7. The storage location if not in active use.

(d) Any gaming chips not in active use shall be stored in:

1. An approved casino vault;
2. The cashiers' cage; or
3. A comparable secure area, approved by the Division, which is adjacent to and accessible exclusively from the casino floor.

(e) Whenever any gaming chips or plaques are taken from or returned to an approved storage area, at least two employees shall be present, one of whom shall be a supervisor from the casino cage, and the following information shall be recorded in the chip inventory ledger together with the date and signatures of the employees involved:

1. The alphabetical designation and, if applicable, any numeric designation;
2. The number and dollar amount for each denomination of value chip or gaming plaque removed or returned;
3. The number and description of the non-value chips removed or returned;
4. The specific storage area being entered; and
5. The reason for the entry into the storage area.

(f) At the end of each gaming day, a casino licensee shall compute and record the unredeemed liability for each denomination of value chips and gaming plaques. At least once every 30 days, at a minimum, each casino licensee shall inventory all sets of value chips and gaming plaques in its possession and shall record the result of such inventory in the chip inventory ledger. The procedures to be utilized to compute the unredeemed liability and to inventory value chips and gaming plaques shall be submitted to the Division. A physical inventory of value chips and gaming plaques not in active use shall only be required annually if the inventory procedures incorporate the sealing of the locked compartment. If a casino licensee elects to commingle gaming chips, a member of the casino accounting department shall, at least once every six months, inventory all gaming chips of a particular sample and readjust the starting inventory for those gaming chips which are no longer in the possession of the casino

licensee. The adjusted inventory figure shall be recorded in the chip inventory ledger and shall be the new beginning inventory figure for the next six-month period for purposes of computing the daily outstanding chip liability required by this section.

(g) The Division shall approve the process for the destruction of chips and plaques. Prior to the destruction of gaming chips and plaques, the casino licensee shall notify the Division, in writing, of the date and the location at which the destruction will be performed; the denomination, number, and amount of value chips and plaques to be destroyed; and the description and number of non-value chips and tournament chips to be destroyed. Unless otherwise authorized by the Division, the destruction of gaming chips and plaques shall be carried out in the presence of at least two employees of the casino licensee, one of whom shall be from the accounting department and one of whom shall be from any other mandatory department other than the surveillance department. The denomination, number, and amount of value chips and plaques or, in the case of non-value and tournament chips, the description and number destroyed shall be recorded in the chip inventory ledger together with the signatures of the individuals carrying out such destruction, and the date on which the destruction occurred. The casino licensee shall also maintain a written log of the names and credential numbers of all casino personnel involved in each such destruction, and the names and employer of all non-casino personnel involved.

(h) A casino licensee shall ensure that at all times there is adequate security, as approved by the Division, for all gaming chips and plaques in its possession.

**13:69E-1.3 Value gaming chips**

(a) Each gaming chip which contains a denomination on each face thereof shall be known as a "value chip." Value chips shall only be utilized on the casino floor or simulcast area, unless otherwise authorized by the Division.

1. Each casino licensee shall be authorized to issue and use value chips in denominations of \$ 0.25, \$ 0.50, \$ 1.00, \$ 2.50, \$ 5.00, \$ 10.00, \$ 20.00, \$ 25.00, \$ 100.00, \$ 500.00, \$ 1,000, \$ 5,000, \$ 10,000, \$ 20,000, and \$ 25,000 and in such quantities as the casino licensee may deem appropriate to conduct gaming or simulcast wagering in its casino or casino simulcasting facility.
2. Each value chip issued by a casino licensee shall be in the form of a disk. Value chips with a denomination of \$ 0.25, \$ 0.50, \$ 1.00, \$ 2.50, \$ 5.00, \$ 10.00, \$ 20.00, \$ 25.00, and \$ 100.00, shall have a uniform diameter of one and 9/16ths inches. Any value chip issued by a casino licensee in the denomination of \$ 500.00 shall have a uniform diameter of one and 9/16ths inches or one and 11/16ths inches. Any value chip issued in the denomination of \$ 1,000, \$ 5,000, \$ 10,000, \$ 20,000, or \$ 25,000 shall have a uniform diameter of one and 11/16ths inches.

3. Each value chip issued in a denomination of \$ 20,000 or \$ 25,000, in addition to satisfying the requirements set forth in this section, shall be impressed with a unique serial number.

(b) Each denomination of value chip issued by a casino licensee shall contain a predominant color unique to that denomination to be known as the "primary color." A "secondary color" on a value chip is any color, other than that chip's primary color, that the Division authorizes a casino licensee to include on the face or edge of the chip as a contrast to the chip's primary color, except that no primary color shall be used as a secondary color on a value chip of another denomination where such use on the edge is reasonably likely to cause confusion as to the chip's denomination when the edge alone is visible.

(c) Each gaming chip manufacturer shall submit sample color disks to the Division that identify all primary and secondary colors to be used for the manufacture of gaming chips for casino licensees in Atlantic City. Once a gaming chip manufacturer has received approval for a primary or secondary color, those colors shall be consistently manufactured in accordance with the approved samples. In order for a primary color to be approved for use, it must visually appear, when viewed either in daylight or under incandescent light, to comply with the color tolerances or such other similar color tolerances as approved by the Division as follows:

1. \$ 0.25 - "Peach" shall mean that color classified as 10R 7/8 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 2.5YR 7/8	H- 7.7R 7/8
Value	V+ 10R 7.5/8	V- 10R 6.5/8
Chroma	C+ 10R 7/9	C- 10R 7/7

2. \$ 0.50 - "Slate Blue" shall mean that color classified as 10B 7/6 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 7.5B 7/6	H- 2.5PB 7/6
Value	V+ 10B 6.5/6	V- 10B 7.5/6
Chroma	C+ 10B 7/5	C- 10B 7/7

3. \$ 1.00 - "White" shall mean that color classified as N9/ on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Value	V+ N9.4/	V- N8.75/
Chroma	C+ 5R 9/1	C- 5G 9/0.5
	5 YR 9/1	5B 9/0.5
	5Y 9/1	5P 9/0.5

4. \$ 2.50 - "Pink" shall mean that color classified as 2.5R 6/10 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 3.75R 6/10	H- 1.25R 6/10
Value	V+ 2.5R 6.75/10	V- 2.5R 5.75/10
Chroma	C+ 2.5R 6/12	C- 2.5R 6/8

5. \$ 5.00 - "Red" shall mean that color classified as 2.5R 4/12 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 3.75R 4/12	H- 1.25R 4/12

Value	V+ 2.5R 4.5/12	V- 2.5R 3.5/12
Chroma	C+ 2.5R 4/14	C- 2.5R 4/10

6. \$ 10.00 - "Blue" shall mean that color classified as 2.5PB 4/10 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 5PB4/10	H- 10B4/10
Value	V+ 2/5PB4.5/10	V- 2.5PB3.5/10
Chroma	C+ None	C- 2.5PB4/9

7. \$ 20.00 - "Yellow" shall mean that color classified as 5Y 8.5/12 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 7.5Y 8.5/12	H- 2.5Y 8.5/12
Value	V+ 5Y 8.75/12	V- 5Y 8/12
Chroma	C+ 5Y 8.5/14	C- 5Y 8.5/10

8. \$ 25.00 - "Green" shall mean that color classified as 2.5G 5/12 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 3.75G 5/12	H- 1.25G 5/12
Value	V+ 2.5G 5.5/12	V- 2.5G 4.5/12
Chroma	C+ None	C- 2.5G 5/9

9. \$ 100.00 - "Black" shall mean that color classified as N2/ on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Value	V+ N2.3/	V- N1.5/
Chroma	C+ 5R 2/0.5	C- 5B 2/0.5
	5Y 2/0.5	5P 2/0.5
	5G 2/0.5	

10. \$ 500.00 - "Purple" shall mean that color classified as 2.5P 4/10 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 3.75P 4/10	H- 1.25P 4/10
Value	V+ 2.5P 4.5/10	V- 2.5P 3.5/10
Chroma	C+ None	C- 2.5P 4/8

11. \$ 1,000 - "Fire Orange" shall mean that color classified as 8.9R 5.9/18.5 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ .15YR 5.9/18.5	H- 7.64R 5.9/18.5
Value	V+ 8.9R 6.4/18.5	V- 8.9R 5.4/18.5
Chroma	C+ 8.9R 5.9/20.5	C- 8.9R 5.9/16.5

12. \$ 5,000 - "Gray" shall mean that color classified as N5/ on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Value	V+ N 5.5/	V- N 4.5/

Chroma	C+ 5R 5/0.5	5B 5/0.5
	5Y 5/0.5	5P 5/0.5
	5G 5/0.5	

13. \$ 10,000 - "Bronze" shall mean that color classified as 5YR 5/4 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 7.5YR 5/4	H- 4YR 5/4
Value	V+ 5YR 5.5/4	V- 5YR 4.5/4
Chroma	C+ 5YR 5.5	C- 5YR 5/3

14. \$ 20,000 - "Mustard Yellow" shall mean that color classified as 5Y 7/6 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 7.5Y 8.5/6	H- 2.5Y 8.5/6
Value	V+ 5Y 9/6	V- 5Y 8/6
Chroma	C+ 5Y 8.5/8	C- 5Y 8.5/4

15. \$ 25,000 - "Gold" shall mean that color classified as 5Y 6/6 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	<b>Upper Limits</b>	<b>Lower Limits</b>
Hue	H+ 7.5Y 6/6	H- 2.5Y 6/6
Value	V+ 5Y 7/6	V- 5Y 5/6
Chroma	C+ 5Y 6/8	C- 5Y 6/4

16. Any casino may propose a different denomination value chip than listed in (c)1 through 15 above. Approval of such other denomination chip shall be through the petition process.

(d) Each value chip issued by a casino licensee shall contain certain identifying characteristics that may appear in any location at least once on each face of the gaming chip and are applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming chip. These characteristics shall, at a minimum, include:

1. The denomination of the value chip, expressed in numbers;

2. The name, trade name, or other approved identification of the casino licensee issuing the value chip, which shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system;
3. For each value chip with a denomination below \$ 25.00 at least one anti-counterfeiting measure and each value chip with a denomination of \$ 25.00 or more at least two anti-counterfeiting measures in addition to those items specifically required to appear on the face or edge of a value chip by this section;
4. The words "Atlantic City" or "New Jersey" if the casino licensee has casino properties in other gaming jurisdictions; and
5. The primary color of the value chip.

(e) In addition to the characteristics specified in (d) above, each value chip in a denomination of \$ 25.00 or more shall contain a third anti-counterfeiting measure and a design or other identifying characteristic that is unique to the gaming chip manufacturer that makes the chip. Upon approval of a particular design or characteristic by the Division, the gaming chip manufacturer shall thereafter have the exclusive right to use that design or characteristic on that denomination of value chip and shall be precluded from using that same design or characteristic on any other denomination of value chip that it manufactures. The approved unique design or characteristic may only be changed upon a showing by the gaming chip manufacturer that, despite the change,

each value chip in a denomination of \$ 25.00 or more shall nonetheless be readily identifiable to the manufacturer. An example of the application of this subsection is as follows:

1. If a hexagon is approved for use by Manufacturer A on a \$ 100.00 value chip, a hexagon can be used by Manufacturer A on any \$ 100.00 value chip that it makes for any casino licensee, but Manufacturer A cannot use a hexagon on any other denomination of value chip that it manufactures; but
2. Manufacturer B could use a hexagon on any value chip with a denomination of less than \$ 25.00 and on any value chip with a denomination of \$ 25.00 or more, other than a \$ 100.00 chip, provided that no other manufacturer has been granted approval by the Division to use a hexagon on the same particular value chip with a denomination of \$ 25.00 or more.

(f) Each value chip issued by a casino licensee shall contain an identifying characteristic, to be known as an "edge spot," which shall:

1. Be applied in a manner which ensures that the edge spot shall:
  - i. Be clearly visible on the edge and, to the extent required by the Division, on each face of the value chip; and
  - ii. Remain a permanent part of the value chip;

2. Be created by using:
  - i. The primary color of the chip; and
  - ii. One or more secondary colors; and
3. Include a design, pattern or other feature that a natural person with adequate training could readily use to identify, when viewed through the closed circuit television system of the casino licensee, the denomination of the particular value chip when placed in a stack of gaming chips, in the table inventory or in any other location where only the edge of the value chip is visible; provided, however, that the design, pattern or feature created by the primary and secondary colors required by (1)2 above shall be sufficient by itself to satisfy the requirements of this paragraph if approved for that purpose by the Division.

(g) When determining the secondary colors to be used to make the edge spot on a particular denomination of value chip, a casino licensee shall, unless otherwise approved by the Division, use only those secondary colors that are reasonably likely to differentiate its value chip from the same denomination of value chip issued by any other casino licensee.

1. If an approved value chip uses a single secondary color, no other casino licensee shall use a similar secondary color as the sole

secondary color on the same denomination of value chip unless it is used in a different pattern or design approved by the Division pursuant to (f)3 above.

2. If an approved value chip uses a combination of two or more secondary colors, no other casino licensee shall use that identical combination of secondary colors on the same denomination of value chip unless it is used in a different pattern or design approved by the Division pursuant to (f)3 above.

(h) In addition to any other requirement imposed by N.J.A.C. 13:69E-1.1 and this section, the edge spots on a value chip that has non-identical faces and a denomination of \$ 25.00 or more shall appear uniform in design, pattern, or other feature when viewed from the perspective of the same face on any other value chip in the set. The edge spots on a value chip that has non-identical faces and a denomination below \$ 25.00 may appear uniform in design, pattern or other feature or as an inverted mirror image thereof when viewed from the perspective of either face on any other value chip in the set.

(i) Unless otherwise authorized by the Division, for each value gaming chip that a casino licensee elects to issue pursuant to this section whose denomination is greater than \$ 10.00, or equal to \$ 1,000 or \$ 5,000, it shall also have at least one approved set of gaming chips that may be used as a back-up for the gaming chips in active use. Each set of value chips maintained for use by a casino licensee shall have

different secondary colors. All sets of value gaming chips shall conform to the color and design requirements contained in this chapter.

(j) A casino licensee may obtain Division approval of two or more different samples within a single set of value chips for a particular denomination with a value of \$ 100.00 or less ("commingling"), provided that each sample of a particular denomination shall have the same secondary color and edge design. Any approved sample of a particular denomination of value chip within a single set of chips may be placed in or removed from active use by the casino licensee at any time.

**13:69E-1.4 Non-value gaming chips for roulette and pokette**

(a) Each gaming chip which does not contain a denomination on either face thereof shall be known as a "non-value" chip.

(b) Each non-value chip utilized in a casino or casino simulcasting facility shall be issued for the purpose of gaming at roulette and pokette.

(c) Each non-value chip issued by a casino licensee shall contain certain identifying characteristics that may appear in any location at least once on each face of the gaming chip and shall be applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming chip. The characteristics required by (c)1 and 2 below shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system. The identifying characteristics of a non-value chip, at a minimum, shall include:

1. The name, trade name, or other identification of the casino licensee issuing the non-value chip;
2. A design, insert or symbol that will permit a set of non-value chips being used at a particular gaming table to be distinguished from the non-value chips being used at every other gaming table in the casino or casino simulcasting facility;
3. The word "Roulette" or "Pokette," as applicable; and

4. Such color and/or design combinations as the Division may approve so as to readily distinguish the non-value chips of each player at a particular gaming table from:
  - i. The non-value chips of every other player at the same gaming table; and
  - ii. The value chips issued by any casino licensee.

(d) Each non-value chip issued by a casino licensee shall contain an identifying characteristic, to be known as an "edge spot," which shall:

1. Be applied in a manner which ensures that the edge spot shall:
  - i. Be clearly visible on the edge and, to the extent required by the Division on each face of the non-value chip; and
  - ii. Remain a permanent part of the non-value chip;
2. Be created by using the colors approved for the face of the particular non-value chip pursuant to (c)4 above in combination with one or more other colors that provide a contrast with the color on the face of the chip and that enable it to be distinguished from the non-value chips issued by any other casino licensee; and
3. Include a design, pattern or other feature approved by the Division that a natural person with adequate training could readily

use to identify, when viewing the non-value chip through the closed circuit television system of the casino licensee, the player to whom the non-value chip has been assigned when the non-value chip is placed in a stack of gaming chips or in any other location where only the edge of the non-value chip is visible; provided, however, that the design, pattern or feature created by the colors required by (d)2 above shall be sufficient by itself to satisfy the requirements of this paragraph if approved for that purpose by the Division.

(e) Each casino licensee shall have a reserve non-value chip for each color utilized in the casino or casino simulcasting facility with a design insert or symbol different from those non-value chips comprising the primary set.

**13:69E-1.4A Tournament gaming chips**

(a) A tournament gaming chip (tournament chip) shall have no cash value and be utilized solely in gaming tournaments in a casino, casino simulcasting facility, or location approved by the Division.

(b) Each tournament chip, unless otherwise approved by the Division, shall contain certain identifying characteristics that may appear in any location at least once on each face of the gaming chip and shall be applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming chip. The characteristics required by (b)1 through 4 below shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system. The identifying characteristics of a tournament chip, at a minimum, shall include:

1. The name, trade name, or other identification of the issuer of the tournament chip;
2. A design, insert, or symbol that will permit a set of tournament chips being used to be distinguished from the value and non-value chips being used at every other gaming table in the casino or casino simulcasting facility;
3. The denomination;
4. The words "Tournament" or "No cash value;" and

5. Such color and/or design combinations as the Division may approve so as to readily distinguish each denomination.

(c) Tournament chips shall be assigned only to those tables utilized in a tournament. No casino licensee or any employee thereof shall allow any patron to remove a tournament chip from a tournament.

(d) Whenever tournament chips are taken from or returned to an approved storage area, at least two employees shall be present, one of whom shall be a supervisor from the casino games or security department or other department approved by the Division, and the following information shall be recorded in the tournament chip inventory ledger together with the date and signatures of the employees involved:

1. The alphabetical designation and, if applicable, any numeric designation;
2. The number and dollar amount for each denomination of tournament chip removed or returned;
3. The number and description of the tournament chips removed or returned;
4. The specific storage area being entered; and
5. The reason for the entry into the storage area.

**13:69E-1.5 Non-value chips; permitted uses; inventory and impressment**

(a) Each non-value chip shall be assigned to a particular gaming table and shall be issued and used for gaming at that table only. All non-value chips utilized at a particular gaming table shall have the same design, insert or symbol as required by this chapter. No casino licensee or any employee thereof shall allow any patron to remove a non-value chip from the gaming table at which it was issued. If a patron removes a non-value chip from the gaming table at which it was issued, the casino licensee may redeem such chip at the lowest denomination in use at the table.

(b) No patron at a gaming table shall be issued or permitted to game with non-value chips that are identical in color and design to any non-value chip issued to any other patron at the same table. When a patron purchases non-value chips, a non-value chip of the same color and design shall be placed in a slot or receptacle attached to the outer rim of the roulette wheel or, for pokette, in such other device as approved by the Division. At that time, a marker button denoting the value of a stack of 20 non-value chips of the same color and design shall be placed in the slot, receptacle or other device (for example, a marker button with "100" imprinted on it would be placed in the receptacle to designate that, during the patron's play on that occasion only, the non-value chips of that color and design are each worth \$5.00).

(c) An impressment of the non-value chips assigned to each gaming table shall be completed at least once every 30 days. The casino licensee shall record the results of the impressment in the chip inventory ledger required pursuant to N.J.A.C.

13:69E-1.2 and shall perform the impressment as follows:

1. A casino department supervisor shall complete a "Non-Value Chip Impressment" form to record missing or excess chips and shall deliver the form and any excess chips to the main bank or chip bank;
2. Upon receipt of the "Non-Value Chip Impressment" form, a main bank cashier or chip bank cashier shall, if appropriate, immediately prepare any chips needed to impress the table; and
3. The casino department supervisor shall then, if applicable, deliver the non-value chips needed to restore the impress to the appropriate gaming table.

(d) The completed "Non-Value Chip Impressment" form shall be maintained by the accounting department and shall contain, at a minimum, the following:

1. The date and time of preparation;
2. The design schematic of the chip including its primary color and the applicable table number;
3. The signature of the casino department supervisor who completes the "Non-Value Chip Impressment" form and the impressment for such table; and
4. The signature of the main bank cashier or chip bank cashier who reviewed the form and, if necessary, prepared the chips to restore the impressment.

(e) Each casino licensee shall record in the chip inventory ledger required by 13:69E-1.2, a monthly summary of the non-value chip inventory for each gaming table. This monthly summary shall include, at a minimum, the following information for each non-value chip color and design:

1. The balance on hand at the beginning of the month;
2. The number of non-value chips distributed to the gaming table during the month;
3. The number of non-value chips returned to inventory during the month; and
4. The balance on hand at the end of the month.

**13:69E-1.6 Gaming plaques; issuance and use; denominations; physical characteristics**

(a) Each gaming plaque issued by a casino licensee shall be a solid, one-piece object constructed entirely of plastic or any other substance approved by the Division and shall have no more than six, and at least two, smooth, plane surfaces. At least two of the plane surfaces, each to be known as a "face," shall be opposite and parallel to each other and identical in shape, which shall be a square, rectangle or ellipse. All other surfaces of a gaming plaque shall be known collectively as the "edge."

(b) No gaming plaque shall be issued by a casino licensee or utilized in a casino or casino simulcasting facility unless and until:

1. The design specifications of the proposed gaming plaque are, prior to the manufacture of the gaming plaque, submitted to and approved by the Division, which submission shall include a detailed schematic depicting the actual size and, as appropriate, location of the following:
  - i. Each face;
  - ii. The edge; and
  - iii. Any colors, words, designs, graphics or security measures contained on the gaming plaque;
2. A sample gaming plaque, manufactured in accordance with its approved design specifications, is submitted to and approved by the Division; and

3. The casino licensee has submitted to the Division internal control procedures which document the distribution, redemption, receipt and inventory of gaming plaques, by serial number, as required by N.J.A.C. 13:69E-1.2.

(c) Each face of a square gaming plaque shall measure no smaller than nine square inches. Each face of a rectangular or elliptical gaming plaque shall measure no smaller than three inches in length by two inches in width. In the case of an elliptical gaming plaque, the length and width of the plaque shall be measured at its axes.

(d) Each gaming plaque issued by a casino licensee shall be designed and manufactured with sufficient graphics or other security measures so as to prevent, to the greatest extent possible, the counterfeiting of such gaming plaque.

(e) Each casino licensee shall be authorized to issue and use gaming plaques in denominations of \$5,000, \$10,000, \$25,000, \$50,000 and \$100,000, and in such quantities as the casino licensee may deem proper to conduct gaming in its casino or casino simulcasting facility. Each gaming plaque of a specific denomination utilized by a casino licensee shall be in a shape and of a size, as approved by the Division, which is identical to the shape and size of all other gaming plaques of that denomination issued by that casino licensee. The size and shape of each denomination of gaming plaque issued by a casino licensee shall be readily distinguishable from the size and shape of every other denomination of gaming plaque issued by that casino licensee.

(f) Each gaming plaque issued by a casino licensee shall contain certain identifying characteristics which shall appear at least once on each face of the gaming

plaque and shall be applied in a manner which ensures that each such characteristic shall be clearly visible and remain a permanent part of the gaming plaque. These characteristics shall, at a minimum, include:

1. The denomination of the gaming plaque, expressed in numbers of no less than three-eighths inch in height;
2. The name, trade name, or other approved identification of the casino licensee issuing the gaming plaque, which shall be applied in such a manner so as to be visible to surveillance employees using the closed circuit television system; and
3. A unique serial number.

(g) No casino licensee shall issue, use or allow a patron to use in its casino or casino simulcasting facility any gaming plaque that it knows, or reasonably should know, is materially different from the sample of that gaming plaque approved by the Division pursuant to this section.

**13:69E-1.6A Exchange and redemption of gaming chips, plaques and coupons**

(a) All wagering on authorized games, other than slot machines or keno, in a casino or casino simulcasting facility shall be conducted with gaming chips or plaques; provided, however, that coupons shall be permitted for use in wagering at authorized games in accordance with the rules of the Division. A casino licensee shall submit to the Division a sample of its coupons. Value chips previously issued by a casino licensee which are not in active use by that casino licensee shall not be used for wagering at authorized table games, keno or casino simulcasting, and shall not be accepted nor exchanged for any purpose at gaming table, keno work station or a casino simulcast counter. Such chips shall only be redeemed at the cashiers' cage pursuant to (g) below.

(b) Gaming chips or plaques shall be issued to a patron only at the request of such patron and shall not be given as change in any other but a gaming transaction. Unless otherwise authorized by the rules of the Division, gaming chips and plaques shall be issued only by dealers to casino patrons at gaming tables. Gaming chips may be issued by chippersons to patrons seated at a poker table at which a game is in progress or by general cashiers. Gaming plaques and value chips shall be redeemed by casino patrons only at the cashiers' cage; provided, however, that value chips may be:

1. Issued to a patron in payment of a winning keno or simulcast wager and as part of a keno or simulcast wagering transaction in which value chips are tendered for wager;
2. Issued to a patron in payment of a manual slot machine jackpot;
3. Exchanged by a patron at the slot booths or with changepersons

- for currency, coin or slot tokens to play the slot machines;
4. Used by a patron for keno or simulcast wagering, including keno wagers in public keno areas;
  5. Exchanged for a casino check upon a patron request to redeem value chips by mail in any amount. The chips shall be redeemed only by a cage supervisor, in accordance with internal controls which, at a minimum, shall detail procedures for the issuance of the casino check and the transfer of the surrendered value chips to the chip bank in a transaction fully supported by proper documentation; and
  6. Exchanged by a patron for a pit counter check redemption as permitted by the rules of the Division.

(c) Except as provided in (h) and (j) below and as otherwise may be specifically approved by the Division, each casino licensee shall redeem its gaming chips and plaques only from its patrons and shall not knowingly redeem its gaming chips and plaques from any non-patron source.

(d) Non-value chips shall be presented for redemption only at the gaming table from which they were issued and shall not be redeemed or exchanged at any other location within the casino or casino simulcasting facility. When non-value chips are presented for redemption, the dealer shall accept them in exchange for an equivalent amount of value chips which may then be used by the patron in gaming or simulcast wagering or redeemed in the same manner as any other value chip.

(e) Each casino licensee shall have the discretion to permit, limit or prohibit the use of value chips in gaming at roulette and pokette, provided, however, that:

1. No person shall be permitted to wager a value chip with a match play coupon at any roulette table at which match play coupons are permitted to be used; and
2. When value chips are in use, it shall be the responsibility of the casino licensee and its employees to keep accurate account of the wagers being made at roulette and pokette with value chips so that the wagers made by one player are not confused with those made by another player at the table.

(f) Each gaming chip and plaque is solely evidence of a debt that the issuing casino licensee owes to the person legally in possession of the gaming chip or plaque, and shall remain the property of the issuing casino licensee. Each casino licensee shall have the right at any time to demand that the person in possession of the gaming chip or plaque surrender the item for redemption in accordance with (g) below.

(g) Each casino licensee shall redeem promptly its own genuine gaming chips and gaming plaques presented by a patron in person, except when the gaming chips or plaques were obtained or being used unlawfully. A casino licensee shall redeem its value chips or gaming plaques by accepting them in exchange for an equivalent amount of cash, except that:

1. Upon request by a patron who surrenders value chips or gaming plaques in any amount over \$100.00, a casino licensee shall

exchange them for a casino check of that casino licensee in the amount of the value chips or gaming plaques surrendered and dated the day of such redemption; and

2. A casino licensee may apply all or any part of the value chips or gaming plaques presented by a patron to the redemption of any Counter Check or Slot Counter Check drawn by the patron, or to the payment of any returned check, provided that the casino licensee has given that patron prior written notice of such right of setoff and has obtained the patron's written acknowledgment thereof:

- i. As part of the patron's credit application;
- ii. In a separate writing, which shall be maintained in the patron's credit file; or
- iii. On a Counter Check or Slot Counter Check drawn by the patron and issued; provided that the patron specifically acknowledges the notice by signing his or her name thereunder or in any other manner in accordance with internal controls, and further provided that a photocopy of the signed Counter Check or Slot Counter Check shall be maintained in the patron's credit file.

(h) Each casino licensee shall accept, exchange, use or redeem only gaming chips or plaques that it has issued and shall not knowingly accept, exchange, use or

redeem gaming chips or plaques, or objects purporting to be gaming chips or plaques, that have been issued by any other person, except that a casino licensee may accept and redeem:

1. Gaming chips or plaques issued by another legally operated casino licensee from a patron upon the patron's representation that such chips or plaques had been purchased or received as payment in a gaming transaction from an employee of such licensee working on the premises; or
2. Gaming chips issued by any other legally operated casino licensee from one of its employees who is authorized to receive gratuities, upon the employee's representation that such chips were received as gratuities in the normal course of his or her duties while on the premises of the casino licensee.

(i) Employees of a casino licensee who are authorized to receive gaming chips as personal gratuities may redeem the gaming chips at the cashiers' cage or at another secure location in the casino hotel as approved by the Division. Gaming chips redeemed by employees at a non-cage employee redemption site shall be exchanged on a daily basis with the cashiers' cage in accordance with the casino licensee's internal control procedures.

(j) Each casino licensee shall redeem promptly its own genuine value chips and gaming plaques presented to it by any other legally operated casino licensee upon the representation that such chips and plaques were received or accepted unknowingly,

inadvertently or in error or were redeemed in accordance with the provisions of (i) above. Each casino licensee shall submit to the Division a system for the exchange, with other legally operated casino licensees, of value chips and gaming plaques:

1. That are in its possession and that have been issued by any other legally operated casino licensee; and
2. That it has issued and that are presented to it for redemption by any other legally operated casino licensee.

(k) Each casino licensee shall cause to be posted and remain posted in a prominent place on the front of the cashiers' cage, any satellite cage, the simulcast counter, the keno booth and any satellite keno booth a sign that reads as follows:  
"By law, gaming chips or plaques issued by another casino may not be used, exchanged or redeemed in this casino or casino simulcasting facility."

**13:69E-1.7 Roulette wheel and table; physical characteristics; double zero roulette wheel used as a single roulette wheel**

(a) Roulette shall be played on a table having a roulette wheel of not less than 30 inches in diameter at one end of the table and a roulette layout imprinted on the opposite end of the table. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) Each roulette wheel shall be of a single zero variety or a double zero variety as described and depicted below:

1. Each single zero roulette wheel shall have 37 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel shall also have a ring of 37 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green and the others marked 1 to 36 and colored alternately red and black. Unless otherwise approved by the Division, the numbers shall be arranged clockwise around the wheel in the following order: 0, 32, 15, 19, 4, 21, 2, 25, 17, 34, 6, 27, 13, 36, 11, 30, 8, 23, 10, 5, 24, 16, 33, 1, 20, 14, 31, 9, 22, 18, 29, 7, 28, 12, 35, 3, and 26. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.

2. Each double zero roulette wheel shall have 38 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel shall also have a ring of 38 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green, one marked double-zero (00) and colored green, and the others marked 1 to 36 and colored alternately red and black. Unless otherwise approved by the Division, the numbers shall be arranged clockwise around the wheel in the following order: 0, 28, 9, 26, 30, 11, 7, 20, 32, 17, 5, 22, 34, 15, 3, 24, 36, 13, 1, 00, 27, 10, 25, 29, 12, 8, 19, 31, 18, 6, 21, 33, 16, 4, 23, 35, 14, and 2. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.
3. If a casino licensee offers the optional six numbers color wager authorized by N.J.A.C. 13:69F-5.1(g):
  - i. The areas on the ring of a single zero roulette wheel shall have one marked zero (0) and colored green, and the others marked in the order specified in (b)1 above, but colored as follows: purple - 4, 21, 2, 25, 17, 34; green - 6, 27, 13, 36, 11, 30; black - 8, 23, 10, 5, 24, 16; blue – 33, 1, 20, 14, 31, 9; gold - 22, 18, 29, 7, 28, 12; and red - 35, 3, 26, 32, 15, 19. The color of each compartment shall either

be a corresponding color to those depicted on the ring or a neutral color as approved by the Division.

- ii. The areas on the ring of a double zero roulette wheel shall have one marked zero (0) and colored green, one marked double-zero (00) and colored green, and the others marked in the order specified in (b)1 and 2 above, but colored as follows: blue – 30, 11, 7, 20, 32, 17; gold – 5, 22, 34, 15, 3, 24; red – 36, 13, 1, 27, 10, 25; purple – 29, 12, 8, 19, 31, 18; green – 6, 21, 33, 16, 4, 23; and black – 35, 14, 2, 28, 9, 26. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color.

(c) A double zero roulette wheel may be used as a single zero roulette wheel, provided that:

1. The "00" wager area on the layout is obscured with a cover or other approved device which clearly indicates that such a wager is not available; and
2. Appropriate signage is posted at the roulette table to notify players that:
  - i. A double zero roulette wheel is being used as a single zero roulette wheel, and that double zero (00) is not an available wager;

- ii. If the roulette ball comes to rest in a compartment marked double zero (00), the spin will be declared void and the wheel will be spun again; and
- iii. Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the roulette ball comes to rest in a compartment marked zero (0).

(d) The layout for a roulette table shall contain, at a minimum:

- 1. The name or trade name of the casino licensee offering the game;  
and
- 2. Specific areas for the placement of the wagers authorized by N.J.A.C. 13:69F-5.1.

(e) If a casino licensee offers an optional wager authorized by N.J.A.C. 13:69F-5.1, the layout for that roulette table shall also include, designated areas for the placement of such wagers.

(f) Each roulette table shall have a drop box and tip box attached to it. Any modification to the location of the drop box and tip box shall require notice to the Division, submitted 72 hours in advance of the modification. The notice shall include a detailed description of the modification being made.

**13:69E-1.8     Roulette balls**

Balls used in gaming at roulette shall be made completely of a non-metallic material and not be less than  $\frac{12}{16}$  of an inch nor more than  $\frac{14}{16}$  of an inch in diameter unless otherwise approved by the Division.

**13:69E-1.9 Roulette; inspection procedures; security procedures**

(a) Prior to opening a roulette table for gaming activity, a casino supervisor or member of the casino security department shall:

1. Inspect the roulette table and roulette wheel for any magnet or contrivance that would affect the fair operation of such wheel;
2. Inspect the roulette wheel to assure that it is level and rotating freely and evenly;
3. Inspect the roulette wheel to assure that all parts are secure and free from movement;
4. Inspect the roulette ball by passing it over a magnet or compass to assure its non-magnetic quality; and
5. Confirm that the layout and signage comply with N.J.A.C. 13:69E-1.8(c), if a double zero roulette wheel is being used as a single zero roulette wheel.

(b) If a casino licensee uses a roulette wheel which has external movable parts, any adjustments to the movable parts shall be made by a casino supervisor or a member of the casino maintenance department, in the presence of a security department member. Adjustments to the movable parts of a roulette wheel that is located on the casino floor, or in a casino simulcasting facility, shall only be made:

1. When the roulette table is not open to the public; or
2. If the roulette wheel is moved to a secure location outside the casino or casino simulcasting facility as approved by the Division.

(c) All adjustments shall be completed prior to the required inspections in (a) above.

(d) The casino licensee may replace any of the movable parts at any time, provided, however, if any one or more of the movable parts are external then an inspection must be completed in accordance with (a) above and notification of what was replaced provided to the Division, prior to reopening the roulette wheel and table for gaming activity.

(e) A log shall be maintained which shall include, at a minimum, the date, the roulette table number, whether an adjustment or replacement was completed and the signature of the person making the adjustment or replacement.

(f) When a roulette table is not open for gaming activity, the roulette wheel shall be secured by placing a cover over the entire wheel and securely locking such cover to the roulette table.

**13:69E-1.10 Blackjack table; card reader device; physical characteristics; inspections**

(a) Blackjack shall be played at a table having on one side places for the players and on the opposite side a place for the dealer. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located in Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a blackjack table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;

and

2. Specific areas designated for the placement of wagers, which betting areas shall not exceed seven in number, with the exception of the 6 to 5 blackjack variation, which shall contain no more than six betting areas.

(c) The following inscriptions shall appear on the blackjack layout:

1. Blackjack pays 3 to 2;

2. Dealer must draw to 16 and stand on all 17's; and

3. Insurance pays 2 to 1.

(d) If a casino licensee offers blackjack rule variations in accordance with the requirements of these rules, the blackjack layout have imprinted on it, at a minimum, the following inscriptions instead of the inscriptions set forth in (c) above:

1. Blackjack pays 1 to 1;

2. Dealer must draw to 16 and stand on all 17's; and

3. Dealer's hole card dealt face up.

(e) Each blackjack table shall have a drop box and a tip box attached to it with the location of said boxes on the same side of the gaming table, but on opposite sides of the dealer, as previously approved by the Division.

(f) If a casino licensee offers one of the additional wagers authorized by N.J.A.C. 13:69F-2.17, the blackjack layout shall have designated areas for the placement of the additional wager. If a casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-2.17(a)1, the layout shall also have the payout odds for the additional wager imprinted thereon. If a casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-2.17(a)3, the layout or a separate sign located at the table shall contain the payout odds for the additional wager.

(g) A blackjack table may have attached to it, an approved card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack in accordance with N.J.A.C. 13:69F-2.6. If a blackjack table has an approved card reader device attached to it, the floorperson assigned to the table shall inspect the card reader device at the beginning of each gaming day. The purpose of this inspection shall be to insure that there has been no tampering with the device and that it is in proper working order. A card reader device may not be used on a blackjack table offering a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19.

(h) Notwithstanding the requirements of (b) above, if a casino licensee offers multiple action blackjack in accordance with the requirements of N.J.A.C. 13:69F-2.18, the blackjack layout shall contain and shall contain, at a minimum:

1. Three separate designated betting areas for each player position at the table with each separate betting area being numbered one through three, provided, however, that the number of player positions at each table shall not exceed six;
2. A separate designated area on the layout, for each player position, for the placement of insurance wagers;
3. A separate designated area on the layout, for each player position, for the placement of double down wagers;
4. A separate designated area on the layout, for each player position, for the placement of split pair wagers; and
5. Three separate areas designated for the placement of the dealer's original face up card with each separate area being numbered one through three.

(i) In order to collect the cards at the conclusion of a round of play as required by N.J.A.C. 13:69F-2.6(i) and at such other times as provided in the rules of the Division, each blackjack table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used to play the game at that table; provided, however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used to play the game at that table. Whenever a double shoe is

used at a blackjack table, the same number of decks shall be used in each side of the double shoe, and the height and marking requirements as set forth above for that table's discard rack shall be determined from the number of decks used in one side of the shoe.

(j) If a casino licensee offers a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, the blackjack layout the blackjack layout shall have designated areas for the placement of the progressive blackjack wager and shall contain the following equipment in addition to the requirements of N.J.A.C. 19:45-1.39B:

1. A separate acceptor device for the placement of a progressive wager. Each acceptor device shall have a light which shall illuminate upon insertion and acceptance of a gaming chip;
2. A method to ensure that only one progressive blackjack wager is made per person, per round of play;
3. A device or method to indicate that a progressive blackjack wager has been won;
4. A sign describing the winning wagers and the payouts to be awarded on winning progressive blackjack wagers at a location near the table;
5. A table controller panel which shall be equipped with a "lock-out" button which, once activated by the dealer, will prevent any player from depositing a gaming chip in the acceptor device; and

6. A mechanical, electrical or electronic table inventory return device which shall permit all gaming chips deposited into the acceptor devices referenced in (j)1 above to be collected and immediately returned to a designated area within the table inventory container prior to the dealing of a hand. The table inventory return device shall be designed and constructed to contain any feature the Division may require to maintain the security and integrity of the game. The procedures for the operation of all functions of the table inventory return device shall be submitted Division.

(k) If a casino licensee offers a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, the blackjack layout shall have designated areas for the placement of the blackjack bonus wager, and shall contain the following equipment:

1. A table controller located in an area of the table or the pit which area shall be secured by dual locking mechanisms, which are unique from one another. One locking mechanism shall be maintained and controlled by a casino security supervisor, and the second locking mechanism shall be maintained and controlled by a casino supervisor;
  - i. One table controller shall control no more than four blackjack tables. Procedures for the operation, security

and control of the table controller shall be submitted to the Division prior to implementation;

ii. Whenever it is required that a table controller or any device connected thereto which may affect the operation of the blackjack bonus system be accessed or opened, certain information shall be recorded on a form entitled "Controller Access Authorization Log," which shall include, at a minimum, the date, time, purpose of accessing or opening the controller or device, and the signature of the authorized employee accessing or opening the machine or device. The Controller Access Authorization Log shall be maintained in the same secured location as the table controller, and shall have recorded thereon a sequential number and the manufacturer's serial number or the asset number of the controller;

2. A blackjack bonus button, which shall be located at the table by the dealer, and used by each player with a winning blackjack bonus wager to generate a bonus amount to be won by that player. The blackjack bonus button shall be attached to the table in a manner that will enable the dealer to place the blackjack bonus button directly in front of each winning player;

3. A blackjack bonus display, which shall be located at the table and shall display the amount of the winning blackjack bonus on both sides of the device, so that the amount is visible to all players, the dealer and supervisory personnel; and
4. A sign containing the amount of the blackjack bonus wager, as well as the minimum and maximum possible blackjack bonus amounts to be awarded, pursuant to N.J.A.C. 13:69F-8.3.

(l) If a casino licensee offers a streak wager pursuant to N.J.A.C. 13:69F-2.22, the blackjack table shall also contain:

1. A layout which shall include, at a minimum:
  - i. Four additional separate designated betting areas for each of the player positions at the table, which areas shall be numbered "2" through "5"; and
  - ii. The inscriptions "Two consecutive wins pays 3 to 1," "Three consecutive wins pays 7 to 1," "Four consecutive wins pays 17 to 1," and "Five consecutive wins pays 37 to 1"; and
2. The following equipment:
  - i. Marker buttons ("lammers") with the casino licensee's name or logo, to indicate how many consecutive blackjack hands a patron has won. A casino licensee may use another device or method approved by the Division; and

- ii. A sign containing the permissible amount of the streak wager, posted pursuant to N.J.A.C. 13:69F-8.3.

(m) If a casino licensee offers a match-the-dealer wager pursuant to N.J.A.C. 13:69F-2.23, the blackjack table shall contain:

1. A layout which shall include, at a minimum, an additional designated betting area bearing the inscription "Match-the-Dealer" at each of the player positions at the table; and
2. A sign approved by the Division setting forth the payout odds for the match-the-dealer wager.

(n) If a casino licensee offers the 6 to 5 blackjack variation:

1. The layout shall have imprinted on it, at a minimum, the following inscriptions:
  - i. Blackjack pays 6 to 5;
  - ii. Dealer must draw to 16 and soft 17; and
  - iii. Insurance pays 2 to 1; and
2. A notice shall be posted in accordance with N.J.A.C. 13:69F-8.3 indicating that all wagers shall be made in increments of \$5.00 as required by N.J.A.C. 13:69F-2.3(d).

(o) If a casino licensee offers the twenty point bonus wager pursuant to N.J.A.C. 13:69F-2.24, the layout otherwise required by this section shall also include, at a minimum, an additional designated betting area for the twenty point bonus wager at

each of the player positions at the table. The blackjack table shall also contain a sign setting forth the payout odds for the twenty point bonus wager.

(p) If a casino licensee offers the option set forth in N.J.A.C. 13:69F-2.12(b)2 that requires the dealer to draw additional cards on a soft 17, the blackjack layout shall have imprinted on it, at a minimum, the following inscription instead of the inscription set forth in (c)2 above:

1. Dealer must draw to 16 and soft 17 and stand on hard 17's and all 18's.

(q) If a casino licensee offers the optional bonus wager pursuant to N.J.A.C. 13:69F-2.25, the layout otherwise required by this section shall include, at a minimum, an additional designated betting area for such wager at each of the player positions at the table. In addition, payout odds for the optional bonus wager shall be inscribed on the layout or posted on a sign at each such blackjack table.

(r) If a casino licensee requires a hand fee, the approved layout otherwise required by this section shall include, at a minimum, an additional designated area at each player position for the placement of the hand fee.

(s) If a casino licensee offers the in-between wager pursuant to N.J.A.C. 13:69F-2.26, the layout otherwise required by this section shall also include, at a minimum, an additional designated betting area for the in-between wager at each of the player positions at the table. If not inscribed on the layout, the blackjack table shall

also contain a sign setting forth the payout odds and the card rankings for the in-between wager.

**13:69E-1.10A Three-card poker table; physical characteristics**

(a) Three-card poker shall be played at a table having betting positions for the players on one side of the table and a place for the dealer on the opposite side. Such betting positions shall not exceed nine in number depending on the size of the table.

(b) A true-to-scale rendering and color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a three-card poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
  2. A separate designated betting area at each betting position for the placement of "ante" wagers;
  3. A separate designated betting area located immediately in front of each ante wager betting area for the placement of "play" wagers;
  4. A separate designated betting area located immediately behind each ante wager betting area for the placement of "pair plus" wagers;
  5. If the casino licensee offers the six card bonus wager authorized by N.J.A.C. 13:69F-20.12A, a separate designated betting area at each betting position for the placement of a six card bonus wager;
- and

6. Inscriptions that advise patrons, in accordance with N.J.A.C. 13:69F-20.11, of the payout odds for ante and play wagers, pair plus wagers, six card bonus wagers and ante bonuses and that "Dealer Plays with Queen High or Better".

(c) Each three-card poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

**13:69E-1.10B Spanish 21 table; physical characteristics**

(a) Spanish 21 shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side.

(b) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a Spanish 21 table shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee offering the game;
2. A separate designated betting area at each betting position for the placement of the following wagers:
  - i. The required Spanish 21 wager; and
  - ii. An optional match-the-dealer wager;
3. The following inscriptions:
  - i. "Blackjack Pays 3 to 2";
  - ii. "Dealer Must Draw to 16 and Stand on All 17's;"
  - iii. "Insurance Pays 2 to 1";
4. The payout odds for each of the wagers listed in N.J.A.C. 13:69F-19.5(f) and (g); and
5. The payout odds for the match-the-dealer wager, unless the odds are included in the sign required by (c) below.

(c) A casino licensee shall post a sign at each Spanish 21 table, which explains:

1. That doubled down hands are not eligible for the additional payouts in N.J.A.C. 13:69F-19.5(f);
2. That doubled down hands and split hands are not eligible for the additional payouts in N.J.A.C. 13:69F-19.5(g); and
3. The payout odds for the match-the-dealer wager, if those payout odds are not imprinted on the layout.

(d) Each Spanish 21 table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(e) In order to collect the cards at the conclusion of a round of play as required by N.J.A.C. 13:69F-19.7(h) and at such other times as provided in the rules of the Division, each Spanish 21 table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used in the dealing shoe at that table; provided, however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used in the dealing shoe at that table.

(f) A Spanish 21 table may have attached to it, as approved, a card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack in accordance with N.J.A.C. 13:69F-19.1. If a Spanish 21 table has an approved card reader device attached to it, the floorperson assigned to the table shall inspect the card reader device at the beginning of each gaming day. The purpose

of this inspection shall be to insure that there has been no tampering with the device and that it is in proper working order.

**13:69E-1.10C Blackjack switch table; physical characteristics**

(a) Blackjack switch shall be played at a table having betting positions for no more than five players on one side of the table and a place for the dealer on the opposite side.

(b) The layout for a blackjack switch table shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee offering the game;
2. Two adjacent designated betting areas at each betting position for the placement of the required two initial blackjack switch wagers;
3. A separate designated area on the layout at each betting position for the placement of the optional match wager;
4. The following inscriptions, unless they are included on the sign required by (c) below:
  - i. "Blackjack pays 1 to 1";
  - ii. "Insurance pays 2 to 1";
  - iii. "Dealer must hit a soft 17"; and
  - iv. "Dealer pushes on 22"; and
5. The payout odds for the optional match wager, unless they are included on the sign required by (c) below.

(c) A casino licensee shall post a sign at each blackjack switch table, which shall include:

1. A statement that, if more than one match occurs in a player's initial four cards, the match wager will only be paid once, using the highest payoff that occurs within those cards; and
2. The payout odds for the optional match wager, if they are not imprinted on the layout.

(d) Each blackjack switch table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(e) In order to collect the cards at the conclusion of a round of play as required by the rules of the Division, each blackjack switch table shall have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack shall equal the height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used in the dealing shoe at that table; provided however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used in the dealing shoe at that table.

(f) A blackjack switch table may have attached to it a card reader device which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack. If a blackjack switch table has an approved card reader device attached to it, such device shall be inspected at the beginning of each gaming day, to insure that there has been no tampering with the device and that it is in proper working order.

**13:69E-1.11 Craps and mini-craps tables; physical characteristics**

(a) Craps and mini-craps shall be played on an oblong table with rounded corners and high walled sides. A craps table shall not be larger than 14 feet in length. A mini-craps table shall be no longer than 9 1/2 feet in length, and shall have seating locations for a maximum of nine players.

(b) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a craps or mini-craps table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. Specific areas designated for the placement of wagers as authorized by N.J.A.C. 13:69F-1.2; and
3. The words "No call bets."

(c) Each craps and mini-craps table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) In addition to the requirements of (b) above, if the fire bet in the game of craps is offered by a casino licensee, the craps table shall include, at a minimum:

1. No more than 16 designated areas for the placement of fire bets, which areas shall be located around the perimeter of the layout, correspond to player positions at the table, and be sequentially

numbered in a clockwise direction, with the area numbered "1" being located immediately to the left of the game personnel;

2. A designated area of the layout for the relocation and identification of all fire bets placed by players prior to the come out roll of a shooter, which area shall be located in front of the boxperson and contain numbered areas which correspond to the location of the numbered areas described in (d)1 above; and
3. The following information on the inside wall of the table, which information shall be visible to all player positions:
  - i. The payout odds for four, five and six different (unique) points made;
  - ii. That fire bets shall only be accepted prior to a shooter's initial come out roll; and
  - iii. The wager limitations applicable to the fire bet.

**13:69E-1.12 Baccarat and mini-baccarat tables; physical characteristics**

(a) Baccarat-punto banco shall be played on a table having numbered places for 10 to 14 seated players.

(b) Baccarat-chemin de fer shall be played on a table having numbered places for nine to 14 seated players.

(c) Mini-baccarat shall be played at a table having on one side places for a maximum of nine seated players, and on the opposite side a place for the dealer; provided however, that unless the cards are changed after each shoe, a mini-baccarat table using the dealing procedure in N.J.A.C. 13:69F-7.7(c)3 shall have places for a maximum of six seated players. The dimensions of a mini-baccarat table shall be submitted to the Division.

(d) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a baccarat or mini-baccarat table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. For baccarat-punto banco and mini-baccarat layouts, specific areas designated for the placement of wagers on the "Banker's Hand," "Players Hand," and "Tie Hand";

3. For baccarat-chemin de fer layouts, specific areas for the placement of the wagers authorized by N.J.A.C. 13:69F-4.6 and 4.7;
4. For baccarat-punto banco and mini-baccarat layouts, the phrase "Tie Bets pay 8 to 1";
5. Numbered areas that correspond to the seat numbers for the purpose of marking vigorish; provided, however, that the numbered areas are not required if:
  - i. For baccarat, the casino licensee offers a no vigorish variation of the game in accordance with N.J.A.C. 13:69F-3.3(e) or (h);
  - ii. For mini-baccarat, the casino licensee only charges vigorish in accordance with the provisions of N.J.A.C. 13:69F-7.3(d) or offers a no vigorish variation of the game in accordance with the provisions of N.J.A.C. 13:69F-7.3(f) or (i);
6. An area designated for the placement of cards for the "Player's" and "Banker's" hands;
7. If a casino licensee offers the optional total card wagers in the games of baccarat-punto banco and mini-baccarat;
  - i. Three specific areas at each player position designated for the placement of total card wagers on a total of four cards,

five cards and six cards, and identified with the numerals “4,” “5,” and “6,” respectively, which areas shall be located between the areas designated for the placement of wagers on a “Tie Hand” and the “Banker’s Hand”; and

- ii. An inscription on the layout indicating the payout odds for all total card wagers;
8. If a casino licensee offers the optional bonus wager authorized by N.J.A.C. 13:69F-3.2(a)5 or 7.2(a)5:
- i. Two separate areas at each betting position designated for the placement of the optional bonus wager which shall be located, from the player’s perspective, immediately to the right of the areas designated for the placement of wagers on the “Banker’s Hand” and “Player’s Hand”; and
  - ii. An inscription identifying the payout odds for the optional bonus wager unless the casino licensee chooses to comply with (g) below; and
9. If a casino licensee offers the no vigorish variation of baccarat-punto banco or mini-baccarat pursuant to N.J.A.C. 13:69F-3.3(h) or 7.3(i), respectively:
- i. An area at each player position designated for placement of the “dragon 7” wager and inscribed with “dragon 7,” which area shall be located on the right side of the area

designated for the placement of a "Tie Hand" wager when viewed by the player; and

- ii. An inscription identifying the payout odds for the dragon 7 wager unless the casino licensee chooses to comply with (h) below.

(e) If marker buttons are used for the purpose of marking vigorish, these marker buttons shall be placed in the table inventory float container or in a separate rack designed for the purpose of storing marker buttons and such rack shall be placed in front of the table inventory float container during gaming activity.

(f) Each baccarat and mini-baccarat table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(g) If the payout odds are not inscribed on the layout as provided by (d)8ii above, a sign shall be posted at each baccarat-punto banco and mini-baccarat table offering the optional bonus wager authorized by N.J.A.C. 13:69F-3.2(a)5 or 7.2(a)5 listing the payout odds for the optional bonus wager.

(h) If the payout odds are not inscribed on the layout as provided by (d)9ii above, a sign shall be posted at each baccarat-punto banco and mini-baccarat table offering the dragon 7 wager authorized by N.J.A.C. 13:69F-3.2(a)6ii or 7.2(a)6ii, respectively, indicating the payout odds for the dragon 7 wager.

**13:69E-1.13 Big Six Wheel and layout; physical characteristics**

(a) Gaming at Big Six shall be conducted at a wheel circular in shape and no less than five feet in diameter. The rim of the wheel shall be divided into 54 equally spaced sections with 23 sections containing a \$1.00 bill, 15 sections containing a \$2.00 bill, eight sections containing a \$5.00 bill, four sections containing a \$10.00 bill, two sections containing a \$20.00 bill, one section containing a picture of a flag or the name or logo of the casino licensee, and one section containing a picture of a joker, each of which sections shall be covered with glass.

(b) The sections required by (a) above shall be arranged clockwise around the rim of the wheel in the following order: joker, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$5, \$1, \$2, \$1, \$20, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$2, \$5, \$1, \$2, \$1, flag, \$2, \$5, \$2, \$1, \$2, \$1, \$10, \$1, \$5, \$1, \$2, \$1, \$20, \$1, \$2, \$1, \$5, \$2, \$1, \$10, \$1, \$2, \$5, \$1, \$2, and \$1.

(c) Each section of the Big Six Wheel shall also display the payout odds for the wager contained therein, pursuant to N.J.A.C. 13:69F-5.5.

(d) Each Big Six Wheel table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

(e) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a Big Six Wheel table shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee offering the game;

2. Spaces which shall be used by patrons to place their wagers, and which shall contain:
  - i. Depictions of a \$1.00 bill, \$2.00 bill, \$5.00 bill, \$10.00 bill, and \$20.00 bill, or numbers representing those monetary denominations;
  - ii. A flag or the name or logo of the casino licensee, as it appears on the Big Six Wheel; and
  - iii. A joker; and
3. The payout odds for each of the permitted wagers.

**13:69E-1.13A Sic bo table; sic bo shaker; physical characteristics**

(a) Each sic bo table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(b) Each sic bo table shall have an electrical device which, when the numeric value of each die has been entered, shall cause the winning combinations to be illuminated. The sic bo table shall have an area, which depicts all permissible wagers pursuant to N.J.A.C. 13:69F-9.2. Each combination shall have the capability to be illuminated, if it is a winning combination, after the numeric value of each die has been entered into the electrical device by the dealer.

(c) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a sic bo table shall contain, at a minimum:

1. The name or trade name of the casino licensee; and
2. Specific areas designated for the placement of the wagers authorized by N.J.A.C. 13:69F-9.2; and
3. The payout odds currently being offered in accordance with N.J.A.C. 13:69F-9.4.

(d) Sic bo shall be played with a sealed container, to be known as a "sic bo shaker," which shall be used to shake the dice in order to arrive at the winning combinations.

1. A manual sic bo shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:
  - i. The sic bo shaker shall have a compartment to secure the three dice required by N.J.A.C. 13:69F-9.1 and a separate cover which conceals the dice while the dealer is shaking the sic bo shaker. The compartment to secure the three dice shall be transparent and the cover which conceals the dice shall be opaque;
  - ii. The sic bo shaker shall have the capability of being sealed or locked in order to ensure the integrity of the dice contained therein;
  - iv. The sic bo shaker shall have the name or trade name of the casino licensee or identifying logo imprinted or impressed thereon; and
  - v. The sic bo shaker shall be secured to the sic bo table when the table is open for gaming activity.
2. An automated sic bo shaker may be used in the game of sic bo, provided that:
  - i. The shaker meets the requirements of (d)1 above, except that a separate opaque cover shall not be used; and

- ii. The shaker, its location on the sic bo table and the procedures for shaking the dice are submitted to Division.

**13:69E-1.13B Pai gow poker table; pai gow poker shaker; physical characteristics; computerized random number generator**

(a) Pai gow poker shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.

(b) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a pai gow poker table shall contain, at a minimum, the following:

1. Six separate designated betting areas for the players at the table with each area being numbered one through six;
2. Two separate areas located below each betting area which shall be designated for the placement of the high and second highest or low hands of that player;
3. If a casino licensee offers the optional bonus wager and/or insurance wager authorized by [N.J.A.C. 13:69F-11.15](#):
  - i. A separate area for each player, located to the right of the numbered betting areas, designated for the placement of a bonus wager by each player;
  - ii. A separate area for each player, located to the left of the numbered betting areas, designated for the placement of an insurance wager by each player;

- iii. Notice of signage for payout odds for the bonus wager and insurance wager and payout amounts for the "envy bonus" as defined at [N.J.A.C. 13:69F-11.15](#); and
  - iv. The inscription indicating the payout limit per round of play for the bonus wager and the insurance wager established by the casino licensee pursuant to [N.J.A.C. 13:69F-11.16\(d\)](#) or a generic inscription indicating the wagers are subject to the posted payout limit;
4. If the casino licensee offers the additional wager authorized by [N.J.A.C. 13:69F-11.13](#), a separate area for each player, designated for the placement of that additional wager by each player, as well as the payout odds for the additional wager;
5. Two separate areas designated for the placement of the high and second highest or low hands of the dealer;
6. The name or trade name of the casino licensee offering the game;
7. If the casino licensee offers the optional bonus wagers authorized by [N.J.A.C. 13:69F-11.17](#), separate areas for each player, designated for the placement of the three-card bonus wager and seven-card bonus wager; and
8. If the casino licensee offers the imperial pai gow bonus wager authorized by [N.J.A.C. 13:69F-11.19](#):

- i. A separate area for each player, located to the right of the area for the placement of a player's pai gow wager, designated for the placement of the imperial pai gow bonus wager; and
- ii. An inscription or notice of signage, as approved by the Director, for payout odds for both the "player hand bonus" and "banker hand bonus" as defined at [N.J.A.C. 13:69F-11.19](#).

(c) If a casino licensee offers the optional bonus wager and/or the insurance wager authorized by [N.J.A.C. 13:69F-11.15](#) or the optional bonus wager authorized by [N.J.A.C. 13:69F-11.17](#), a sign shall be posted at each pai gow poker table offering any of these wagers that explains the following:

1. For the optional bonus wager and the insurance wager authorized by [N.J.A.C. 13:69F-11.15](#), the details of the payout limit established pursuant to [N.J.A.C. 13:69F-11.16\(d\)](#) and, if a generic inscription is used pursuant to (b)3iv above, established payout limit; or
2. For the optional wagers authorized by [N.J.A.C. 13:69F-11.17](#), the payout odds for each bonus wager.

(d) Each pai gow poker table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(e) Pursuant to [N.J.A.C. 13:69F-11.4](#), pai gow poker may be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of pai gow poker is dealt in order to determine the starting position for the dealing or delivery of the cards. The pai gow shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The pai gow poker shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
2. The pai gow poker shaker shall have the name or identifying logo of the casino imprinted or impressed thereon.

(f) As an alternative to using the shaker and dice described in (e) above, a casino licensee may, unless the casino licensee offers the optional bonus wagers authorized by [N.J.A.C. 13:69F-11.17](#), determine the starting position for the dealing or delivery of the cards in pai gow poker by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any computerized random number generator proposed for use by a casino licensee shall be approved by the Division.

(g) If a casino licensee offers a progressive payout wager pursuant to [N.J.A.C. 13:69F-11.14](#), the pai gow poker table shall include the following features:

1. A separate acceptor device mounted for the placement of the progressive wager, which acceptor device shall have a light that illuminates upon the insertion and acceptance of a gaming chip;
2. A sign describing each winning progressive payout wager and the payout to be awarded therefore;
3. A table controller panel located in an area of the table as approved by the Division and which shall be equipped with a "lock-out" button that, once activated by the dealer as set forth in [N.J.A.C. 13:69F-11.14](#), shall prevent any player from depositing a gaming chip in the acceptor device; and
4. A mechanical, electrical or electronic table inventory return device which shall permit all gaming chips deposited into the acceptor device referenced in (g)1 above to be collected and immediately returned to a designated area within the table inventory container prior to the dealing of a hand. The table inventory return device shall be designed and constructed to contain any feature the Division may require to maintain the security and integrity of the game. The procedures for the operation of all functions of the table inventory return device shall be submitted to Division.

(h) If a casino licensee offers the dragon's eye variation of pai gow poker pursuant to [N.J.A.C. 13:69F-11.8D](#), in addition to the requirements set forth in (b) above,

the layout shall include six separate betting areas at each player position for the placement of the following six optional wagers:

1. An even wager;
2. An odd wager;
3. A match wager;
4. A double wager;
5. A triple wager; and
6. A dice bonus wager.

(i) If a casino licensee offers the "dealer queen's dragon" wager, "dynasty bonus" wager, "protection" wager, and the "red/black" wager authorized by [N.J.A.C. 13:69F-11.20](#) then the following shall apply:

1. A separate area for each player, located above the numbered betting areas, designated "queen's dragon" for the placement of the "dealer queen's dragon" wager.
2. A separate area for each player, located to the right of the numbered betting areas, designated "dynasty bonus" for the placement of the "dynasty bonus" wager.
3. A separate area for each player, located to the left of the numbered betting areas, designated "P" for the placement of the "protection" wager.
4. Two separate areas for each player, one located to the right of the "queen's dragon" betting area and colored red and the other

located to the left of the "queen's dragon" betting area and colored black, for the placement of the "red/black" wager.

5. Notice of signage, as approved by the Division, providing the payout odds for the "dealer queen's dragon" wager, "dynasty bonus" wager, "protection" wager, "red/black" wager, and payout amounts for the "envy bonus" as defined at [N.J.A.C. 13:69F-11.20](#).
6. Inscriptions indicating the aggregate payout limit per round of play for the "dealer queen's dragon" wager, the "dynasty bonus" wager, the "protection" wager, and the "red/black" wager established by the casino licensee pursuant to [N.J.A.C. 13:69F-11.16\(d\)](#) or a generic inscription indicating the wagers are subject to the posted payout limit.

**13:69E-1.13C Pai gow table; pai gow shaker; physical characteristics**

(a) Pai gow shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.

(b) A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design. The layout for a pai gow table shall contain, at a minimum, the following:

1. Six separate designated betting areas for the players at the table with each area being numbered one through six;
2. A separate area, located to the left of the dealer, for the placement of four tiles which shall be referred to as the "dead hand"; and
3. The name or trade name of the casino licensee offering the game.

(c) Each pai gow table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Pai gow shall be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of pai gow is dealt in order to determine the starting position for the dealing of the pai gow tiles. The pai gow shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The pai gow shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
2. The pai gow shaker shall have the name or identifying logo of the casino imprinted or impressed thereon.

(e) If a casino licensee offers the dragon's eye variation of pai gow pursuant to [N.J.A.C. 13:69F-10.6A](#), in addition to the requirements set forth in (b) above, the layout shall include:

1. Five separate betting areas at each player position for the placement of the following five optional wagers:
  - i. An even wager;
  - ii. An odd wager;
  - iii. A match wager;
  - iv. A double wager; and
  - v. A triple wager; and
2. A separate location to the left of dealer's table inventory container with six areas for the dealer's placement of player dice bonus wagers, which areas are designated with the numeric player position at the table.

**13:69E-1.13D Pokette table; pokette wheel; physical characteristics**

(a) A pokette table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a pokette table shall contain, at a minimum:

1. Depictions of each of the 52 playing cards contained within a deck as depicted on the pokette wheel;
2. Two jokers as depicted on the pokette wheel;
3. The following poker hand wagers:
  - i. Pair in two;
  - ii. Pair in three;
  - iii. Three of a kind;
  - ii. Straight;
  - iii. Flush; and
  - iv. Straight Flush;
4. The following nonpoker hand wagers:
  - i. Black;
  - ii. Red;
  - iii. Ace, King, Queen rank;
  - iv. Jack, 10, 9 rank;

- v. 8, 7, 6 rank;
- v. 5, 4, 3 rank; and
- vi. Each suit; and

5. The name or trade name of the casino licensee offering the game.

(c) Pokette shall be played with a card stand and a container to house the cards to be placed in the card stand or a device approved by the Division used to indicate the winning card determined by each spin of the pokette wheel in lieu of cards and a card stand.

(d) Pokette shall be played with a wheel to be known as a "pokette wheel" which shall be circular in shape and no less than 48 inches in diameter. The rim of the pokette wheel shall be divided into 54 equally spaced sections with 52 sections containing a depiction of each of the 52 playing cards contained within a deck and two sections each containing a depiction of a joker that is different from the other joker. The background of each joker shall be of a different color from each other, so as to be distinguishable from each other, and shall not be red or black. All 54 sections shall be covered with glass or some other transparent covering. The sections shall be arranged around the rim of the pokette wheel as follows: joker, 7 of diamonds, 4 of spades, 9 of hearts, queen of clubs, 5 of diamonds, 8 of spades, ace of hearts, 10 of clubs, 3 of diamonds, king of spades, 6 of hearts, 2 of clubs, jack of diamonds, 7 of spades, 4 of hearts, 9 of clubs, queen of diamonds, 5 of spades, 8 of hearts, ace of clubs, 10 of diamonds, 3 of spades, king of hearts, 6 of clubs, 2 of diamonds, jack of spades, joker, 7 of hearts, 4 of clubs, 9 of diamonds, queen of spades, 5 of hearts, 8 of clubs, ace of

diamonds, 10 of spades, 3 of hearts, king of clubs, 6 of diamonds, 2 of spades, jack of hearts, 7 of clubs, 4 of diamonds, 9 of spades, queen of hearts, 5 of clubs, 8 of diamonds, ace of spades, 10 of hearts, 3 of clubs, king of diamonds, 6 of spades, 2 of hearts, and jack of clubs.

(e) The location and the necessary security measures over the non-value and value gaming chips at a pokette table shall be approved by the Division.

**13:69E-1.13E Poker table; physical characteristics**

(a) Poker shall be played on a table which is oval in shape and which has places for up to 11 players and a dealer. Each poker table shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;  
and
2. A designated holding area located to the right of the dealer for the collection of the rake prior to final placement of the rake in the table inventory container.

(c) Each poker table shall have a designated area for the placement of at least one deck of cards. This area may be part of the table inventory container.

(d) Each poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer, in locations approved by the Division.

(e) If a casino licensee offers a bad beat payout at a designated poker table, a transparent locked box or container shall be attached to the table on the same side as

the drop box and shall be used to hold the pot contributions that fund the bad beat payout.

**13:69E-1.13F Double down stud table; physical characteristics**

(a) Double down stud shall be played on a table having seven places on one side for the players, and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a double down stud table contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. Seven separate designated betting areas for the placement of wagers by the players;
3. A separate designated area located below each betting area for the placement of double down wagers; and
4. A separate designated area located directly in front of the table inventory container for the placement of the dealer's common cards.

(c) The following inscription shall be conspicuously printed on each double down stud layout: "Payout Limit of \$100,000 Per Hand." A casino licensee shall post a sign at each double down stud table explaining the details and the ramifications of this payout limit.

(d) Each double down stud table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13G Caribbean stud poker table; physical characteristics**

(a) Caribbean stud poker shall be played on a table having betting positions for six or seven players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a Caribbean stud poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for the placement of "ante" wagers;
3. A separate designated betting area located immediately behind each ante betting area for the placement of "bet" wagers; and
4. The inscriptions "Payout Limit of \$5,000 per Hand on Bet Wagers" and "Bet Wager Void Unless Dealer has Ace/King or Better."

(c) A sign shall be posted at each Caribbean stud poker table that explains, the details of the \$5,000 payout limit authorized by N.J.A.C. 13:69F-16.12.

(d) Each Caribbean stud poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(e) Each Caribbean stud poker table shall also have an approved table game progressive payout wager system for the placement of progressive wagers. A table game progressive payout wager system shall include, without limitation:

1. A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager;
2. A control device that controls or monitors the placement of progressive wagers at the gaming table, including a mechanism, such as a “lock-out” button, that prevents the recognition of any progressive wager that a player attempts to place after the dealer has announced “No more bets”;
3. One or more devices that meet the requirements of the Divisions rules for progressive wagers and payouts at table games;
4. Any other equipment or device that contributes to the efficient operation or integrity of the game; and
5. Written procedures for the operation and use of the system and its components.

**13:69E- 1.13H Let it ride poker table; physical characteristics**

(a) Let it ride poker shall be played on a table having betting positions for seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a let it ride poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Three separate designated betting areas at each betting position for the placement of wagers in accordance with N.J.A.C. 13:69F-18.6;
3. A separate designated area at each betting position for the placement of the cards of each player;
4. A separate designated area located directly in front of the table inventory container for the placement of the community cards;
5. The payout odds for all authorized wagers, including the let it ride bonus wager authorized by N.J.A.C. 13:69F-18.6A and the three-card bonus wager authorized by N.J.A.C. 13:69F-18.6B, if the casino licensee offers either optional wager;
6. The inscription indicating the payout limit per hand established by the casino licensee pursuant to N.J.A.C. 13:69F-18.11 or a generic

inscription indicating the game is subject to the posted payout limit; and

7. If a casino licensee offers the optional three-card bonus wager authorized by N.J.A.C. 13:69F-18.6B, a separate designated area at each betting position for the placement of the three-card bonus wager.

(c) A sign shall be posted at each let it ride poker table that explains the details of the payout limit established pursuant to N.J.A.C. 13:69F-18.11 and if a generic inscription is used pursuant to (b) above, the sign shall also contain the established payout limit.

(d) Each let it ride poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(e) If a casino licensee offers the let it ride bonus wager authorized by N.J.A.C. 13:69F-18.6A, the let it ride poker table shall also include the following equipment or devices, which shall be submitted to and approved by the Division, together with the procedures for their operation and use:

1. A wagering device at each betting position that acknowledges or accepts the placement of the let it ride bonus wager;
2. A control device that controls or monitors the placement of let it ride bonus wagers at the gaming table, including a mechanism that prevents the recognition of any let it ride bonus wager that a

player attempts to place after the dealer has announced "No more bets"; and

3. Any other equipment or device that contributes to the efficient operation or integrity of the game.

**13:69-1.131 Mini-dice table; mini-dice dice shaker; physical characteristics**

(a) Mini-dice shall be played on a table having betting positions for six or seven players on one side and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a mini-dice table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. A separate designated betting area at each betting position for the placement of the following wagers:
  - i. Any 7;
  - ii. Over 7;
  - iii. Under 7; and
  - iv. Individual "place" wagers of 4, 5, 6, 8, 9, and 10;
3. A separate betting area, known as "the field," located directly in front of the dealer for the placement of field wagers of 2, 3, 4, 9, 10, 11, and 12; and
4. The payout odds for all authorized wagers.

(c) Each mini-dice table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

(d) Mini-dice shall be played with a sealed container, known as a "mini-dice

shaker," which shall be used to shake the dice in order to arrive at the winning combinations. The shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game, and, at a minimum, shall:

1. Have a transparent compartment to secure the two dice required by N.J.A.C. 13:69F-13.3, and a separate opaque cover that conceals the dice while the dealer or player is shaking the shaker;
2. Have the capability of being sealed or locked to ensure the integrity of the dice contained therein; and
3. Have the name or trade name of the casino licensee or its identifying logo imprinted or impressed thereon.

**13:69-1.13J Fast action hold 'em table; physical characteristics**

(a) Fast action hold 'em shall be played at a table having betting positions for the players on one side of the table and a place for the dealer on the opposite side.

Such betting positions shall not exceed nine in number depending on the size of the table.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The cloth covering the fast action hold 'em table (the layout) shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position;
3. A separate area located immediately to the right of each betting area designated for the placement of cards to be discarded by a player pursuant to N.J.A.C. 13:69F-21.8;
4. Five separate areas aligned in a row in the center of the layout for placement of the five community cards; and
5. An inscription indicating that a "natural" pays five to one.

(c) Each fast action hold 'em table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

**13:69E-1.13K Casino war table; physical characteristics**

(a) Casino war shall be played at a table having betting positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a casino war table shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for the placement of initial and war wagers;
3. A separate designated betting area for the placement of tie wagers; and
4. The payout odds for a tie wager and war wager.

(c) Each casino war table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

**13:69E-1.13L Colorado hold 'em poker table; physical characteristics**

(a) Colorado hold 'em poker shall be played at a table having betting positions for six or seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The cloth covering the Colorado hold 'em poker table (the layout) shall have imprinted thereon, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for ante and bet wagers, and if a casino licensee offers a bonus wager pursuant to N.J.A.C. 13:69F-23.6A, a separate designated betting area for the bonus wager;
3. A separate area located immediately to the left of each betting area designated for the placement of the card to be discarded by a player pursuant to N.J.A.C. 13:69F-23.10(c) or 23.11(b);
4. Three separate areas aligned in a row in the center of the layout for placement of the three community cards; and
5. The payout odds for all winning authorized wagers, including an "immediate winner" as defined at N.J.A.C. 13:69F-23.3(c).

(c) Each Colorado hold 'em poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

**13:69E-1.13M Boston 5 stud poker table; physical characteristics**

(a) Boston 5 stud poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a Boston 5 stud poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for the placement of ante wagers;
3. A separate designated area shall be located immediately to the right of each ante betting area for the placement of first wagers;
4. A separate designated area shall be located immediately to the right of each first wager betting area for the placement of second wagers;
5. A separate designated area shall be located immediately above each ante betting area for the placement of optional bonus wagers; and
6. Notice of signage for payout odds for all authorized wagers.

(c) A sign shall be posted at each Boston 5 stud poker table that lists the payout odds for all authorized wagers.

(d) Each Boston 5 stud poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13N Double cross poker table; physical characteristics**

(a) Double cross poker shall be played on a table having positions for seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a double cross poker table shall contain at a minimum:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for the placement of the ante wager;
3. Four separate designated betting areas at each betting position for the placement of raise wagers, with one raise wager area located to the left of the ante betting area, one raise wager area located to the right of the ante betting area, one raise wager area located above the ante betting area and one raise wager area located below the ante betting area, so that the ante betting area and the four raise wager areas, when viewed from above, form the shape of a cross;
4. A separate designated area at each betting position for the placement of a three-card wager, located to the right of the designated areas for the placement of ante and raise wagers;

5. A separate designated area, located between the table inventory container and the player betting areas on the right hand side of the dealer, for the placement of the five community cards in the same type of cross formation created by the five wager areas described in (b)2 and 3 above;
6. A separate designated area, located between the table inventory container and the player betting areas on the left hand side of the dealer, for the placement of the dealer's two cards; and
7. An inscription identifying the payout odds for all authorized wagers or the sign required in (c) below.

(c) If the payout odds are not inscribed on the layout as provided in (b)7 above, a sign identifying the payout odds for all authorized wagers shall be posted at each double cross poker table.

(d) Each double cross poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.130 Double attack blackjack table; physical characteristics**

(a) Double attack blackjack shall be played on a table having positions for six or seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a double attack blackjack table shall contain, at a minimum:

1. The name or trade name of the casino licensee; and
2. Separate designated betting areas at each betting position for the placement of the initial wager, the double attack wager, and the optional bonus wager.

(c) The following inscriptions shall appear on the double attack blackjack layout:

1. Blackjack pays 1 to 1;
2. Dealer must draw to 16, and stand on all 17's; and
3. Insurance pays 5 to 2.

(d) Payout odds for the optional bonus wager authorized by N.J.A.C. 13:69F-26.6 shall be inscribed on the layout or posted on a sign at each double attack blackjack table.

(e) Each double attack blackjack table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13P Four-card poker table; physical characteristics**

(a) Four-card poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a four-card poker table shall contain at a minimum:

1. The name or trade name of the casino licensee;
2. Separate designated betting areas at each betting position for the placement of the ante wager and the play wager;
3. Separate designated betting areas at each betting position for the placement of the aces up wager; and
4. An inscription identifying the payout odds for all authorized wagers or the sign required in (c) below.

(c) If payout odds are not inscribed on the layout as provided in (b)4 above, a sign identifying the payout odds for all authorized wagers shall be posted at each four-card poker table.

(d) Each four-card poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13Q Texas hold 'em bonus poker table; physical characteristics**

(a) Texas hold 'em bonus poker shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a Texas hold 'em bonus poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each player position for the placement of ante wagers;
3. Three separate designated areas at each player position for the placement of flop, turn and river wagers, which areas shall be located immediately above the ante betting area as viewed by a player;
4. A separate designated area at each player position for the placement of an optional bonus wager, which area shall be located immediately above and to the right of the flop wager betting area as viewed by a player;
5. A separate designated area for the placement of the five community cards, which area shall be located in the center of the table between the table inventory container and the player

betting areas;

6. A separate designated area for the placement of the dealer's two cards, which area shall be located between the table inventory container and the designated area for the community cards described in (b)5 above; and
7. An inscription indicating that an ante wager shall receive a payout if a winning hand has a qualifying rank, as elected by the casino licensee, of straight or higher or flush or higher.

(c) A sign that lists the payout odds for all authorized wagers shall be posted at each Texas hold 'em bonus poker table.

(d) Each Texas hold 'em bonus poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13R Flop poker table; physical characteristics**

(a) Flop poker shall be played on a table having positions for nine players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a flop poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Three separate designated betting areas at each player position for the placement of ante, pot and flop wagers, with the pot wager area closer to the dealer than the ante and flop wager areas;
3. An arc extending across all player positions with the areas designated for players' pot wagers on the side of the arc closer to the dealer and with the areas designated for players' ante and flop wagers on the side of the arc farther from the dealer;
4. A designated area at each player position for the placement of player cards located between the designated areas for the placement of the ante wager and the flop wager;
5. A designated area at the center of the gaming table for the placement of the three community cards;

6. A designated area at the center of the gaming table for the placement of collected pot wagers, which area shall be located farther from the dealer than the designated area described in (b)5 above; and
7. Unless the casino licensee complies with (c) below, an inscription listing the payout odds for ante and flop wagers and indicating that the highest ranking hand wins all pot wagers.

(c) If the information required by (b)7 above is not inscribed on the layout, a sign shall be posted at each flop poker table that lists the payout odds for ante and flop wagers and indicating that the highest ranking hand wins all pot wagers.

(d) Each flop poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

(e) In addition to the requirements of (b) above, if a casino licensee offers the three-card bonus wager, the flop poker table shall include a designated betting area at each player position for the placement of the three-card bonus wager. The flop poker table shall also contain a sign setting forth the payout odds for the three-card bonus wager.

**13:69E-1.13S Two-card joker poker table; physical characteristics**

(a) Two-card joker poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a two-card joker poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Four separate designated betting areas at each player position for the placement of the ante wager, call wager, pair up wager and super flush bonus wager;
3. An inscription identifying the payout odds for all authorized wagers unless the casino licensee chooses to comply with (c) below; and
4. An inscription indicating that a joker may only be used to complete a pair unless the casino licensee chooses to comply with (d) below.

(c) If the payout odds are not inscribed on the layout as provided in (b)3 above, a sign identifying the payout odds for all authorized wagers shall be posted at each two-card joker poker table.

(d) If the layout is not inscribed with the information described in (b)4 above, a sign shall be posted at each two-card joker poker table indicating that a joker may only be used to complete a pair.

(e) Each two-card joker poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13T Asia poker table; Asia poker shaker; physical characteristics; computerized random number generator**

(a) Asia poker shall be played at a table having places for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for an Asia poker table shall contain, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. Six separate designated betting areas for the players at the table with each area being numbered one through six;
3. Three separate areas located below each betting area, which shall be designated for the placement of the high, medium and low hands of that player and configured with the high hand area farthest from the betting area, the low hand area closest to the betting area, and the medium hand area arrayed between the high hand area and the low hand area; and
4. Three separate areas located in front of the table inventory container designated for the placement of the high, medium and low hands of the dealer and configured with the dealer's high hand area closest to the dealer, the dealer's low hand area

farthest from the dealer, and the dealer's medium hand area arrayed between the dealer's high hand area and the dealer's low hand area.

(c) Each Asia poker table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of the dealer.

(d) Pursuant to N.J.A.C. 13:69F-31.4, Asia poker may be played with a container, to be known as an "Asia poker shaker," which shall be used to shake three dice before each hand of Asia poker is dealt in order to determine the starting position for the dealing or delivery of the cards. The Asia poker shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The Asia poker shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
2. The Asia poker shaker shall have the name or identifying logo of the casino imprinted or impressed thereon.

(e) As an alternative to using the shaker and dice described in (d) above, a casino licensee may determine the starting position for the dealing or delivery of the cards in Asia poker by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any computerized random number generator proposed for use by a casino licensee shall be approved by the Division.

**13:69E-1.13U Ultimate Texas hold 'em table; physical characteristics**

(a) Ultimate Texas hold 'em shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a ultimate Texas hold 'em table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Four separate designated betting areas at each player position for the placement of ante, blind, play and trips wagers, configured with the trips wager area closest to the dealer, the play wager area farthest from the dealer, the ante wager area arrayed between the trips wager area and the play wager area, and the blind wager area to the right of and separated from the ante wager area by an "=" symbol;
3. A separate designated area for the placement of the five community cards, which area shall be located in the center of the table between the table inventory container and the player betting areas;
4. A separate designated area for the placement of the dealer's two cards, which area shall be located between the table inventory

container and the designated area for the community cards described in (b)3 above;

5. An inscription indicating that an ante wager shall push if the dealer has less than a pair; and
6. Unless the casino licensee complies with (c) below, an inscription at each player position describing the following:
  - i. The payout odds for blind and trips wagers;
  - ii. That a blind wager shall not be paid unless the player's hand ranks higher than the dealer's hand; and
  - iii. The rules governing the required amount of a play wager as a multiple of the player's ante wager (three or four times the ante if made prior to any community cards being dealt; two times the ante if made after the flop is dealt but prior to the final two community cards being dealt; or equal to the ante if made after all community cards are dealt but prior to the dealer's cards being revealed).

(c) If the information required by (b)6 above is not inscribed on the layout, a sign shall be posted at each ultimate Texas hold 'em table that sets forth such information.

(d) Each ultimate Texas hold 'em table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13V Winner's pot poker table; physical characteristics**

(a) Winner's pot poker shall be played on a table having positions for no more than seven players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a winner's pot poker table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. Four separate designated betting areas at each player position for the placement of ante, bet, double and jacks plus bonus wagers, configured in an array so that the jacks plus bonus wager area is closest to the dealer, the double wager area is second closest to the dealer, the bet wager area is third closest to the dealer, and the ante wager area is farthest from the dealer;
3. Three separate designated betting areas for the placement of the ante, bet and double wagers of the dealer, configured in an array in front of the dealer so that the double wager area is closest to the dealer, the bet wager area is the second closest to the dealer, and the ante wager area is farthest from the dealer;

4. A designated area at each player position for the placement of the face up cards of the player, which area shall be located to the left of and adjacent to the wagering areas of the player;
5. A designated area at the center of the gaming table for the placement of the face up cards of the dealer;
6. A designated area at the center of the gaming table for the placement of the collected wagers comprising the winner's pot;  
and
7. Unless the casino licensee complies with (c) below, inscriptions:
  - i. Listing the payout odds for the jacks plus bonus wager;  
and
  - ii. Indicating that the winner's pot shall be awarded to the highest ranking hand of a player or the dealer.

(c) If the information required by (b)7 above is not inscribed on the layout, a sign shall be posted at each winner's pot poker table that lists the payout odds for the jacks plus bonus wager and indicates that the winner's pot shall be awarded to the highest ranking hand of a player or the dealer. In addition, a sign shall be posted at each winner's pot poker table indicating that:

1. The ante wager of a player who folds after the first three cards are dealt does not increment the winner's pot and is placed in the table inventory container;

2. The percentage or, if applicable, the dollar amount of the commission that shall be deducted from the winner's pot and placed in the table inventory container; and
3. The outcome of a jacks plus bonus wager of a player who has folded his or her hand shall be determined on the cards dealt to the player prior to folding.

(d) Each winner's pot poker table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of the dealer.

**13:69E-1.13W Supreme pai gow table; pai gow poker shaker; physical characteristics; computerized random number generator**

(a) Supreme pai gow shall be played at a table having places for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a supreme pai gow table shall contain, at a minimum, the following:

1. The name or trade name of the casino licensee;
2. Six separate designated betting areas for the players at the table for placement of the supreme pai gow wager with each area being numbered one through six;
3. Two separate areas located below each betting area which shall be designated for the placement of the high and low hands of that player and configured with the high hand area farther from the betting area;
4. Two separate areas located in front of the table inventory container designated for the placement of the high and low hands of the dealer and configured with the dealer's high hand closer to the dealer; and

5. A separate designated area at each player position for placement of the bonus wager, which area shall be located immediately above and to the right of the supreme pai gow wagering area as viewed by the player.

(c) Each supreme pai gow table shall have a drop box and tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Pursuant to N.J.A.C. 13:69F-34.4, supreme pai gow may be played with a container, to be known as a "pai gow shaker," which shall be used to shake three dice before each hand of supreme pai gow is dealt in order to determine the starting position for the dealing or delivery of the cards. The pai gow shaker shall be designed and constructed to contain any feature the Division may require to maintain the integrity of the game and shall, at a minimum, adhere to the following specifications:

1. The pai gow shaker shall be capable of housing three dice and shall be designed so as to prevent the dice from being seen while the dealer is shaking it; and
2. The pai gow shaker shall have the name or identifying logo of the casino imprinted or impressed thereon.

(e) As an alternative to using the shaker and dice described in (d) above, a casino licensee may determine the starting position for the dealing or delivery of the cards in supreme pai gow by utilizing a computerized random number generator that automatically selects and displays a number from 1 through 7 inclusive. Any

computerized random number generator proposed for use by a casino licensee shall be approved by the Division.

**13:69E-1.13X Mississippi stud; physical characteristics**

(a) Mississippi stud shall be played on a table having betting positions for six players on one side of the table and a place for the dealer on the opposite side.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a Mississippi stud table shall contain, at a minimum:

1. The name or trade name of the casino licensee;
2. A separate designated betting area at each betting position for the placement of the ante wager;
3. Three separate designated betting areas at each betting position for the placement of the 3<sup>rd</sup> street, 4<sup>th</sup> street and 5<sup>th</sup> street wagers, which areas shall be located closer to the player than the ante wager betting area and, when viewed by the player, arrayed from left to right;
4. Inscriptions at each betting position providing that:
  - i. All bet wagers shall be in an amount equal to one, two or three times the amount of the player's ante; and
  - ii. The payout odds for all authorized wagers; and
5. Three separate designated areas in front of the dealer for the placement of the community cards, with one area inscribed "3<sup>rd</sup>

street," a second area inscribed "4<sup>th</sup> street," and a third area inscribed "5<sup>th</sup> street."

(c) Each Mississippi stud table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.

**13:69E-1.14 Red dog table; physical characteristics**

(a) Red dog shall be played at a table having on one side places for no more than seven players and on the opposite side a place for the dealer.

1. A true-to-scale rendering and a color photograph of the layout(s) referenced in this section shall be submitted to the Division's principal office located Atlantic City, New Jersey, prior to utilizing the layout design.

(b) The layout for a red dog table shall contain, at a minimum:

1. The name or trade name of the casino licensee offering the game;
2. Two separate designated betting areas for each player, clearly marked to distinguish between the original wager and the raise wager, and situated so that the betting area for the raise wager is closer to the player than the betting area for the original wager;
3. An area designated for the placement of the first, second and third card; and
4. The payout odds currently being offered in accordance with N.J.A.C. 13:69F-6.5.

(c) Each red dog table shall have a drop box and a tip box attached to it with the location of said boxes on the same side of the gaming table but on opposite sides of the dealer.

**13:69E-1.15 Dice; physical characteristics**

- (a) Except as otherwise provided in (b) below, each die used in gaming shall:
1. Be formed in the shape of a perfect cube and of a size no smaller than 0.750 of an inch on each side nor any larger than 0.775 of an inch on each side;
  2. Be transparent and made exclusively of cellulose except for the spots, name or trade name of the casino licensee and serial number or letters contained thereon;
  3. Have the surface of each of its sides perfectly flat and the spots contained in each side perfectly flush with the area surrounding them;
  4. Have all edges and corners perfectly square and forming perfect 90 degree angles;
  5. Have the texture and finish of each side exactly identical to the texture and finish of all other sides;
  6. Have its weight equally distributed throughout the cube and no side of the cube heavier or lighter than any other side of the cube;
  7. Have its six sides bearing white circular spots from one to six respectively with the diameter of each spot equal to the diameter of every other spot on the die;
  8. Have spots arranged so that the side containing one spot is directly opposite the side containing six spots, the side containing

two spots is directly opposite the side containing five spots and the side containing three spots is directly opposite the side containing four spots; each spot shall be placed on the die by drilling into the surface of the cube and filling the drilled out portion with a compound which is equal in weight to the weight of the cellulose drilled out and which forms a permanent bond with the cellulose cube, and shall extend into the cube exactly the same distance as every other spot extends into the cube to an accuracy tolerance of .0004 of an inch; and

9. Have imprinted or impressed thereon the name or trade name of the casino licensee in which the die is being used.

(b) Each die used in gaming at pai gow, pai gow poker, supreme pai gow or Asia poker shall comply with the requirements of (a) above except as follows:

1. Each die shall be formed in the shape of a perfect cube and of a size no smaller than .637 of an inch on each side nor any larger than .643 of an inch on each side;
2. Instead of the name of the casino, a casino licensee may, with the approval of the Division, have an identifying mark or logo imprinted or impressed on each die; and
3. The spots on each die do not have to be equal in diameter.

(c) Each die used in gaming at mini-dice or automated craps shall comply with the requirements of (a) or (b) above.

**13:69E-1.16 Dice; receipt; storage; inspections; and removal from use**

(a) When boxes of dice are received for use in the casino or casino simulcasting facility from the manufacturer or distributor thereof, at least two individuals, one of whom shall be from the casino games department and the other from the casino security department or casino accounting department, shall record on an inventory log as required in (b) below, the number of dice received. The individuals shall place boxes of dice in a locked cabinet in the cashiers' cage or within a primary or other secure storage area approved by the Division. Secure storage areas shall be used for the storage of surplus dice. Dice maintained in secure storage areas shall not be distributed to gaming pits or tables for use in gaming until the dice have been moved to a primary storage area.

(b) The casino licensee shall maintain a log for each approved storage area, to separately account for dice in accordance with the casino licensee's internal control procedures. The internal controls shall require the following:

1. A dice inventory system, which shall include, at a minimum, the recordation of the following:
  - i. Balance of dice on hand and their location;
  - ii. Dice received from the vendor;
  - iii. Dice removed from storage;
  - iv. Dice returned to storage;
  - v. Date of:
    - (1) Receipt from vendor;

- (2) Removal from storage;
    - (3) Return to storage; or
    - (4) Physical inventory of dice; and
  - vi. Signatures of the casino games department and casino security and/or accounting department representatives participating in the transaction;
2. A reconciliation, on a daily basis, of the dice distributed, destroyed, and cancelled; returned to the storage area; in use on an open gaming table for more than 24 hours; and in dice reserve, if any; and
3. A physical inventory of the dice at least once every three months.
- i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand as required in accordance with (b)1 above.
  - ii. Any discrepancies shall immediately be reported to the

Division.

(c) All approved storage areas and pit stands used to store dice for more than one gaming day, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino games department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino games department below the table games shift manager in the organization hierarchy shall have access to the casino games department key. Dice

stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino games supervisor thereof.

(d) When removing dice from the primary storage area, a representative of the casino games department, in the presence of a casino security officer, shall remove the appropriate number of dice. The representative of the casino games department shall be the table games shift manager or a casino games supervisor thereof, or an employee of the casino games department who reports directly to the shift manager, shall be required to be licensed as a casino key employee, and shall have no direct supervisory responsibilities over the operation and conduct of the table games in a pit during that gaming day. The table games shift manager or casino games supervisor thereof or the designated casino key employee shall distribute sufficient dice to the table games supervisor. Dice in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the table games supervisor or supervisor thereof. If dice are stored in the pit stand for more than one gaming day, the pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department. The security lock on the pit stand shall be used whenever the pit is closed.

(e) All envelopes and containers used in this section for dice pre-inspected at the pit stand or in a primary storage area and for those collected by security shall be transparent. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

(f) All dice shall be inspected and distributed to the gaming tables in accordance with one of the following applicable alternatives:

1. Alternative No. 1: Distribution to and inspection at craps, mini-craps, mini-dice, automated craps, or sic bo tables shall be as follows:
  - i. The table games shift manager or casino games supervisor thereof and the casino security officer who removed the dice from the primary storage area shall distribute sufficient dice directly to the casino games supervisor in each pit, or place them in a locked compartment in the pit stand, the keys to which shall be in the possession of the casino games supervisor or a supervisor thereof;
  - ii. Immediately upon opening a table for gaming, the casino games supervisor shall distribute a set of dice to the table. At the time of receipt, a boxperson at each craps table and the floorperson at each sic bo, mini-dice, mini-craps, or automated craps table, in order to ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules of the Division, shall, in the presence of the dealer, inspect the dice given to him or her with a micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set

square, and a magnet, which instruments shall be kept in a compartment at each craps table or pit stand and shall be at all times readily available for use by the Division;

iii. Following the inspection in (f)1ii above:

(1) For craps, the boxperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table, they shall never be left unattended;

(2) For mini-craps, the floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table, they shall never be left unattended;  
and

(3) For sic bo, mini-dice, and automated craps, the floorperson shall, in the presence of the dealer, place the required number of dice into the shaker and seal or lock the shaker. For sic bo, the floorperson shall then secure the sic bo shaker to the table in the presence of the dealer who observed the inspection. For mini-dice, the floorperson shall then give the sealed mini-dice shaker to the dealer, who shall be primarily

responsible for the security of the shaker at all times while the shaker is available for use at the table; and

- iv. The casino games supervisor shall place extra dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the casino games supervisor or a supervisor thereof. No dice taken from this reserve shall be used for actual gaming until and unless inspected in accordance with (f)1ii above.

2. Alternative No. 2: Distribution to and inspection at the pit stand shall be as follows:

- i. The table games shift manager or supervisor thereof and the casino security officer who removed the dice from the primary storage area shall distribute the dice directly to the casino games supervisor identified in (f)2ii below, who will perform the inspection in each pit.
- ii. The inspection of the dice at the pit stand shall be

performed by:

- (1) For craps and mini-craps, a boxperson or floorperson in the presence of another boxperson or floorperson, both of whom are assigned the

responsibility of supervising the operation and conduct of a craps game; and

(2) For sic bo, mini-dice, automated craps, pai gow, pai gow poker, supreme pai gow, or asia poker, a floorperson, in the presence of another floorperson, both of whom are assigned the responsibility of supervising the operation and conduct of such games.

- iii. To ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules of the Division, the dice shall be inspected with a micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet, which instruments shall be kept at the pit stand and shall be at all times readily available for use by the Division. The inspection shall be performed on a flat surface, which allows the dice inspection to be observed through closed circuit television cameras and by any persons in the immediate vicinity of the pit stand.
- iv. After completion of the inspection, the dice shall be distributed as follows:

- (1) For craps and mini-craps, the boxperson or floorperson who inspected the dice shall, in the presence of the other boxperson or floorperson who observed the inspection, distribute such dice to the boxperson assigned at each craps table or to the floorperson assigned at each mini-craps table. The craps boxperson or the mini-craps floorperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming, and while the dice are at the table they shall never be left unattended;
- (2) For sic bo, mini-dice, and automated craps, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, place the required number of dice into the shaker and seal or lock the shaker. For sic bo, the floorperson shall then secure the sic bo shaker to the table in the presence of the other floorperson who observed the inspection. For mini-dice, the floorperson shall then give the sealed mini-dice shaker to the dealer, who shall be primarily responsible for the security of the shaker

at all times while the shaker is available for use at the table; and

(3) For pai gow, pai gow poker, supreme pai gow, or

asia

poker, the floorperson who inspected the dice shall, in the presence of the other floorperson who observed the inspection, distribute such dice directly to the dealer at each pai gow, pai gow poker, supreme pai gow, or asia poker table. The dealer shall immediately place the dice in the pai gow, pai gow poker, supreme pai gow, or asia poker shaker.

v. The casino games supervisor shall place extra sets of dice for dice reserve in the pit stand, as follows:

(1) Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the casino games supervisor or a supervisor thereof.

(2) Except as otherwise provided in (f)2vi and vii below, all dice taken from the reserve shall be reinspected by a casino games supervisor in the presence of another casino games supervisor in

accordance with the inspection procedures set forth in (f)2ii and iii above, prior to their use for actual gaming.

- vi. In accordance with (f)2v(2) above, previously inspected reserve dice may be used for gaming without being reinspected, if they are maintained in a locked compartment in the pit stand, the key for which shall be in the possession of the casino games supervisor or casino games supervisor thereof.
- vii. In accordance with (f)2v(2) above and as an additional alternative to (f)2vi above, previously inspected reserve dice may be used for gaming without being reinspected, if they are maintained in a locked compartment in the pit stand in accordance with the following procedures:
  - (1) For craps and mini-craps, a set of at least five dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.
  - (2) For sic bo and mini-dice, the required number of dice, after being inspected, shall be placed in a

sealed envelope or container or sealed or locked in a sic bo or mini-dice shaker. A label or seal that identifies the date of inspection and contains the signatures of those responsible for the inspection shall, respectively, be attached to each envelope or container or placed over the area that allows access to open the sic bo or mini-dice shaker.

(3) For pai gow, pai gow poker, supreme pai gow, and asia poker, a set of three dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

(4) For automated craps, at least one set of two dice, after being inspected, shall be placed in a sealed envelope or container. A label that identifies the date of inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

3. Alternative No. 3: Inspection in primary storage area and distribution to tables shall be as follows:

- i. Inspection of dice for all table games in an approved primary storage area shall be performed by a casino games supervisor and a table games shift manager, in the presence of a casino security officer.
- ii. The dice shall be inspected with a micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet to ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules of the Division. These instruments shall be maintained in the storage area and shall be at all times readily available for use by the Division.
- iii. After completion of the inspection, the person performing the inspection shall seal the dice as follows:
  - (1) For craps and mini-craps, after each set of at least five dice are inspected, they shall be placed in a sealed envelope or container; provided, however, that reserve dice may be placed in individual sealed envelopes or containers. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container;

- (2) For sic bo and mini-dice, after each set of dice are inspected, they shall be sealed or locked in a manual shaker. A seal that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall then be placed over the area that allows access to open the shaker;
- (3) For pai gow, pai gow poker, supreme pai gow, or asia poker, after each set of three dice are inspected, they shall be placed in a sealed envelope or container. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container; and
- (4) For automated craps, after at least one set of two dice are inspected they shall be placed in a sealed envelope or container; provided, however, that sets of reserve dice may be placed in individual sealed envelopes or containers. A label that identifies the date of the inspection and contains the signatures of those responsible for the

inspection shall be attached to each envelope or container.

iv. At the beginning of each gaming day and at such other times as may be necessary, a table games shift manager or casino games supervisor thereof and a casino security officer shall distribute the dice as follows:

(1) For craps and mini-craps, the sealed envelopes or containers of dice shall be distributed to a casino games supervisor in each craps or mini-craps pit or placed in a locked compartment in the pit stand by the casino games supervisor. When the sealed dice are distributed to the craps or mini-craps table, a boxperson at each craps table or a floorperson at each mini-craps table, after assuring the seals are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in a cup on the table for use in gaming. While dice are on the table, they shall never be left unattended.

(2) For sic bo and mini-dice, the sealed manual shakers shall be distributed to the casino games supervisor supervising the game. For sic bo, the casino games

supervisor shall then secure the manual sic bo shaker to the table. For mini-dice, the casino games supervisor shall give the sealed mini-dice shaker to the dealer who shall be primarily responsible for the security of the shaker at all times while the shaker is available for use at the table.

- (3) For automated craps, pai gow, pai gow poker, supreme pai gow, or asia poker, the sealed envelope or container shall be distributed to a casino games supervisor in each automated craps, pai gow, pai gow poker, supreme pai gow, or asia poker pit or placed in a locked compartment in the pit stand. When the sealed dice are distributed to the automated craps, pai gow, pai gow poker, supreme pai gow, or asia poker table by the casino games supervisor, a floorperson, after assuring the seal and envelopes or containers are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in the automated craps,

pai gow, pai gow poker, supreme pai gow, or asia  
poker shaker.

- v. When the envelope or container or the seal is damaged, broken, or shows indication of tampering, the dice shall not be used for gaming activity unless the dice are reinspected as follows:
  - (1) For craps, mini-craps, automated craps, mini-dice, and sic bo, in accordance with the procedures in (f)1 or 2 above; and
  - (2) For pai gow, pai gow poker, supreme pai gow, or asia poker, in accordance with the procedures in (f)2 above.
- vi. The casino games supervisor shall place extra dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, the key to which shall be in the possession of the casino games supervisor or supervisor thereof.
- vi. A micrometer or any other approved instrument that performs the same function, a balancing caliper, a steel set square, and a magnet shall also be maintained in a locked compartment in each pit stand, and each such instrument

shall be at all times readily available for use by the  
Division.

viii. Any primary storage area in which dice are inspected in accordance with this paragraph, shall be equipped with closed circuit television camera coverage capable of observing the entire inspection procedure.

(g) The casino licensee shall remove any dice at any time of the gaming day if there is any indication of tampering, flaws, or other defects that might affect the integrity or fairness of the game or at the request of the Division.

(h) At the end of each gaming day or at such other times as may be necessary, the casino games supervisor identified in (i) below shall visually inspect each die for evidence of tampering. Such evidence discovered at this time or at any other time shall be immediately reported to the security department and the Division. A security department member shall complete a two-part Discrepancy Report (Report) comprised of an original and duplicate, which along with the evidence, shall be retrieved by an agent of the Division. The original and duplicate shall contain at a minimum:

1. Date and shift of inspection;
2. Name of casino games supervisor conducting the inspection. The inspection required by this subsection shall be performed by a casino games supervisor other than the one who originally inspected the dice;
3. Pit number, table number, and type of game;

4. Description (for example, shaved corners);
5. Signature of casino games supervisor conducting the inspection;
6. Signature of casino security representative taking custody of the die; and
7. The signature of the agent of the Division inspecting or accepting the die. The Division agent shall retain the original and return the duplicate to the security department. A receipt shall be issued to the agent of the Division for any die retained by the Division. The receipt shall be signed by the security representative releasing the die to the Division and the agent of the Division accepting the die. The receipt shall be retained with the security department copy of the Report. Any die not retained by the Division shall be destroyed in accordance with the licensee's destruction procedures.

(i) Any dice showing evidence of tampering shall be placed in a sealed envelope or container.

1. A label shall be attached to each envelope or container, which shall identify the table number, date, and time and shall be signed by a person assigned to directly operate and conduct the game at that table and a casino games supervisor assigned the responsibility for supervising the operation and conduct of such game.

2. The casino security officer taking custody of the dice and delivering the dice to the Division shall also sign the label.

(j) All other dice not showing evidence of tampering shall be put into envelopes or containers at this time.

1. A label shall be attached to each envelope or container which shall identify the table number, date, and time and shall be signed by the appropriate persons identified in (h) above.
2. The envelope or container shall be appropriately sealed and maintained within the pit until collection by a casino security officer.

(k) All extra dice in dice reserve that are to be destroyed or cancelled shall be placed in a sealed envelope or container, with a label attached to each envelope or container that identifies the date and time and is signed by the casino games supervisor.

(l) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers of used dice and any dice in dice reserve that are to be destroyed or cancelled and shall transport them to the casino security department for cancellation or destruction. No dice that have been placed in a cup or shaker for use in gaming shall remain on a table for more than 24 hours.

(m) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and, and at such other

times as may be necessary, a table games shift manager or casino games supervisor thereof may collect all extra dice in dice reserve.

1. If collected, dice shall be returned to the primary storage area; provided, however, that any dice that have not been inspected and sealed pursuant to the requirements in (f)3 above (Alternative No. 3) shall, prior to use for actual gaming, be inspected as follows:
  - i. For craps, mini-craps, automated craps, mini-dice, or sic bo, in accordance with the requirements in (f)1 or 2 above; and
  - ii. For pai gow, pai gow poker, supreme pai gow, or asia poker, in accordance with the requirements in (f)2 above.
2. If not collected, all dice in dice reserve must be reinspected in accordance with (f)1, 2, or 3 above, prior to their use for gaming, except for those dice maintained in a locked compartment pursuant to (f)2v(1) or 3vi above.

(n) Other than dice retained for Division inspection, dice shall be cancelled or destroyed within 72 hours of collection by the security department. In addition, once dice retained as evidence by the Division are released to the security department, the dice shall immediately be destroyed or cancelled.

1. Destruction and cancellation of dice shall take place in a secure place, the location and physical characteristics of which shall be

approved by the Division. The adequacy of the destruction and cancellation process shall be approved by the Division.

2. Destruction of dice shall be by shredding by the security department or a vendor approved by the Division.
3. Cancellation of dice by the security department shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each die.

**13:69E-1.16A Manual and automated dice shakers; security procedures**

(a) Manual sic bo shakers and mini-dice shakers which have been filled with dice in accordance with N.J.A.C. 13:69E-1.16(e)3iii may only be stored in a locked compartment in the primary storage area. Manual sic bo shakers and mini-dice shakers which have not been filled with dice may be stored in a locked compartment in the pit stand. An automated dice shaker which has been filled with dice must be secured to the gaming table at all times. An automated dice shaker which has not been filled with dice may be stored in a locked compartment in the pit stand.

(b) At the end of each gaming day a pit boss shall inspect all sic bo shakers, mini-dice shakers and automated dice shakers that have been placed in use for gaming for evidence of tampering. Such evidence discovered at this time shall be immediately reported to the Division. At a minimum, such reports shall include:

1. The date and time when the tampering was discovered;
2. The table number where the shaker was used; and
3. The name and license number of the individual discovering the tampering.

**13:69E-1.17 Cards; physical characteristics**

(a) Cards used to play authorized table games shall be in decks of 52 cards, except as otherwise authorized by the rules of the Division, with each card identical in size and shape to every other card in such deck.

(b) Each deck shall be composed of four suits: diamonds, spades, clubs and hearts, or as otherwise authorized by the rules of the Division.

(c) Each suit shall be composed of 13 cards: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. The face of the ace, king, queen, jack, and 10 value cards may contain an additional marking, which will permit a dealer, prior to exposing his or her hole card at the game of blackjack, to determine the value of that hole card.

(d) The backs of each card in the deck shall be identical and no card shall contain any marking, symbol or design that will enable a person to know the identity of any element printed on the face of the card or that will in any way differentiate the back of that card from any other card in the deck.

(e) The backs of all cards in the deck shall be designed so as to diminish as far as possible the ability of any person to place concealed markings thereon.

(f) The design to be placed on the backs of cards used by casino licensees shall contain the name or trade name of the casino licensee and shall be submitted to the Division prior to use of such cards in gaming activity.

(g) Each deck of cards shall be packaged separately or in a set containing the number of decks authorized by the rules of the Division and this chapter and selected by

a casino licensee for use in a particular table game. Each package of cards shall be sealed in a manner so as to provide evidence of any tampering with the package. If multiple decks of cards are packaged and sealed in a set:

1. The package shall have a label affixed thereto that indicates or contain a window that reveals an adequate description of the contents of the package, including without limitation, the name of the casino licensee for which the cards were manufactured, the type of cards, the color(s) of the backs of the cards, the date and time that the cards were manufactured, and the total number of cards in the set; and
2. No deck of cards shall be separated from the set for independent use at a table game.

(h) Nothing in this section shall prohibit a manufacturer from manufacturing decks of cards with one or more jokers contained therein; provided, however, such jokers shall not be used by the casino licensee in the play of any game other than pai gow poker, two-card joker poker, Asia poker or supreme pai gow in accordance with the provisions of N.J.A.C. 13:69F-11.3, 30.5, 31.3, or 34.3, respectively.

(i) In addition to satisfying the requirements of this section, the cards used by a casino licensee at poker must:

1. Be visually distinguishable from the cards used by that casino licensee to play any other table game; and
2. Be made of plastic.

(j) Each casino licensee which elects to offer the game of poker shall be required to have and use on a daily basis at least four visually distinguishable card backings for the cards to be used at the game of poker. These card backings may be distinguished, without limitation, by different logos, different colors or different design patterns.

**13:69E-1.18 Cards; receipt, storage, inspections, and removal from use**

(a) When decks of cards are received for use in the casino or casino simulcasting facility from the manufacturer or distributor thereof, at least two individuals, one of whom shall be from the casino games department and the other from the casino security department or casino accounting department, shall record on an inventory log required in (b) below, the number of decks received. The individuals shall place the decks of cards in a locked cabinet in the cashiers' cage or within a primary or secondary storage area located in the cashiers' cage or in another secure place approved by the Division. Secondary storage areas shall be used for the storage of surplus decks of cards. Decks of cards maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the decks have been moved to a primary storage area. A casino licensee may have a separate storage area approved by the Division for decks of cards to be used at the game of poker.

(b) The casino licensee shall maintain a log for each approved storage area, to separately account for decks of cards packaged individually and in sets of multiple decks in accordance with the casino licensee's internal control procedures. The internal controls shall require the following:

1. A card inventory system, which shall include, at a minimum, the recordation of the following:
  - i. The decks of cards received from the vendor;
  - ii. The decks of cards removed from storage;

- iii. The decks of cards returned to storage;
  - iv. The date of receipt of, removal from, return to, or physical inventory; and
  - v. The signatures of the casino games, casino security and/or accounting department participating in the transaction.
2. A reconciliation on a daily basis of the decks of cards distributed, destroyed and cancelled, returned to the storage area, in use on an open gaming table for more than 24 hours and, if any, in card reserve; and
3. A physical inventory of the decks of cards at least once every three months.
- i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of decks of cards on hand as required in accordance with (b)1 above.
  - ii. Any discrepancies shall immediately be reported to the Division.

(c) All primary, secondary, poker storage areas, and pit stands used to store cards for more than one gaming day, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino

games department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino games department below the table games shift manager in the organizational hierarchy shall have access to the casino games department key for the primary and secondary storage areas and no person below the poker shift supervisor in the organizational hierarchy shall have access to the casino games department key to the poker storage area. Decks of cards stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino supervisor thereof.

(d) When removing cards from the primary storage area, a representative of the casino games department, in the presence of a casino security officer, shall remove the appropriate number of decks of cards. The representative of the casino games department shall be the table games shift manager or a casino supervisor thereof, or an employee of the casino games department who reports directly to the shift manager, is required to be licensed as a casino key employee and has no direct supervisory responsibilities over the operation and conduct of the table games in a pit during that gaming day. The table games shift manager or casino supervisor thereof or the designated casino key employee shall distribute sufficient decks to the table games supervisor and, if applicable, to the poker shift supervisor. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the table games supervisor or the poker shift supervisor or supervisor thereof. If decks of cards are stored in the pit stand for more than one gaming day, the

pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department.

1. If the decks are to be inspected at open gaming tables pursuant to (e)1 below, the table games supervisor shall distribute the decks to the dealer at each table or the poker shift supervisor shall transport the decks to the poker pit stand for subsequent distribution to the dealer at each poker table either directly or through the floorperson assigned to supervise the dealer.
  - i. Prior to distributing decks to each poker table, the poker shift supervisor or floorperson shall examine each deck to determine if any replacement cards are necessary pursuant to (n) below. If needed, the poker shift supervisor or floorperson shall place the appropriate replacement cards into the deck from the cards held in reserve at the pit stand. Upon insertion of the replacement cards into the deck, the poker shift supervisor or floorperson shall re-examine the front of each card and the back of each card to ensure a consistent shading pattern and to ensure that the condition of the deck with the inclusion of the replacement cards has sufficient

quality in order to maintain the integrity of gaming at poker.

- ii. If the integrity of gaming at poker would in any way be compromised by the use of the deck with the replacement cards, the entire deck of cards shall be placed in a sealed envelope or container, identified with the date and time and shall be signed by the poker shift supervisor. The poker shift supervisor shall maintain the envelope or container in a secure place within the pit stand until collection by a casino security officer.

(e) When removing cards from the poker storage area, the poker shift supervisor or supervisor thereof and a casino security officer shall, prior to the commencement of each gaming day and at such other times as may be necessary, remove the appropriate number of decks from the poker storage area and distribute the decks in accordance with the provisions of (d)1 above. The number of decks distributed shall include extra decks that shall be placed in the pit stand for card reserve. Decks of cards in the pit stand shall be placed in a locked compartment, the keys to which shall be in the possession of the poker shift supervisor or supervisor thereof. If decks of cards are stored in the pit stand for more than one gaming day, the pit stand shall be equipped with a second lock, the key to which shall be maintained and controlled by the security department.

(f) With the exception of cards used to game at pokette and cards which are pre-inspected and pre-shuffled, each deck of cards shall be inspected by a dealer and the inspection verified by a table games supervisor prior to the use of the cards on a gaming table.

1. Card inspection at an open gaming table shall require each deck of cards to be sorted into sequence and into suit and a visual inspection of the back of each card. If, after inspecting the cards, the dealer finds that a card is unsuitable for use or an extra card is found, the following procedures shall be observed:

- i. If a card is unsuitable for use:

- (1) A poker shift supervisor or casino supervisor shall bring a substitute card from the card reserve in the pit stand;
- (2) The unsuitable card shall be placed in a sealed envelope or container, identified by table number, date, and time and shall be signed by the dealer and floorperson assigned to that table; and
- (3) The poker shift supervisor or casino supervisor shall maintain the envelope or container in a

secure place within the pit until collection by a  
casino security officer; or

ii. If an extra card is found:

(1) The poker shift supervisor or casino supervisor shall place the extra card in a sealed envelope or container, identified by table number, date and time and signed by the dealer and floorperson assigned to that table; and

(2) The poker shift supervisor or casino supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

2. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

(g) Any cards which have been opened and placed on a gaming table shall be changed at least every 24 hours. Notwithstanding the foregoing:

1. Except as otherwise provided in (g)5 below for baccarat and in N.J.A.C. 13:69E-1.12(c) for mini-baccarat, cards opened for use on

a baccarat, mini-baccarat, or fast action hold 'em table shall be changed at least once during the gaming day;

2. Cards opened for use on a pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, two-card joker poker, flop poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker table and dealt from a dealing shoe and cards opened for use on a double down stud table and dealt from the hand shall be changed at least every eight hours;
3. Cards opened for use on a pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker table and dealt from the dealer's hand shall be changed at least every four hours;
4. Cards opened for use on a blackjack table offering the 6 to 5 blackjack variation shall be changed at least every four hours;
5. Cards opened for use on a baccarat table using the alternative dealing procedure shall be changed after each shoe;

6. Cards opened for use on a poker table shall be changed at least every six hours; and
7. Cards opened for use on a blackjack, Spanish 21 or double attack blackjack table, or on a mini-baccarat table using the alternative dealing procedures set forth at N.J.A.C. 13:69F-7.7(c)1 and 2, may be used for no more than 48 hours if the following requirements are satisfied:
  - i. The gaming table shall remain open for gaming during the entire period of card usage;
  - ii. At least six decks of cards shall be used to play the game; and
  - iii. A table games shift manager shall identify for the surveillance department those gaming tables at which cards are in use for the extended period.

(h) Cards damaged during course of play shall be replaced by the dealer who shall request a floorperson or supervisor thereof for the game of poker or casino supervisor for all other games to bring cards in substitution from the pit stand.

1. The damaged cards shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by

the dealer and the individual who brought the replacement card to the table.

2. The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(i) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee, or at the end of the extended period pursuant to (g)7 above, and at such other times as may be necessary, the floorperson or supervisor thereof for the game of poker or casino supervisor for all other games shall collect all used cards required to be removed from play.

1. These cards shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and floorperson assigned to the table.
2. The poker shift supervisor or casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(j) The casino licensee shall remove any cards at any time during the day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Division.

(k) Except for decks that have been pre-shuffled and pre-inspected in accordance with the rules of the Division, all extra decks or packaged sets of multiple decks in card reserve with broken seals shall be placed in a sealed envelope or container, with a label attached to each envelope or container that contains the number of decks or packaged sets of multiple decks, as applicable, included therein, the date and time and the signature of the floorperson or supervisor thereof for poker and the pit boss for all other games.

(l) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers with damaged cards, cards required to be removed that gaming day, and all extra decks in card reserve with broken seals, except those that have been pre-shuffled and pre-inspected in accordance with the rules of the Division, and shall return the envelopes or containers to the casino security department.

(m) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee, and at such other times as may be necessary, a table games shift manager or casino supervisor thereof may collect all extra decks in card reserve. If the casino maintains a separate

storage area for poker cards, a poker shift supervisor or supervisor thereof may collect all extra decks in card reserve for the game of poker. If collected, all sealed decks shall either be cancelled or destroyed or returned to the storage area.

(n) When the envelopes or containers of used cards and reserve cards with broken seals are returned to the casino security department, they shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play.

1. For cards used in blackjack, Spanish 21, double attack blackjack, double cross poker, red dog, casino war, fast action hold 'em, or mini-baccarat using the dealing procedures in N.J.A.C. 13:69F-7.7(c)1 or 2, the casino licensee shall cause to be inspected either:
  - i. All decks used during the day; or
  - ii. A sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Division. This sample shall be collected, stored and inspected separately from the sample required by (n)2 below, and shall not be commingled with any cards from that sample.

2. For cards used in baccarat, or cards used in mini-baccarat using the dealing procedures in N.J.A.C. 13:69F-7.7(c)3, the casino licensee shall cause to be inspected all decks used during the day. Notwithstanding the foregoing, for any decks that are opened for a single use in a shoe (the cards are not reshuffled for a subsequent use and are removed from the table), a casino licensee may cause to be inspected a sample of decks selected at random or in accordance with an approved stratification plan, provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Division.
3. The casino licensee shall also inspect:
  - i. Any cards which the Division requests the casino licensee to remove for the purpose of inspection;
  - ii. Any cards the casino licensee removed for indication of tampering;
  - iii. All cards used for pai gow poker, Caribbean stud poker, let it ride poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker,

two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud or three-card poker;

- iv. All cards used for pokette, which must be inspected by sorting the cards sequentially by suit; and
  - v. All cards used for poker.
4. The procedures for inspecting all decks required to be inspected under this subsection, with the exception of pokette cards, shall, at a minimum, include:
- i. The sorting of cards sequentially by suit or utilizing a machine approved by the Division capable of reading the cards to determine whether any deck contains missing or additional cards;
  - ii. The inspection of the backs with an ultra- violet light;
  - iii. The inspection of the sides of the cards for crimps, bends, cuts and shaving; and
  - iv. The inspection of the front and back of all plastic cards for consistent shading and coloring.
5. If, during the inspection procedures required in (n)3 above, one or more plastic cards in a deck are determined to be unsuitable for

continued use, those cards shall be placed in a sealed envelope or container and a two-part Card Discrepancy Report shall be completed in accordance with (n)9 below.

6. Upon completion of the inspection procedures required in (n)3 above, each deck of plastic cards which is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the primary or poker storage area for subsequent use. If a deck has any missing cards pursuant to (n)4 above, the individual who repackages the cards shall indicate the need for the appropriate replacement card(s) in a manner documented in the casino licensee's internal control procedures.
7. The casino licensee shall develop internal control procedures for returning the repackaged cards to the storage area.
8. The individuals performing said inspection shall complete a work order form which shall detail the procedures performed and list the tables from which the cards were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.
9. The casino licensee shall submit the training procedures for those employees performing the inspection.

10. Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the Division by the completion and delivery of a two-part Card Discrepancy Report.
  
11. At the end of each gaming day or at such other times as may be necessary, the casino supervisor identified in (m) above shall visually inspect each die for evidence of tampering. Such evidence discovered at this time or at any other time shall be immediately reported to the security department and the Division. A security department member shall complete a two-part Discrepancy Report, which Report along with the evidence shall be retrieved by an agent of the Division. The original and duplicate Report shall contain, at a minimum:
  - i. The date and shift of inspection;
  
  - ii. The name of the casino supervisor conducting the inspection. The inspection required by this subsection shall be performed by a casino supervisor other than the one who originally inspected the cards;
  
  - iii. The pit number, table number, and type of game;

- iv. A description (for example, cut corners);
  - v. The signature of the casino supervisor conducting the inspection;
  - vi. The signature of the casino security representative taking custody of the card; and
  - vii. The signature of the agent of the Division inspecting or accepting the card, who shall retain the original and return the duplicate to security. A receipt shall be issued to the agent of the Division for any card retained by the Division. The receipt shall be signed the by the security representative releasing the card to the Division and the agent of the Division accepting the card. The receipt shall be retained with the Security copy of the Discrepancy Report. Any card not retained by the Division shall be destroyed in accordance with the licensee's destruction procedures. The report shall accompany the cards.
12. Notwithstanding any provision in this subsection to the contrary, for cards used:

- i. In any authorized game or variation thereof which permits a player to touch them, the casino licensee shall cause to be inspected all decks used during the day; and
- ii. At any gaming table for more than 24 hours pursuant to (g)7 above, the casino licensee shall cause to be inspected a sample of decks that is separate from the sample of decks selected pursuant to (n)1ii above, provided that the procedures for selecting the sample size and for assuring a proper stratification of the sample shall be submitted to and approved by the Division.

(o) If a deck of plastic cards has been reused 12 or more times and the deck has been determined to be suitable for reuse by the individual performing the inspection procedures required by (n)3 above, before that deck may be reused at a poker table, the deck must be inspected by a poker shift supervisor or floorperson. A satisfactory inspection shall be documented by the poker shift supervisor or floorperson. If the poker shift supervisor or floorperson determines that the deck may not be reused, the deck shall be placed in a sealed envelope or container, with a label attached which identifies the date and time and shall be signed by the poker shift supervisor or floorperson. At the end of the gaming day or at such other times as may be necessary, said envelope or container shall be collected by a casino security officer

and be returned to the casino security department for destruction or cancellation pursuant to (p) below.

(p) Where cards in an envelope or container are inspected and found to be without any indication of tampering, marks, alterations, missing or additional cards, or anything that might indicate unfair play, those cards with the exception of plastic cards used at poker that are of sufficient quality for reuse, shall within 72 hours of collection be destroyed or cancelled. In addition, once cards retained as evidence by the Division are released to the security department, the cards shall immediately be destroyed or cancelled.

1. Destruction and cancellation of cards shall take place in a secure place, the location and physical characteristics of which shall be approved by the Division. The adequacy of the destruction and cancellation process shall be approved by the Division.
2. Destruction of cards shall be by shredding by the security department or a vendor approved by the Division.
3. Cancellation of cards shall be by drilling a circular hole of at least one-fourth of an inch in diameter through the center of each card in the deck.
4. Documentation supporting the actual destruction and/or cancellation of the cards shall be prepared by the casino security

department or vendor performing the process. At a minimum, such documentation shall include:

- i. The date and time that the cards were destroyed;
- ii. The name and signature of the individual(s) who performed the destruction/cancellation process;
- iii. The amount of cards that were destroyed or cancelled;  
and
- iv. The signature of the representative of the games department attesting to the number of cards (decks of cards) destroyed when the procedure is performed at the casino.

**13:69E-1.18A Pre-shuffled and pre-inspected cards**

(a) In lieu of the card shuffling and inspection procedures to be followed at an open gaming table set forth in N.J.A.C. 13:69E-1.18, a casino licensee may elect to:

1. Pre-inspect and pre-shuffle cards prior to the delivery of the cards to an open gaming table; or
2. Use a licensed vendor to supply pre-shuffled and pre-inspected cards.

(b) If a casino licensee elects to pre-inspect and pre-shuffle cards, the process shall occur at a closed gaming table or another location approved by the Division and shall be performed by a dealer and verified by a casino supervisor with no concurrent supervisory responsibility for open gaming tables. The procedures required by (b)1 through 7 below shall be recorded by the surveillance department and each such recording shall be retained by the casino licensee for not less than seven days.

1. Upon receipt of the decks of cards pursuant to N.J.A.C. 13:69E-1.18(c)2, the dealer shall perform the procedures in (b)2 through 7 below independently for each batch of cards that will be sealed in a container, with the number of decks of cards in each batch being equal to the number of decks of cards required for the table game in which they are intended to be used.
2. The dealer shall visually inspect the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game.

3. The dealer shall then shuffle the cards, manually or using an approved automated shuffling device, in a manner permitted by the applicable rules governing the table game at which the cards will be utilized.
4. To ensure that there are no missing or extra cards, the dealer shall inspect the cards utilizing a machine approved by the Division. The machine shall issue a receipt that shall, at a minimum, include:
  - i. The manufacturer, model and serial number of the card inspection machine;
  - ii. The name or identification number of the dealer who operates the machine;
  - iii. The location at which the inspection is performed;
  - iv. The date and time of the inspection;
  - v. The manufacturer and type of cards, the number of decks, and the table game for which the cards are inspected;
  - vi. The result of the inspection and, if failed, the identification of any missing or extra card(s); and
  - vii. The number of the seal to be used on the clear container in which the cards will be placed pursuant to (b)7 below.
5. If the inspection fails, the casino licensee shall follow the procedures set forth in N.J.A.C. 13:69E-1.18.

6. Upon completion of the pre-inspection and pre-shuffling of the cards in the batch, the dealer and supervisor shall sign the receipt certifying that the cards were pre-inspected and pre-shuffled in accordance with this subsection.
7. For each batch of pre-inspected and pre-shuffled cards the dealer shall place the cards together with the receipt required by (b)4 above in a clear container that conforms to the requirements of N.J.A.C. 13:69E-1.18(f). The container shall be sealed with a pre-numbered label unique to such container. Procedures for the maintenance and security of unused seals, and the distribution, return and reconciliation of seals used on containers holding pre-inspected and pre-shuffled cards shall be detailed in the casino licensee's internal controls.
8. The sealed containers of cards shall be transported by a:
  - i. Table games supervisor to the gaming pit of the gaming tables where they will be utilized and either locked in the pit stand in accordance with N.J.A.C. 13:69E-1.18(c) or (d), or placed in a locked cabinet in the gaming pit, the keys to which shall be available only to table games supervisors and subject to sign-out and sign-in procedures; or
  - ii. Table games supervisor or a casino key employee designated in accordance with the provisions of N.J.A.C.

13:69E-1.18(c) and a casino security officer to an approved primary card storage area or poker card storage area where they shall be placed back into card inventory and segregated from cards that have not been pre-inspected and pre-shuffled. A record of the transport of the sealed containers of cards to the card storage area shall be maintained by the casino security department.

9. When cards are needed for play, each container of cards shall be delivered by a table games supervisor to an open gaming table. Upon delivery, the table games supervisor shall unseal the container, place the decks of cards on the gaming table in front of the dealer. The supervisor shall record on the receipt contained within the container, the date, time and shift that the container was opened, and the pit and table number where cards are to be used. Once the information has been recorded, the supervisor shall sign the receipt, and retain the receipt and container at the gaming table.

(c) If a casino licensee elects to use a licensed vendor to supply pre-inspected and pre-shuffled cards, the manufacturer shall:

1. Obtain approval from the Division for the automated shuffling device used to pre-shuffle cards; and

2. Implement a process for shuffling and packaging cards which shall, at a minimum, include:
  - i. Visual inspection of the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game;
  - ii. Verification that each package of cards contains the correct number and is constituted in accordance with the specific rules of the game the cards are intended for use;
  - iii. Inserting the cards in a package with a tamper-proof seal(s) that bears a conspicuous indication if the package has been opened. The exterior of the package shall indicate:
    - (1) The total number of decks contained within the package; and
    - (2) The game(s) the cards are intended for use; and
  - iv. Generation by the automated shuffling device in use, of a receipt to be inserted in the sealed package which shall include the information in (c)2iii(1) through (4) below:
    - (1) The total number of cards and decks contained within the package;
    - (2) The date and time the cards were shuffled and verified;

- (3) Identification of the manufacturer's employee who performed the process in (c)2 above; and
- (4) The manufacturer, model and serial number of the device used to shuffle the cards.

(d) Cards inspected and shuffled in accordance with (c) above shall be delivered in accordance with N.J.A.C. 13:69E-1.18, to an open gaming table in the manufacturer's sealed packaging. Prior to using the cards at a gaming table, a table games supervisor shall inspect the package for evidence of tampering. If there is evidence of tampering, all cards in the package shall not be used and the casino licensee shall follow the procedures set forth in N.J.A.C. 13:69E-1.18.

(e) Upon opening the package in (c) above, the table games supervisor shall record on the receipt contained within the package, the date and time that the package was opened, and the pit and table number where cards are to be used. Once the information has been recorded, the table games supervisor shall sign the receipt, place the cards on the table in front of the dealer, and retain the receipt and original package at the gaming table.

(f) For all pre-inspected and pre-shuffled cards, upon the initial use and patron request the dealer shall perform a strip or riffle shuffle of the cards and then cut the cards in the manner prescribed by the rules governing the particular table game.

(g) Upon removal from a gaming table, pre-inspected and pre-shuffled cards shall be placed in the original container or package as applicable, in which they were

delivered to the table together with the receipt, and returned to the security department for inspection as required by N.J.A.C. 13:69E-1.18.

(h) The Division may, at any time, require a casino licensee to provide any container or package of pre-inspected and pre-shuffled cards.

**13:69E-1.19 Dealing shoes; automated shuffling devices**

(a) The following words and terms, when used in this section, shall have the following meanings:

"Base plate" means the interior shelf of the dealing shoe on which the cards rest.

"Face plate" means the front wall of the dealing shoe against which the next card to be dealt rests and which typically contains a cutout.

(b) Cards used for blackjack, Spanish 21, double attack blackjack, pai gow poker, mini-baccarat, red dog, Caribbean stud poker, let it ride poker, three-card poker, fast action hold 'em, Colorado hold 'em poker, casino war, Boston 5 stud poker, double cross poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud and double down stud shall be dealt from a manual or automated dealing shoe which shall be secured to the gaming table when the table is open for gaming activity and secured in a locked compartment when the table is not open for gaming activity. Cards used to game at baccarat shall be dealt from a dealing shoe which shall be secured in a locked compartment when the table is not open for gaming activity. Notwithstanding the foregoing, cards used to game at:

1. Pai gow poker, double down stud, Caribbean stud poker, three-card poker, Colorado hold 'em poker, Boston 5 stud poker, double cross poker, flop poker, four-card poker, Texas hold 'em bonus poker, ultimate Texas hold 'em poker, Asia poker, winner's pot

poker, supreme pai gow, Mississippi stud and two-card joker  
poker may be dealt from the dealer's hand in accordance with the  
rules for each game in N.J.A.C. 13:69F;

2. The 6 to 5 blackjack variation shall be dealt from the dealer's hand in accordance with N.J.A.C. 13:69F-2.6A; and
3. Blackjack may be dealt from the dealer's hand in accordance with N.J.A.C. 13:69F-2.6(a) and 2.6A.

(c) A device which automatically shuffles cards may be utilized at the game of blackjack, Spanish 21, double attack blackjack, pai gow poker, mini-baccarat, red dog, poker, Caribbean stud poker, let it ride poker, three-card poker, fast action hold'em, Colorado hold'em poker, casino war, Boston 5 stud poker, double cross poker, four-card poker, Texas hold'em bonus poker, ultimate Texas hold'em poker, flop poker, two-card joker poker, Asia poker, winner's pot poker, supreme pai gow, Mississippi stud and double down stud in addition to a manual or automated dealing shoe, provided that:

1. The automated card shuffling device approved by the Division and the procedures for shuffling and dealing the cards through the use of the device are documented in their internal controls; and
2. The security of an automated card shuffling device conforms to the security of any dealing shoe used at the gaming table pursuant to (b) above.

(d) Each manual or automated dealing shoe shall be designed and constructed with such features as the Division may require to maintain the integrity of the game at which such shoe is used. Such features shall include, at a minimum, the following:

1. At least the first four inches of the base plate shall be white;
2. The sides of the shoe below the base plate shall be transparent or have a transparent sealed cutout unless the dealing shoe is otherwise constructed to prevent any object from being placed into or removed from the portion of the dealing shoe below the base plate and to permit the inspection of this portion of the shoe;
3. A stop underneath the top of the face plate shall preclude the next card to be dealt from being moved upwards for more than one-eighth inch distance; and
4. Each dealing shoe used in blackjack and Spanish 21 shall have a mark(s) on the side of the shoe that enables the dealer, after aligning the stack of cards against the shoe to insert the cutting card in such stack so that approximately one quarter of the stack is behind the cutting card.

(e) A baccarat dealing shoe, in addition to meeting the requirements of (d)1 through 4 above, shall also adhere to the following specifications:

1. A removable lid shall be opaque from the point where it meets the face plate to a point at least four inches from the face plate;
2. The sides and back above the base plate shall be opaque; and
3. A device within the shoe shall, when engaged, prevent the cards from moving backward in the shoe.

(f) A pai gow poker dealing shoe, in addition to meeting the requirements of (d) above, may, in the discretion of the casino licensee, also contain a device on the front of the face plate so as to preclude the players from viewing the next card to be dealt.

(g) All dealing shoes and shuffling devices in the casino and casino simulcasting facility shall be inspected at the beginning of each gaming day by a floorperson assigned to the table prior to cards being placed in them. The purpose of this inspection shall be to assure that there has been no tampering with the shoe or shuffling device.

(h) For gaming tables at which a manual dealing shoe is utilized, the shoe shall be located on the side of the gaming table to the left of the dealer, and the discard rack shall be located on the side of the gaming table to the right of the dealer. For gaming tables at which either an automated card shuffling device or an automated dealing shoe is utilized, the discard rack shall be on the side of the gaming table opposite such device or shoe.

**13:69E-1.19A Pai gow tiles; physical characteristics**

(a) Pai gow shall be played with a set of 32 rectangular blocks to be known as tiles. Each tile in a set shall be identical in size and shading to every other tile in the set.

(b) Each tile used in gaming at pai gow shall:

1. Be made of a non-transparent black material, formed in the shape of a rectangle, and be of a size no smaller than 2.500 inches in length, 1.000 inch in width and .375 of an inch in thickness;
2. Have the surface of each of its sides perfectly flat, except that the front side of each tile shall contain spots which shall extend into the tile exactly the same distance as every other spot;
3. Have on the back of each tile an identifying feature unique to each casino;
4. Have the texture and finish of each side, with the exception of the front side, exactly identical to the texture and finish of all the other sides;
5. Have the back and sides of each tile within a set be identical and no tile within a set shall contain any marking, symbol or design that will enable a person to know the identity of any element on the front side of the tile or that will distinguish any tile from any other tile within a set; and
6. Have identifying spots on the front of the tiles which are either red or white or both.

(c) Each set of tiles shall be composed of 32 tiles as set forth in N.J.A.C. 13:69F-10.2(g).

(d) Each set of tiles shall be packaged separately and completely sealed in such a manner so that any tampering shall be evident.

**13:69-1.19B Pai gow tiles; receipt; storage; inspections and removal from use**

(a) When sets of tiles to be used at pai gow are received from the manufacturer or distributor thereof, they shall immediately following receipt be inspected by a member of the casino security department and a casino supervisor to assure that the seals on each package are intact, unbroken and free from tampering. Packages that do not satisfy these criteria shall be inspected at this time to assure that the tiles conform to Division standards and there is no evidence of tampering. Packages satisfying these criteria, together with packages having unbroken, intact, and untampered seals shall then be placed for storage in a locked cabinet within a primary or secondary storage area. Sets of tiles which are to be distributed to gaming pits or tables for use in gaming shall be distributed from a locked cabinet in the cashiers' cage or from another secure primary storage area, the location and physical characteristics of which shall be approved by the Division. Secondary storage areas shall be used for the storage of surplus tiles. Tiles maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the tiles have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Division.

(b) All primary and secondary storage areas, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino department below the table games shift manager in the organization hierarchy shall have access to the casino department

key. Tiles stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by a table games shift manager or casino supervisor thereof.

(c) Immediately prior to the commencement of each gaming day and at such other times as may be necessary, the table games shift manager or casino supervisor thereof, in the presence of a casino security officer, shall remove the appropriate number of sets of tiles for that gaming day from a primary storage area.

(d) All envelopes and containers used to hold or transport tiles shall be transparent. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

(e) The table games shift manager or casino supervisor thereof shall distribute sufficient sets of tiles to the pit boss in each pai gow pit.

1. The pit boss shall then distribute the sets to the dealer at each table, and shall place extra sets in reserve at the pit stand.
2. Sets of tiles in reserve shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or casino supervisor thereof.

(f) If during the course of play any damaged tile is detected, the entire set of tiles shall be immediately replaced. The dealer or floorperson shall request that the pit boss bring a substitute set of tiles to the table from the reserve in the pit stand.

1. The set of damaged tiles shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by

the dealer and casino supervisor.

2. The pit boss shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

(g) Tiles used at pai gow shall be changed at least every 12 hours. The casino supervisor shall collect used tiles which shall be placed in a sealed envelope or container.

1. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and casino supervisor.
2. The pit boss shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(h) The casino licensee shall remove any tiles at any time of the gaming day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Division.

(i) All extra sets of tiles in reserve which have been opened shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the date and time and is signed by the pit boss.

(j) At the end of each gaming day or at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers with damaged tiles, tiles used during the gaming day, and all extra tiles in reserve which have been opened, and shall return the envelopes or containers to the casino security department.

(k) At the end of each gaming day or at such other times as may be necessary, a table games shift manager or casino supervisor thereof may collect all extra sets of tiles in reserve which have not been opened. If collected, all unopened sets of tiles shall either be cancelled or destroyed or returned to the storage area.

(l) When the envelopes or containers of used tiles and reserve sets of tiles which have been opened are returned to the casino security department, they shall be inspected for tampering, marks, alterations, missing or additional tiles or anything that might indicate unfair play.

1. The casino licensee shall cause to be inspected all sets of tiles used during the gaming day.
2. The procedures for inspecting all sets of tiles shall at least include the following:
  - i. The sorting of tiles by pairs;
  - ii. The visual inspection of the sides and back of each tile for tampering, markings or alterations; and
  - iii. The inspection of the sides and back of each tile with an ultra-violet light.
3. The individual performing the inspection required by (l)1 and 2 above shall complete a work order form which shall detail the procedures performed and list the tables from which the tiles were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.

4. Evidence of tampering, marks, alterations, missing or additional tiles or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the security department and the Division. A security department member shall complete a two-part Discrepancy Report, which Report along with the evidence shall be retrieved by an agent of the Division. The original and duplicate Report shall contain at a minimum:

- i. The date and shift of inspection;
- ii. The name of the casino supervisor conducting the inspection. The inspection required by this subsection shall be performed by a casino supervisor other than the one who originally inspected the tiles;
- iii. The pit number, table number, and type of game;
- iv. A description (for example, shaved corners);
- v. The signature of the casino supervisor conducting the inspection;
- vi. The signature of the casino security representative taking custody of the tile; and
- vii. The signature of the agent of the Division inspecting or accepting the tile, who shall retain the original and return the duplicate to security. A receipt shall be issued to the

agent of the Division for any tile retained by the Division. The receipt shall be signed the by the security representative releasing the tile to the Division and the agent of the Division accepting the tile. The receipt shall be retained with the Security copy of the Discrepancy Report. Any tile not retained by the Division shall be destroyed in accordance with the licensee's destruction procedures.

(m) If after completing the inspection procedures required in (l) above, it is determined that a complete set of 32 tiles removed from a gaming table is free from tampering, markings, or alterations, that set may be returned to the pai gow storage area for subsequent gaming use in accordance with the casino licensee's internal control procedures. In no event may individual tiles from different sets be used to make a complete set for subsequent gaming use.

(n) The casino licensee shall include in their internal control, procedures for:

1. An inventory system which shall include the recordation of at least the following:
  - i. The balance of sets of tiles on hand;
  - ii. The sets of tiles removed from storage;
  - iii. The sets of tiles returned to storage or received from the manufacturer;

- iv. The date of the transaction; and
  - v. The signatures of the individuals involved;
2. A reconciliation on a daily basis of the sets of tiles distributed and the sets of tiles destroyed and cancelled, the sets of tiles returned to the storage area and, if any, the sets of tiles in tile reserve; and
  3. A physical inventory of the sets of tiles at least once every three months.
    - i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of the sets of tiles on hand as required in (n)1i above.
    - ii. Any discrepancies shall immediately be reported to the Division.

(o) Other than tiles retained for Division inspection, tiles shall be cancelled or destroyed within 72 hours of collection by the security department. In addition, once tiles retained as evidence by the Division are released to the security department, the tiles shall immediately be destroyed or cancelled.

1. Destruction and cancellation of tiles shall take place in a secure place, the location and physical characteristics of which shall be approved by the Division. The adequacy of the destruction and cancellation process shall be approved by the Division.

2. Destruction of tiles shall be by shredding by the security department or a vendor approved by the Division.
3. Cancellation of tiles shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each card in the deck.

**13:69E-1.20 Inspection and approval of gaming equipment and related devices and software**

(a) No gaming equipment or any related device or software that has been tested and approved by the Division shall be used in a casino facility unless:

1. It is identical in all mechanical, electrical, electronic or other aspects to a prototype thereof that has been reviewed and approved for use by the Division; and
2. All necessary casino service industry enterprise (CSIE) licenses, CSIE license applications, or vendor registrations, as required, have been obtained or filed and all necessary transactional waivers have been issued in accordance with the requirements of N.J.S.A. 5:12-92.

(b) The following equipment shall require an inspection by the Division prior to initial use or following any modification:

1. Slot machines;
2. Multiplayer systems;
3. Electronic table games;
4. Server supported slot systems;
5. Slot machine bonus systems;
6. Progressive equipment;
7. Kiosks;
8. Account based wagering systems;
9. Wireless wagering devices;

10. Slot monitoring systems;
11. Gaming voucher systems;
12. Devices used in conjunction with a slot monitoring system; and
13. Keno systems.

(c) Any evidence that an item of gaming equipment or a related device or software used in a casino facility has been tampered with or altered in any way which would affect the integrity, fairness, or suitability of the item for use in a casino shall be immediately reported to the Division. A member of the casino licensee's casino security department shall be required to ensure that the item is maintained in a secure manner as directed by the Division.

**13:69E-1.21 Expiration of slot machine control program approvals and resubmission**

(a) The approval of any slot machine control program issued by the Division shall expire, unless earlier revoked by the Division, on the second day of January in the year following the 12th anniversary of its latest approval. For the purposes of this section, any modification to a slot machine control program approved by the Division shall not affect the expiration date of the latest approval unless the Division specifically finds that the modifications were so substantial as to constitute the approval of a new slot machine control program.

(b) A casino licensee shall deactivate any slot machine control program in its casino upon expiration of its latest approval unless and until the slot machine control program has been resubmitted, tested and approved in accordance with the provisions of this section.

(c) An approved slot machine control program may be resubmitted for testing and approval at any time. A previously approved slot machine control program shall be subject to all relevant requirements in effect as of the date of resubmission.

(d) Each casino licensee shall develop internal controls to ensure that no slot machine control program shall remain in use in its casino if the latest approval of that slot machine control program has expired pursuant to (a) above.

**13:69E-1.22 Possession of slot machines**

(a) Except as otherwise provided in this section and N.J.S.A. 2C:37-7, no person shall possess within this State any slot machine or similar device which may be used for gambling activity.

(b) The following persons and any employee or agent acting on their behalf may, subject to any terms and conditions imposed by the Division, possess slot machines in this State for the purposes provided in this section provided that the machines are kept only in such locations as may be specifically approved in writing by the Division and that any machines located outside of a licensed casino room not be used for gambling activity:

1. An applicant for or holder of:
  - i. A casino license, for the purpose of maintaining for use or actually using such machines in the operation of a licensed casino;
  - ii. A gaming school license, for the purpose of teaching slot machine design, operation, repair or servicing; or
  - iii. A gaming related casino service industry license, for the purpose of manufacturing, distributing, testing, repairing or servicing slot machines;
2. A manufacturer or distributor of slot machines for the purpose of exhibition or demonstration;

3. A common carrier, for the purpose of transporting such slot machines;
4. An employee or agent of the Division or Commission, for the purpose of fulfilling official duties or responsibilities; or
5. Any other person the Division may approve after finding that possession of slot machines by such person in this State is necessary and appropriate to fulfill the goals and objectives of the Act.

(c) Each person, company, or school which possesses slot machines in New Jersey shall maintain and file with the Division a comprehensive monthly list of slot machines in its possession in this State unless otherwise required by the Division.

**13:69E-1.23 Intrastate and interstate transport of slot machines**

(a) Prior to intrastate and interstate transport of any slot machine, the person causing such slot machine to be transported shall first notify the Division in writing with the following:

1. The full name and address of the person transporting the machine;
2. The full name and address of the person who owns the machine, including the name of any new owner in the event ownership is changed in conjunction with the transport;
3. The method of transport and the name of the carrier or carriers;
4. The full name and address of the person to whom the machine is sent and the destination of the machine if different from such address;
5. The quantity of machines and the manufacturer and serial number of each machine;
6. The expected date and time of delivery to or from any authorized location in this State;
7. The port of entry or exit of the machine if the origin or destination of the machine is outside the continental United States; and

8. The reason for transporting the machine.

(b) The person transporting any slot machine shall provide to the shipper a document, at least one copy of which shall be kept with the slot machine at all times during the shipping process, that contains the following information, at a minimum:

1. The manufacturer and serial number of the slot machine transported;
2. The full name and address of the person from whom the machine was obtained;
3. The full name and address of the person to whom the machine is sent; and
4. The date of shipment.

(c) Any person, company, or school receiving a slot machine shipment from outside of this State shall, within three business days of receipt, provide the Division with the information enumerated in (b) above.

(d) For any movement that does not affect a casino licensee's certificate of operation, the casino licensee shall provide 24-hour advance notice to the Division's Technical Services Bureau. The notification shall include at a minimum the following information:

1. The name of the casino licensee;

2. The date of the expected move;
3. The serial number of the slot machine;
4. The asset number, when applicable; and
5. The locations of origin and destination.

**13:69E-1.24 Electronic gaming device seals**

(a) The Division may utilize tamper resistant seals to secure critical gaming components inside an electronic gaming device. When used, the seals may not be removed or broken by any person other than a Division employee.

(b) Unless otherwise authorized by the Division, an electronic gaming device shall have all Division seals removed by the Technical Services Bureau prior to removal from the casino floor. If a slot machine is temporarily removed from the casino floor, the casino licensee may request to have a seal affixed to the door of the slot machine by the Division. When the slot machine is returned to the casino floor, if the seal:

1. Is intact, the licensee may remove the seal on the door and place the game back in service without further inspection; or
2. Has been broken or is not present, the slot machine shall be re-inspected by a Division Technical Services Bureau representative prior to use.

(c) The casino licensee shall immediately report to the Division any finding or observation that a Division seal has been tampered with or broken. The licensee shall also immediately cause the electronic gaming device to be deactivated unless otherwise authorized by the Division.

(d) Prior to any electronic gaming device being transported out of New Jersey, held in long-term storage, or converted to any other lawful non-gaming use, the electronic gaming device shall have all seals removed by the Division.

**13:69E-1.25 Residual value of a slot machine gaming voucher**

(a) Whenever the total value of a gaming voucher inserted for redemption at a slot machine cannot be completely converted into slot credits based upon the denomination of the slot machine ("residual value"), the slot machine shall either:

1. Reject the voucher; or
2. Store the residual value of the gaming voucher in the memory of the slot machine which shall be returned upon cash out.

(b) A slot machine which does not comply with (a) above shall be removed from the casino floor no later than December 1, 2016.

**13:69E-1.26 Slot machines and bill acceptors; identification; other devices**

(a) Unless otherwise authorized by the Division, each slot machine in a casino shall have the following identifying features:

1. A logic board serial number permanently imprinted, impressed, affixed or engraved on each logic board installed in the slot machine, which number shall match the serial number of the slot machine to which it is installed;
2. An asset number that is permanently imprinted, impressed, engraved or affixed on the outside cabinet of the machine by the casino licensee. The asset number must be conspicuous and clearly visible to persons involved in removing or replacing the slot drop bucket or slot drop box in the slot machine and through the casino licensee's closed circuit camera coverage system;
3. A location number that is affixed to the outside of the machine. The location number must be conspicuous and clearly visible to persons involved in removing or replacing the slot drop bucket or slot drop box in the slot machine and through the casino licensee's closed circuit camera coverage system; and
4. A labeling system that enables the Division to determine that the reel mechanisms are installed in the machine in the same manner as when the slot machine was inspected and approved.

(b) Unless otherwise authorized by the Division, each bill acceptor shall have an asset number that is permanently imprinted, affixed or impressed on the outside cabinet of the bill acceptor or the slot machine to which it is attached. The asset number must be conspicuous and clearly visible to persons involved in removing or replacing the slot cash storage box in the bill acceptor, clearly visible through the casino licensee's closed circuit camera coverage system and must correspond to the asset number affixed to the slot machine in accordance with (a) above.

(c) In addition to the above requirements, each slot machine in a casino shall have such devices, equipment, features and capabilities as may be required by the Division for that particular model of slot machine after the prototype model is tested and examined by the Division.

(d) Each casino licensee shall record in a log whenever any logic board in any slot machine is replaced with another logic board. Such log shall include the date, slot machine asset number, serial number on the logic board and the signature of the individual completing the log. Such log shall be maintained by the casino licensee's slot department and shall be available for inspection by the Division upon request.

**13:69E-1.27 Slot machine areas, density, arrangement and floor plans**

(a) Slot machines used in the conduct of gaming shall be located and arranged in such a manner so as to:

1. Promote optimum security and safety for the casino operation;
2. Encourage and preserve competition in casino operations by assuring that a variety of gaming opportunities is offered to the public;
3. Avoid deception or frequent distraction to players at gaming tables;
4. Promote the comfort of patrons; and
5. Create and maintain a gracious playing environment in the casino.

(b) Each casino licensee shall be permitted to install and operate one slot machine for every 10 square feet of its casino floor space which may be allocated to slot area, as determined in accordance with (d) below.

(c) Each casino licensee shall arrange the layout of its casino floor so that whenever one row of slot machines in a casino is lined up back to back with another row of machines, the two rows shall be separated by a metal grating or other type of barrier, as approved by the Division, that will prohibit a person from placing his or her hand between the rows of machines.

(d) The total amount of casino floor space that a casino licensee may utilize

for slot machines, the walkways between them, and other structures or areas which are reasonably related to the use of slot machines ("Slot Area") such as slot booths, change booths, change machines, slot carousels, walls, columns or other architectural structures, and any other structures or areas which are reasonably related to, and contained within casino floor space which is dedicated to, the use of slot machines, shall not exceed 90 percent of the total amount of casino floor space and casino simulcasting facility floor space.

(e) The total amount of casino floor space dedicated to the Slot Area shall be measured by identifying the perimeter of each such area on the casino floor plan.

(f) Any casino floor space which is not used for slot area pursuant to (e) above shall be dedicated to authorized games other than slot machines and related support and circulation space.

(g) Each casino licensee or applicant shall submit to the Division a detailed floor plan, drawn to scale, depicting its proposed arrangement of slot machines, slot stools and table games. Such plan shall indicate all relevant floor space square footage; density information; and aisle dimensions, including the dimensions of aisles between rows of slot machines facing each other, of distances in front of slot machines not directly facing another slot machine, and of distances between slot stools and other obstructions or slot machines. Each casino licensee shall maintain on file with the Division a current floor plan certified as to its accuracy.

(h) Each casino licensee or applicant seeking approval for a proposed arrangement of slot machines shall submit to the Division a detailed floorplan, drawn to

scale, depicting its proposed arrangement of slot machines, slot stools and table games and shaded to include all areas covered by (e) above. Such plans or attachments thereto shall indicate the amount of casino floor space by slot zone, or other subdivision of the total area included in the calculation required by (e) above, as approved by the Division, and the total of such areas. Each casino licensee shall maintain on file with the Division a current shaded floorplan certified as to its accuracy.

(i) Any floorplan submission that satisfies the requirements of this section shall be deemed approved by the Division unless the casino licensee is notified in writing to the contrary within three days of filing.

(j) Slot machines shall not be permissible in casino simulcasting facilities.

**13:69E-1.28 Testing of designated electronic gaming equipment**

(a) Electronic gaming equipment means any electronic device or software which contributes to the outcome of a casino game, the calculation of gaming revenue, or the integrity of gaming operations and shall include:

1. Slot machines;
2. Multiplayer systems;
3. Electronic table games;
4. Slot machine bonus systems;
5. Table game bonus systems;
6. Progressive equipment;
7. Kiosks;
8. Account based wagering systems;
9. Wireless wagering devices;
10. Automated shufflers;
11. Slot monitoring systems;
12. Gaming voucher systems;
13. Keno systems;
14. Devices used in conjunction with a slot monitoring system; and
15. Devices used in conjunction with a slot machine such as bill acceptors, printers, and coin acceptors.

(b) Electronic gaming equipment shall not include marketing programs that do not impact gross revenue or surveillance equipment.

(c) Electronic gaming equipment shall not be used in a casino facility unless it is identical in all aspects to the prototype which was reviewed and approved for use by the Division. This shall include material design specifications including hardware and software.

(d) The testing of equipment pursuant to this section may require the dismantling of the prototype and tests that may result in damage to or the destruction of the prototype. Once submitted for testing, no prototype or testing equipment shall be returned to the company who submitted the product unless otherwise authorized by the Division.

(e) Upon completion of testing, examination or documentation review of a product, the Division shall issue a letter describing whether or not the product is approved including any conditions for its use. Nothing shall prohibit the Division from adding, modifying or removing conditions following the initial approval of a product as necessary to ensure its integrity.

(f) The Division may, as a condition for approval, require a particular product to undergo a field trial of such duration as it may deem necessary to assess its operation in a live casino environment. During the trial period minor changes in the product's operation or design may be made with prior approval of the Division. Nothing in this section shall prohibit the Division from conditionally approving gaming equipment or utilizing a field test in lieu of, or in conjunction with, its own testing.

(g) No electronic gaming equipment shall be reviewed, tested or approved unless the company submitting the product is appropriately licensed or registered pursuant to N.J.S.A. 5:12-92 or has received transactional waiver approval.

(h) Each piece of electronic gaming equipment approved by the Division shall operate and function in accordance with all representations made by the company that submitted the product.

**13:69E-1.28A Standards for the approval of a slot machine game**

(a) Except as otherwise provided in this section, each slot machine game which requires a wager shall have a theoretical return to player (RTP) equal to or greater than 83 percent.

(b) Except as otherwise provided in this section, all winning combinations used in achieving the minimum theoretical RTP for each slot machine game shall be available on each play that requires a wager.

(c) Slot machines shall not offer a play with odds greater than 100 million to 1.

(d) The theoretical RTP of a slot machine game shall not decrease by more than one-hundredth of a percentage point with an increased wager unless the aggregate total of the decreases in theoretical RTP for plays offered by the slot machine game is no more than one-half of one percent.

(e) The following shall not be included as a payout when determining the theoretical RTP of a slot machine:

1. A payout of merchandise or thing of value;
2. A complimentary; or
3. A limited time payout.

(f) The projected contribution from a progressive award may count toward the theoretical RTP of a slot machine in order to achieve the minimum theoretical RTP as approved by the Division.

(g) A slot machine game that requires skilled strategy choices, such as video poker, shall:

1. Have its theoretical RTP calculated based upon the player exercising optimal strategy during game play;
2. Disclose optimal strategy to achieve the highest theoretical RTP;  
or
3. Provide mathematically sufficient information for the patron to derive optimal strategy in order to achieve the highest theoretical RTP.

(h) When a slot machine offers a play which relies on the knowledge of a patron, such as a trivia challenge, or their physical dexterity, such as a game utilizing a joystick, the overall payout percentage shall be calculated based on the play of the least knowledgeable or skilled patron.

(i) When a slot machine offers a play which permits a patron to risk an award or make a subsequent wager as an extension of a game outcome, the slot machine shall:

1. Only allow the patron to risk an award if the award can be increased as a result of continued play; and
2. Disclose the optimal strategy or provide mathematically sufficient information for the patron to derive optimal strategy if the choice affects the theoretical RTP of the slot machine.

(j) When a slot machine offers a play as an extension of a game and the theoretical RTP is based upon the optimal play of the patron, the slot machine shall disclose the optimal strategy or provide mathematically sufficient information for the patron to derive optimal strategy.

(k) Slot machines shall comply with Division rules for random number generators (RNGs) and shall not permit a symbol above or below the top jackpot symbol to be mapped more than six times more frequently than any other symbol on a reel strip.

(l) The slot machine shall be designed in such a manner that prevents scripting and fairly represents the reel symbols selected by the RNG. It is acceptable to display an alternate version of the video reel strips during reel spin animation provided that:

1. The top award and bonus trigger symbols are not displayed more often than they appear on the actual reel strips;
2. The random selection process for game outcome is not affected;

3. Stop positions and adjacent symbols are displayed in the correct order when the spin ends;
4. A description of the alternate spinning video reels is provided to the Division; and
5. The spinning video reel display is not misleading.

(m) A slot machine game that offers free play awards shall not display as a possible outcome any amount that could only be won through the consecutive activation of free play awards won on the wager. For example, if the highest jackpot offered by a slot machine game is \$ 1,000 and it is possible to win two free play awards on one wager, the slot machine game shall not display \$ 2,000 as a possible jackpot.

(n) Each slot machine game must provide fair notice of the rules of play including all bonus features, denomination, and related pays. When the rules of play are provided electronically, the information shall at minimum:

1. Not require a wager to be read; and
2. Require the patron to exit the display of the rules prior to activating game play.

(o) Gaming devices that allow a patron to select from two or more game themes must be capable of displaying the following:

1. A clear indication of which game has been selected for play; and

2. A clear description of the rules governing the game selected.

(p) Each line played must be clearly marked in order to avoid confusion as to which line is being played. The amount wagered on each line shall also be clearly discernable by the patron.

(q) Winning wagers must be presented to the patron in a manner where the patron can clearly determine which line provided the winning combination.

(r) The button panel must operate correctly in conjunction with the submitted pay table program. For example, the button panel must match the game play in regards to the number of lines being played and number of credits being wagered.

(s) No device connected to a slot machine shall be capable of modifying the approved source code of a slot machine game.

(t) Slot machines may contain a game with an extended play feature where the player is collecting something either towards triggering a bonus, or for an additional payout in the bonus. If the collected items are required to enter the bonus, then the entire bonus cannot be more than 33 percent of the theoretical RTP.

(u) When a slot machine offers a bonus feature that is not dependent on the number of patron credits available, the slot machine shall alert the patron of his continued eligibility regardless of whether the patron has credits remaining on the slot machine.

(v) Slot machines with an auto pick feature shall:

1. Disclose to the patron that the slot machine game is designed with an auto pick feature;
2. Disclose the rules regarding the auto pick feature; and
3. When the theoretical RTP is based upon optimal play, select the choice which provides the highest theoretical RTP; or when the theoretical RTP is not based upon optimal play, perform the selection in an unbiased manner.

(w) Each slot machine shall include conspicuous language which states that a malfunction voids all pays.

(x) All free game and re-spin awards must display the remaining number of games left following each free game or re-spin.

(y) Slot machines with a transfer to credit meter feature for jackpots shall:

1. Increment the coin out meter, or other meter as approved by the Division, by the amount of the transfer; and
2. Be connected to a slot monitoring system that:
  - i. Precludes the duplicate processing of a lock up transferred to the credit meter of an electronic gaming device or generates an alert to the surveillance department upon

the occurrence of the processing of a duplicate payment;

and

- ii. Generates a daily report of all Transfer to Credit Meter transactions.

**13:69E-1.28B Slot machine control programs and operating systems**

(a) Control programs responsible for fundamental game operations, including executable programs, random number generation, communications protocol, game outcome, game meters, and software verification, shall:

1. Not be in-circuit programmable;
2. Satisfy Division rules regarding alterable media; and
3. Monitor and detect corruption in random access memory (RAM) portions that contains critical game code.

(b) Control programs shall cause the slot machine to enter into a hard tilt and require a RAM clear if the slot machine experiences an unrecoverable RAM failure. If the failure is recoverable, the control program shall perform the following prior to restoration of game play:

1. Verify that the physical RAM is fully operational; and
2. Verify that the repopulated code in RAM is authentic.

(c) Slot machines shall be designed to maintain RAM content in the event of power interruptions and failures for a period of 15 days.

(d) Control programs shall be designed to permit the external validation of critical game content using Game Authentication Terminal (GAT) or other method approved by the Division.

(e) Control programs shall prevent the unused portion of memory from being compromised by setting the memory to either 00 or FF for read only memory (ROM) devices, or utilize another method as approved by the Division.

(f) Control programs shall be designed with logic that prevents the unauthorized transfer of credits from one slot machine to another by swapping logic boards, or utilize physical controls that prevent the unauthorized transfer of credits.

(g) Control programs shall be designed to prevent unauthorized modifications to critical game configurations and settings.

(h) The control program shall prevent game settings from being adjusted while there are credits on the player's credit meter or while a game is in progress.

(i) Control programs shall be capable of storing and recalling the last 10 games inclusive of the last 50 results generated from, but not limited to, bonus rounds, optimal strategy choices and free spin games. The game history must display the game outcome, credits available, wagers placed, as well credits or coins awarded.

(j) Control programs shall employ a method to advise a player when a jackpot not paid automatically and totally by the machine has been won. The control program shall cause the slot machine to automatically preclude a player from operating the slot machine until the slot machine has subsequently been reset.

(k) Control programs shall be designed to calculate and report all meters required by Division rules.

(l) Control programs shall be designed to:

1. Prevent required meters from being edited or erased unless the media containing the data is cleared using a specific procedure approved by the Division and designed for that purpose;
2. Ensure the meter is reset to zero and restart its cycle once the meter maximum has been reached; and
3. Increment all meters in units equal to the denomination of the device or in dollars and cents.

(m) Control programs shall store and display the following to the patron:

1. The current credit balance;
2. The current bet or wager;
3. Each winning combination and corresponding win amount;
4. The total amount won;
5. The player options selected for the last completed game;
6. The current denomination played; and
7. The current line(s) played.

(n) Control programs shall cause credits that are available for play to be wagered in the following order:

1. Non-cashable credits; and
2. All other credits.

(o) Control programs shall be designed to recognize and report the following game errors to an approved slot monitoring system at a minimum:

1. Low battery condition;
2. Communications interruption;
3. Bill jams;
4. Bill acceptor malfunction;
5. Printer jam or failure;
6. Power restoration; and
7. Printer disconnected.

(p) All control programs shall be designed to recognize and report the following game error codes, at a minimum, to a slot monitoring system and place the slot machine into an unplayable status or tilt:

1. Game memory malfunction;
2. Program error/authentication mismatch;
3. Hopper errors;

4. Stacker door open;
5. Stacker removed;
6. External doors open such as the main, belly, and drop door;
7. Power outage; and
8. Reel tilt.

(q) Control programs shall be designed to notify the patron and casino licensee of any slot machine tilts via an error message or other method approved by the Division.

(r) Control programs shall prevent a slot machine game from becoming operational once an error or power outage has been detected unless the control program restores the slot machine to the state it was in before the error or power outage occurred.

(s) Each control program shall be capable of generating historical logs that record the occurrence of the following at a minimum:

1. Coin errors;
2. Hopper errors;
3. Bill jams;
4. Stacker door open;

5. Stacker removed;
6. Bill acceptor malfunction;
7. Printer jam failure;
8. Printer disconnected;
9. External doors open (examples: main, belly, drop, etc.);
10. RAM error;
11. Low RAM battery;
12. Program error/authentication mismatch; and
13. Power cycle.

(t) Control programs shall be designed to detect errors associated with secondary devices, such as mechanical top boxes, reels and displays which are used to indicate game outcomes. Those malfunctions must place the gaming equipment in an unplayable state.

(u) Control programs for a slot machine equipped with tokenization shall ensure that the slot machine only accepts slot tokens with a denomination of \$ 1.00 or less if a residual slot credit cannot be redeemed. Any residual slot credit not played or redeemed by a patron shall be deemed abandoned; provided, however, that any such credit shall remain on the slot machine until:

1. Played or redeemed by a patron, or
2. Cancelled by the casino licensee in a manner described in the licensee's internal controls.

**13:69E-1.28C Standards for slot machine meters**

(a) The following meters shall be required for all slot machines and may, in whole or in part, be required for other types of gaming equipment as specified by

Division rules:

1. "Coin In" that accumulates the total value of all wagers, whether the wagered amount results from the insertion of coins, tokens, currency, deduction from a credit meter or any other means. This meter shall:
  - i. Not include subsequent wagers of intermediate winnings accumulated during game play sequence; and
  - ii. When a slot machine contains more than one pay table, the control program shall maintain all meters necessary to calculate the return to player (RTP) for each pay table.
2. "Coin Out" that accumulates the total value of all amounts directly paid by the machine as a result of winning wagers;
3. "Coin Drop" that accumulates the total value of coins or tokens diverted to the drop when applicable;
4. "Attendant Paid Jackpots" that accumulates the total value of credits paid by an attendant resulting from a single winning alignment or combination, the amount of which is not capable of being paid by the machine itself. This does not include progressive amounts or amounts awarded as a result of an external bonusing

system. This meter is only to include awards resulting from a specifically identified amount listed in the manufacturer's par sheet;

5. "Attendant Paid Cancelled Credits" that accumulates the total value paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the machine to make the proper payout amount;
6. "Physical Coin In" that accumulates the total value of coins or tokens inserted into the machine;
7. "Physical Coin Out" that accumulates the value of all coins or tokens physically paid by the machine;
8. "Bill In" that accumulates the total value of currency accepted. Additionally, the machine must have a specific meter for each denomination of currency accepted that records the number of bills accepted of each denomination;
9. "Coupon In Count" that counts the total number of all coupons accepted by the machine;
10. "Voucher In" that accumulates the total dollar value of all gaming vouchers accepted by the machine;
11. "Voucher Out" that accumulates the total dollar value of all gaming vouchers issued by the machine;

12. "Voucher In Count" that counts the total number of all vouchers accepted by the machine;
13. "Voucher Out Count" that counts the total number of all vouchers issued by the machine;
14. "Electronic Funds Transfer In" (EFT In) accumulates the total value of cashable credits electronically transferred to the machine through a cashless wagering system;
15. "Wagering Account Transfer In" (WAT In) that accumulates the total value of cashable credits electronically transferred to the machine from a wagering account by means of an external connection between the machine and a cashless wagering system;
16. "Wagering Account Transfer Out" (WAT Out) that accumulates the total value of cashable credits electronically transferred from the machine to a wagering account by means of an external connection between the machine and a cashless wagering system;
17. "Non-Cashable Electronic Promotion In" that accumulates the total value of non-cashable credits electronically transferred to the machine from a promotional account by means of an external connection between the machine and a cashless wagering system;
18. "Cashable Electronic Promotion In" that accumulates the total value of cashable credits electronically transferred to the machine

from a promotional account by means of an external connection between the machine and a cashless wagering system;

19. "Non-Cashable Electronic Promotion Out" that accumulates the total value of non-cashable credits electronically transferred from the machine to a promotional account by means of an external connection between the machine and a cashless wagering system;
20. "Cashable Electronic Promotion Out" that accumulates the total value of cashable credits electronically transferred from the machine to a promotional account by means of an external connection between the machine and a cashless wagering system;
21. "Coupon Promotion In" that accumulates the total value of all slot machine coupons accepted by the machine;
22. "Coupon Promotion Out" that accumulates the total value of all slot machine coupons issued by the machine;
23. "Machine Paid External Bonus Payout" that accumulates the total value of additional amounts awarded as a result of an external bonusing system and paid by the slot machine;
24. "Attendant Paid External Bonus Payout" that accumulates the total value of amounts awarded as a result of an external bonusing system paid by an attendant;

25. “Attendant Paid Progressive Payout” that accumulates the total value of credits paid by an attendant as a result of progressive awards that are not capable of being paid by the machine itself;
26. “Machine Paid Progressive Payout” that accumulates the total value of credits paid as a result of progressive awards paid directly by the machine. This meter does not include awards paid as a result of an external bonusing system; and
27. Such other meters as may be required by the Division.

**13:69E-1.28D Standards for a persistent state system**

(a) A Persistent State System (PSS) means all hardware and software used to award or reveal bonus features contained within approved slot machine software. The additional bonus features may not be available to all patrons and may only become available when the patron has achieved specific game play thresholds. A PSS may also be used to recognize a particular patron for the purpose of restoring previously earned thresholds on each subsequent visit to a slot machine that utilizes the same PSS.

(b) Each slot machine that utilizes a PSS shall contain, in its help screen, a clear description of each PSS related bonus feature including the requirements for achieving game play thresholds. Additionally, patrons shall be notified each time a game play threshold has been achieved.

(c) The PSS shall become inoperable for any of the following malfunctions at a minimum:

1. RAM failures;
2. Self-check error; or
3. Incorrect or lost configurations.

(d) Slot machines connected to a PSS shall become unplayable when the PSS becomes inoperable or when there is a loss of communication. Slot machines may resume game play:

1. When the PSS malfunction has been rectified, communications have been restored and patron credits have been restored on the slot machine; or
2. If the PSS is used to activate bonus features that offer varying payback percentages greater than .01 percent, the slot machine may be configured to operate independently only after the patron's credits have been restored and the slot machine clearly notifies the patron that they are no longer able to achieve additional thresholds during game play; or
3. If the PSS is not used to activate bonus features that offer varying payback percentages greater than .01 percent, the slot machine may be configured to operate independently after patron credits have been restored on the slot machine.

(e) The PSS shall be designed in a manner that prevents unauthorized user access or configuration changes.

(f) The PSS shall be incapable of modifying the approved source code of a slot machine game.

(g) The PSS shall utilize a firewall when remote access is required.

(h) PSS controllers shall be designed to allow for external authentication using game authentication terminal (GAT), or other method approved by the Division.

**13:69E-1.28E Standards for bonusing systems**

(a) A bonusing system means all hardware and software used to control a bonus feature offered by one or more slot machine(s) and may be used in the calculation of the slot machine's theoretical return to player (RTP). The bonus feature may be activated by a random event or a specific game outcome.

(b) The software which controls a bonusing system shall reside on a bonus controller.

(c) Bonus controllers shall be designed to prevent unauthorized access to configuration settings and software.

(d) Each slot machine that utilizes a bonus system shall contain an appropriate description of the rules governing each bonus feature, each payout and any conditions regarding player eligibility for the bonus award(s). Such description shall be displayed to the patron in a manner approved by the Division.

(e) Bonus controllers shall become inoperable for any of the following malfunctions at a minimum:

1. Random access memory (RAM) failures;
2. Self-check error;
3. Incorrect configurations; or
4. Lost configurations when applicable.

(f) Bonus controllers shall comply with Division rules for alterable media or utilize physical controls which prevent unauthorized modifications to the bonus controller's software.

(g) Whenever a bonus controller becomes inoperable, all participating slot machines shall become unplayable and the bonusing system shall employ a mechanism to notify the casino licensee and patrons affected.

(h) Each slot machine which loses communication with the bonus controller shall be designed to:

1. Become unplayable;
2. Display to the patron and casino that a failure has occurred; and
3. Address lost communications that occur while the patron is participating in a bonus feature by ensuring the patron is appropriately compensated.

(i) Slot machines linked to a bonusing system shall continuously and conspicuously display the patron's eligibility for a bonus round regardless of the number of credits remaining on the slot machine where applicable. For example, if the patron has 40 seconds of eligibility time remaining but has run out of credits, the slot machine will continue to display and count down the seconds remaining.

(j) Slot machines shall prevent patrons from participating in a bonus feature during a slot machine door open or malfunction. Additionally, the patron's eligibility for a bonus round shall not be diminished while a slot machine door is open or a malfunction is present. For example, a patron who has earned 40 seconds of eligibility time, shall maintain 40 seconds of eligibility time until the slot machine door is closed or the malfunction has been cleared. Eligibility status may however be reduced due to patron initiated action, such as the activation of the help screen.

(k) When a bonusing system offers a feature that is not dependent on the number of patron credits available, the slot machine shall alert the patron of his continued eligibility regardless of whether the patron has credits remaining on the slot machine.

(l) Bonusing systems may offer a jackpot awarded by a random event and not based upon a specific game outcome ("mystery award") provided the bonus system contains all mandatory progressive parameters and meters as required by Division rules for progressive gaming devices, excluding display meters when applicable.

(m) Bonus controllers shall be designed to allow for external authentication using GAT, or other method approved by the Division.

**13:69E-1.28F Multi-player system requirements and standards**

(a) A “multi-player system” means a slot machine gaming system in which an approved device randomly determines the result of each round of play and communicates that result to each participating player station, which individually determines and issues the proper payouts to the player. The Division’s rules governing slot machines shall be applicable to multi-player systems.

(b) Player station means the location where player credits are wagered, accumulated and displayed to the patron.

(c) Each player station system shall comply with Division rules regarding slot machines.

(d) Each game offered by a multi-player system shall be designed such that the actions of, or the results obtained by any one player, do not affect the outcome of any other player.

(e) Each multi-player system shall be designed with a central controller which shall communicate, at a minimum, the outcome for each round of play.

- (f) The central controller utilized by a multi-player system shall:
1. Be housed in a secure locked compartment, access to which shall be described in the casino licensee’s internal controls; and
  2. Be designed to prevent unauthorized changes to the software contained therein.

(g) In the event of a loss of communication between the central controller and any of the participating player stations, or a malfunction of any participating player station, each non-communicating or malfunctioning player station shall immediately enter into a tilt mode and the multi-player system shall automatically generate a tilt notification to the casino licensee and to the patron affected.

(h) In the event of a central controller malfunction, all player stations shall immediately enter into an unplayable mode, and a tilt shall automatically be generated notifying the casino licensee and the patrons affected.

(i) Progressive jackpots may be offered by a multi-player system in accordance with Division rules regarding progressive gaming devices.

(j) The multi-player system game shall be designed to permit the external validation of critical game content using game authentication terminal (GAT) or other method approved by the Division.

**13:69E-1.28G Standards for a random number generator (RNG)**

(a) Random number generator (RNG) means a physical device or a mathematical algorithm that generates outcomes that cannot be predicted.

(b) RNGs which utilize a mathematical algorithm to generate outcomes shall be:

1. Large enough to encompass all possible outcomes;
2. Available at the initiation of each and every game;
3. Statistically independent, conform to random distribution and pass variously recognized statistical tests such as the “Chi-square” test, “Mono-bit” test, and the “Runs” test;
4. Designed to continually cycle in the background between games;
5. Designed to employ a random seed that is determined by an uncontrolled event to assure that the RNG does not begin from the same value every time; and
6. Designed in a manner where, if a number is required which is outside the provided RNG range, the RNG shall be rescaled using a method that ensures the occurrences of numbers within the shorter range are equally probable.

(c) After the random selection of an outcome, gaming devices which utilize an RNG shall:

1. Only display the appropriate outcome as specifically determined by the RNG;

2. Not permit a secondary selection for the purpose of displaying the outcome; and
3. Not be misleading in any manner.

### **13:69E-1.28H Requirements for alterable media**

(a) When required by Division rules, critical game code which resides in alterable media shall be designed to perform self authentication upon power-up.

(b) Software that resides in alterable media shall implement a methodology that produces an output digest of critical game code with a 128-bit complexity at a minimum. The output digest shall be encrypted using an asymmetrical encryption algorithm with a 512-bit key, or other secure method approved by the Division.

(c) The process used to encrypt the output digest mentioned above shall be secure and prevent unauthorized access to the asymmetrical encryption algorithm's private key.

(d) Critical game code shall be authenticated using a public key via software contained in a separate and verifiable one time programmable device such as an erasable programmable read-only memory (EPROM), or on a secure medium approved by the Division. If authentication fails, the gaming device shall enter a hard tilt.

(e) Slot machines shall perform a background check on critical game code at least once every hour during game operation. If a failure is detected, the gaming device shall enter a hard tilt which requires employee intervention to clear. Once cleared, the game shall reset and perform a complete self authentication.

**13:69E-1.28I External touch screen systems**

(a) External touch screen system means all hardware and software used to resize or overlay a slot machine's touch screen monitor to perform patron, employee or marketing related functions.

(b) An external touch screen system may resize the slot machine's game screen provided that:

1. The entire slot machine's game screen remains available and legible;
2. No aspects of game play are affected; and
3. All touch screen coordinates are appropriately remapped to ensure proper operation.

(c) The slot machine's game screen may be overlaid provided that:

1. The overlaid portion does not affect the game play or the availability of help screens;
2. Game play is suspended, in which case the entire game screen may be fully obscured; or
3. The game is in tournament mode and the Division has expressly approved the overlay.

(d) The display of a slot machine's game screen shall not be affected by an external touch screen system malfunction.

**13:69E-1.28J Touch screen monitors**

(a) Touch-screen video monitors can be utilized by gaming devices to display gaming or marketing content.

(b) Touch screens shall:

1. Not contain any undisclosed touch-screen coordinates that affect game play or game outcome;
2. Communicate with the gaming device on a bi-directional basis;
3. Have the ability to calibrate the touch screen, on-demand, via attendant and without accessing any cabinet doors; and
4. Display slot machine graphics in a manner that does not adversely affect game play.

**13:69E-1.28K Technical standards for approving a gaming device cabinet**

(a) The design of gaming equipment cabinets shall be strong enough to prevent unauthorized access when doors are closed. Gaps used for ventilation purposes shall not compromise the integrity of the product's cash box or internal critical hardware or software.

(b) Authorized access to the cabinet's critical areas such as the cash box door, currency compartment, and coin compartments shall be segregated through the use of unique locking mechanisms in accordance with Division rules.

(c) For slot machines, all doors that control access to critical areas shall be equipped with switches or sensors which detect door open signals. Critical areas refer to those that may affect revenue, game outcome or the integrity of the device.

(d) Gaming device cabinets shall be designed with an on/off power switch located within the interior of the gaming device that controls dedicated electrical current applied to the device.

(e) For slot machines, each gaming device shall have an identifier affixed on the cabinet's exterior. The identifier must contain the manufacturer, model number, serial number, and date manufactured.

(f) Cabinets shall be equipped with a mechanism, such as a tower light, used to notify the casino licensee of security events or malfunctions.

(g) Cabinets which contain microprocessor-based gaming equipment shall be designed to ensure access to the logic areas is appropriately limited.

**13:69E-1.28L Coin/token acceptors and hoppers**

(a) A slot machine that accepts coin or tokens shall be equipped with a coin slot that allows patrons to initiate play. The coin slot shall be connected to a diverter that directs inserted coins or tokens to the hopper or slot drop bucket.

(b) Slot machines that accept coins or tokens must contain hoppers that securely store inserted coins. If the slot machine awards coins or tokens, the payout shall occur from a hopper. Hoppers shall be equipped with sensory circuitry that detects hopper jams, extra coin outs, and hopper empty signals.

(c) Hoppers shall be designed to prevent manipulation by any external source, power interruption, or electrostatic discharge.

(d) If the slot machine detects a hopper full signal, or the slot machine is configured as hopper-less, all inserted coins/tokens shall be directed to a slot drop bucket. Drop buckets must be maintained and housed within a separate locked compartment.

(e) Coin or token acceptors shall be designed to accurately accept or reject coins or tokens by verifying physical characteristics or chemical composition.

(f) Coin acceptors shall be able to:

1. Detect and reject counterfeit and invalid coins or tokens;
2. Sense and disable the coin acceptor if coins travel in the unintended direction; and

- 
- 
3. Credit, via the slot machine's control program, game credits equivalent to the amount inserted.

**13:69E-1.28M Printers**

(a) Printers that generate revenue related gaming receipts or gaming vouchers shall communicate with the gaming device's control program using a bi-directional protocol.

(b) Printers shall be locked inside the slot machine cabinet and shall enter into a tilt condition if any of the following occurs:

1. Printer jam is detected;
2. Paper empty;
3. Hardware error;
4. Printer disconnect error;
5. Software error; and
6. Communications error.

**13:69E-1.28N Bill acceptors and stackers**

(a) All devices designed for accepting currency, coupons, or vouchers shall be able to communicate with slot machines and other approved gaming equipment on a bi-directional basis.

(b) The bill acceptor's software must be able to detect the insertion of currency, coupons or vouchers and ensure that the inserted items are either:

1. Validated; or
2. Rejected.

(c) Each bill acceptor shall be equipped with a stacker utilized to securely store validated currency, coupons, and vouchers.

(d) Each stacker shall be designed to prevent unauthorized removal of the currency; coupons, and vouchers stored within, and shall utilize a secure locking mechanism in accordance with Division rules.

(e) Wires, cables and harnesses connecting the bill acceptor to a gaming device shall be housed inside the gaming device's cabinet.

(f) Bill acceptors shall ensure the gaming device receives the exact value of the validated and stacked currency, coupons, or gaming vouchers for the purpose of completing a gaming transaction.

(g) Bill acceptors shall perform Power On Self Test (POST) upon every power up and shall self disable if POST fails. POST must also be performed after every recovery from an error state.

(h) Upon reset or power cycle, each bill acceptor shall perform a signature comparison between a previously embedded value and the calculated value utilizing a 16 bit cyclical redundancy check or other method approved by the Division. If the signatures match, booting sequence shall resume otherwise the bill acceptor shall become inoperable.

(i) A bill acceptor shall not accept currency, coupons or vouchers when any of the following errors or security events occur:

1. Bill or voucher jams;
2. Stacker door open;
3. Stacker removed;
4. Stacker full;
5. Bill acceptor door open;
6. Communications error;
7. Bill acceptor reset; or
8. Hardware or software error.

### **13:69E-1.280 Technical standards for kiosks**

(a) Kiosk means all aspects of an automated device that may be used for voucher redemption, coupon redemption, slot machine jackpot processing, ATM debit card transactions, credit card transactions, bill breaking, voucher issuance, and other automated functions as approved by the Division.

(b) Kiosks may be linked to a kiosk computer system for the purpose of generating reports and monitoring kiosk activity in accordance with Division rules regarding controlled computer systems.

(c) Kiosk cabinets shall comply with Division rules regarding gaming equipment cabinet standards and shall be equipped with an approved bill acceptor.

(d) Each currency cassette, currency cassette reject bin, and bill acceptor cash storage box utilized by a kiosk shall be a secure, tamper-resistant container, capable of being locked or otherwise secured from unauthorized access.

(e) When used to redeem gaming vouchers or promotional coupons, kiosks shall work in conjunction with an approved voucher system and shall be designed to:

1. Accurately obtain the validation number of the item presented for redemption and cause such information to be accurately and securely relayed to the voucher system for the purpose of redemption;
2. Issue the exact amount of currency in exchange for a gaming voucher only if the voucher system has authorized and recorded the transaction;

3. Return the gaming voucher or coupon to the patron when a gaming voucher or coupon cannot be validated by the voucher system or is otherwise unredeemable; and
4. Be uniquely identifiable to the voucher system.

(f) When used to issue promotional gaming vouchers or coupons, each kiosk shall be considered a cashiering location as part of an approved voucher system.

(g) When used for slot jackpot processing, kiosks shall work in conjunction with an approved slot monitoring system and shall be designed to:

1. Accurately receive and validate jackpot payment requests using a blind entry methodology and reject the request after three unsuccessful attempts;
2. Prevent multiple payments for the same jackpot;
3. Uniquely identify users of the system; and
4. Be capable of limiting jackpot payments in accordance with Division rules.

(h) When used to conduct ATM or credit card transactions, kiosks shall be equipped with a mechanism to accurately obtain required patron account and PIN information. The kiosk shall cause such information to be accurately and securely relayed to the appropriate banking institution for the purpose of completing a transaction. Prior to implementation, the casino licensee shall ensure compliance with Division rules regarding controlled computer systems as well as all federal banking regulations for ATM and credit card transactions.

(i) Kiosks shall be capable of recognizing payment errors such as bill out jams and insufficient funds. When a payment error occurs, the kiosk shall be designed to electronically record the error and perform the following:

1. For gaming vouchers or promotion coupons:
  - i. Reject the transaction; or
  - ii. Issue an error receipt and change the gaming voucher or promotion coupon to a redeemed status.
2. When used for jackpot processing:
  - i. Reject the transaction; or
  - ii. Issue an error receipt documenting the amount requested and the amount dispensed. In this scenario, the kiosk shall cause the slot monitoring system to identify the jackpot as having been paid. The resulting jackpot payout error receipt shall be used to manually process the jackpot in accordance with the licensee's internal controls.
3. For an ATM or credit card transactions:
  - i. Reject the transaction;
  - ii. Dispense no money; and
  - iii. Issue a receipt advising the patron that the transaction was voided.

(j) When an error receipt is issued from a kiosk, the kiosk or receipt shall advise the patron or employee to see a cashier for payment. Error receipts shall be designed to include the following, at a minimum:

1. Identity of the kiosk from which it was printed;
2. The date and time it was printed;
3. The reason the receipt was printed;
4. The amount requested when applicable; and
5. The unpaid amount.

(k) Each kiosk shall contain an electronic transaction log of logical access, door access, cash transactions, and errors. The transaction log shall include:

1. The date and time;
2. The user, when applicable; and
3. A description.

(l) Kiosks must be able to recognize material hardware and software errors, such as a computer minimum operating system (CMOS) error or printer failure, and generate an operational interrupt whenever such error is detected. Once a material error is cleared, the software shall be designed to restore communications and restore the kiosk to the state it was in prior to the error.

(m) Kiosks shall be designed to ensure all configurable options and software maintained in random access memory (RAM) are appropriately maintained for a minimum of 15 days and restored in the event of a power failure.

(n) Kiosks may include a maintenance feature which permits authorized users to dispense currency in order to configure or test the kiosk functionality. When this feature is used, an unalterable electronic log shall be automatically generated and maintained by the kiosk. The logs shall include, at a minimum:

1. The date and time currency was dispensed;
2. The user who dispensed the currency; and
3. The amount dispensed by denomination.

(o) Kiosks shall not store the PIN numbers associated with credit card or ATM transactions.

(p) Kiosks shall be designed to permit the external validation of critical software content using game authentication terminal (GAT) or other method approved by the Division.

(q) Kiosks shall be capable of generating a credit receipt whenever currency cassettes, currency cassette reject bins, or coins are removed. Such receipt shall include, at a minimum:

1. The identity of the kiosk;
2. The date and time;
3. The denomination of the currency or coin for each cash cassette or coin hopper being replaced; and
4. The expected total amount of the cash or coin remaining in each currency cassette, currency cassette reject bin or coin hopper being removed.

(r) Kiosks shall be capable of creating a fill receipt whenever currency cassettes, currency cassette reject bins or coins are placed in a kiosk. Such receipt shall include at a minimum:

1. The identity of the kiosk;
2. The date and time the fill was performed;
3. The denomination of currency or coin for each currency cassette or coin hopper inserted into the machine; and
4. The total amount of cash or coin for each currency cassette or coin hopper inserted into the machine.

(s) When used to redeem gaming vouchers, the kiosk or kiosk computer system shall be capable of generating a "Voucher Redemption Machine Report" for a given time period. This report shall document all redemptions of gaming vouchers and coupons for a particular gaming day. The report shall include the validation number, the date and time of redemption and the value of the voucher or coupon in dollars and cents.

(t) When used to redeem promotional coupons, the kiosk or kiosk computer system shall be capable of generating a "Coupon Redemption Report" for a given time period. This report shall document all redemptions of coupons and shall include the coupon number, the date and time of redemption and the value of the coupon in dollars and cents.

(u) When used to conduct jackpot payments, the kiosk or kiosk computer system to it, shall be capable of generating an “Automated Jackpot Payout Machine Journal Report,” which documents for each jackpot payment the following for a given time period:

1. The date and time of the payment;
2. The asset number of the slot machine to which the payment was made; and
3. The amount of the payment.

(v) When used to conduct ATM transactions, the kiosk or computer system connected to it, shall be capable of generating an “ATM Transaction Report” for a given time period. This report shall include each ATM transaction performed by the kiosk for a particular gaming day, a description of each transaction, the date and time of each transaction, the authorizer of the transaction, the requested amount, and the dispensed amount.

(w) When used to conduct credit card transactions, the kiosk or kiosk computer system shall be capable of generating a “Credit Card Transaction Report” for a given time period. This report shall include each credit card transaction performed by the kiosk for a particular gaming day, a description of each transaction, the date and time of each transaction, the authorizer of the transaction, the requested amount, and the dispensed amount.

(x) Each kiosk shall be capable of creating an inventory report prior to the end of each gaming day for the purpose of determining the starting inventory for the next gaming day. The report shall include, at a minimum:

1. The date and time the report was generated;
2. The identity of the kiosk;
3. The total amount of cash dispensed from the machine during the gaming day; and
4. The cash inventory balance remaining in the machine at the end of the gaming day.

(y) Each kiosk shall be capable of generating a "Reject Bin Report," which shall include the total value of items placed in the reject bin.

(z) Each kiosk or kiosk computer system shall be capable of generating a "Transaction Report," which documents each attempted and completed transaction.

The report shall include, at a minimum:

1. The date and time;
2. A description of the transaction;
3. The value of currency dispensed;
4. The value of vouchers dispensed;
5. The value of currency inserted; and
6. The value of vouchers inserted.

(aa) Each kiosk or kiosk computer system shall be capable of generating an "Access Report," which accurately records the number of times any external doors were opened and the number of times the cash door was opened.

(bb) Each kiosk or kiosk computer system shall be capable of generating additional reports which may be required to accurately calculate revenue, reconcile kiosk balances and to research variances when applicable.

**13:69E-1.28P Technical standards for electronic table games**

(a) An electronic table game means all hardware and software used to automate all or part of a table game which has been previously approved by the Division.

(b) Electronic table games shall:

1. Be identical in layout and equipment used to play its corresponding authorized non-electronic table game including when applicable, wagering areas, cards, dice, or tiles;
2. Be designed to achieve a theoretical payback as provided in the approved rules for each game offered; and
3. Utilize a method to ensure each game outcome is random in accordance with Division rules for a random number generator (RNG), when applicable.

(c) The Division may, in its discretion, forego a formal petition regarding the rules and procedures for a particular game if the electronic table game offers a minor variation to an existing non-electronic table game, such as a new supplemental wager.

(d) An electronic table game may utilize a dealer to facilitate game play provided that the game is designed with features to rectify dealer errors and address patron complaints when applicable.

(e) An electronic table game may utilize virtual gaming chips provided that the electronic table game is capable of:

1. Accurately tracking and displaying patron buy-ins, wagers and cash outs for each wagering location; and
2. Recording all meters required to generate an electronic table game win report as required by Division rules.

(f) Electronic table games may use an electronic tip feature provided that:

1. The electronic table game maintains a tip meter which accumulates the dollar value of all tips;
2. The electronic table game is capable of generating a tip report which provides the value of all tips issued during a given time period; and
3. The electronic table game is capable of complying with Division rules for dealer tips.

(g) In the event of an electronic table game malfunction, all wagering locations shall immediately enter into a tilt mode and the electronic table game shall automatically generate an alert notification.

(h) Each wagering location shall enter into a tilt mode and automatically generate an alert notification whenever there is a loss of communication between the wagering station and the electronic table game, when applicable.

(i) Electronic table games shall be equipped with features designed to address and rectify game play issues which shall include at a minimum the capability to immediately recall and display the date, time and outcome of at least the last 10 rounds of play and a minimum of 50 decisions per round.

(j) An electronic table game shall be designed to recover from an error or power outage to the state it was in prior to the error or outage.

(k) Electronic table game software shall be designed to perform a self check upon power up using a secure method of authentication, such as symmetric encryption, or utilize physical controls which prevent unauthorized modifications to the electronic table game software.

(l) The electronic table game shall be designed to permit the external validation of critical game content using game authentication terminal (GAT) or other method approved by the Division.

(m) An electronic table game may utilize a bill acceptor for the purpose of receiving patron buy-ins.

(n) An electronic table game may redeem or issue gaming vouchers provided that it complies with Division rules regarding electronic table games which utilize gaming vouchers as set forth in N.J.A.C. 13:69E-1.28Q.

**13:69E-1.28Q Technical standards for electronic table games which utilize gaming vouchers**

(a) An electronic table game which permits gaming voucher redemption shall:

1. Utilize player wagering locations where player credits are wagered, stored and displayed to the patron; and
2. Not accept gaming chips.

(b) When an electronic table game utilizes gaming vouchers and is designed with one bill acceptor that is shared by all wagering locations, the electronic table game shall:

1. Be reported as a single asset for the purpose of revenue reporting, slot monitoring system tracking and surveillance coverage;
2. Be capable of recording all meters for each individual wagering location and the overall electronic table game in accordance with applicable Division rules for slot machine meters; and
3. Be capable of reconciling wagering location meters, with the electronic table game meters, and the slot monitoring system meters.

(c) When an electronic table game utilizing gaming vouchers is designed with one bill acceptor for each wagering location, each wagering location shall:

1. Be reported as a single asset for the purpose of revenue reporting, slot monitoring system tracking, and surveillance coverage; and
2. Be capable of recording all meters, when applicable, for each individual wagering location in accordance with applicable Division rules for slot machine meters.

(d) When an electronic table game utilizes gaming vouchers, all gaming revenue shall be reported on the slot win report provided that each electronic table game asset is uniquely identified on the slot win report as an electronic table game.

### **13:69E-1.28R Submission requirements**

(a) Any company proposing to offer new or modified electronic gaming equipment, hardware, or software, which requires the approval from the Division, shall submit a written request to the Division's Technical Services Bureau requesting the product and specific features be tested and approved for use.

(b) The Division shall not deem a product to have been submitted unless the Division has received all of the necessary documentation, hardware, and software required to test the gaming equipment or make a determination on its suitability for use in a casino.

(c) Written requests shall be on company letterhead and shall be dated no more than five days prior to the delivery date of the written request and the complete submission. The written request shall identify the following, as applicable:

1. Hardware devices;
2. The software version;
3. The Paytable ID/Date Code;
4. An indication of cloned software; and
5. Contact information.

(d) The company submitting a product for testing shall transport, at its own expense, any new or modified equipment, device or software, to a location specified by the Division. The company may be required to unpack and dispose of the shipping container and material as specified by the Division.

(e) Companies shall not submit a gaming product with a pre-existing issue that may negatively impact the reporting of revenue, game outcome, or the overall integrity of the product.

(f) Companies shall immediately notify the Division if it becomes aware of an issue that may negatively impact the reporting of revenue, game outcome, or the overall integrity of a product that has been submitted to the Division for testing.

(g) Prior to submitting a product for testing, companies are required to ensure that:

1. The submitted product complies with all aspects of the Division's rules;
2. All pay combinations including bonus rounds have been emulated and tested for accuracy;
3. An authorized officer of the company has approved the product for submission; and
4. The submitted documentation is accurate and current.

**13:69E-1.28S New Jersey First submissions and approvals**

(a) Any written request for approval of electronic gaming equipment that is received by the Division prior to or simultaneously with all other gaming jurisdictions or independent testing laboratories shall be considered a “New Jersey First” submission.

(b) Manufacturers are required to ensure the Division receives a complete submission including a written request which identifies the submission as qualifying for the New Jersey First provision. A complete submission shall include the necessary equipment, documentation required to test a fully operational product, and a list of specific functionalities requested for approval when applicable.

(c) The Division shall give preference and priority to all New Jersey First submissions. If the Division has not completed its review within 14 days of receiving a New Jersey First submission, and it has not identified an issue that might negatively impact fairness or overall integrity, the Division will issue a field trial approval on or before the 14th day. Parameters for field trials will be specified by the Division.

(d) Slot machines which are field tested as part of a New Jersey First submission shall have a notice conspicuously affixed to the front of the machine identifying it as a slot machine undergoing a field trial. The notice shall state the following:

“In an effort to offer the newest and most exciting games to Atlantic City patrons, the New Jersey Division of Gaming Enforcement (NJDGE) may

field test certain slot machines that meet specific regulatory criteria. This slot machine is one such game and it is currently undergoing a field trial test. Should you experience any problems or have any concerns regarding this machine, please contact the NJDGE using the patron complaint hotline located on the casino floor.”

- (e) Upon the completion of the specified trial period, the Division will:
1. Issue an approval letter which allows the above mentioned notice to be removed;
  2. Issue a revocation at which time the product being field tested may no longer be used; or
  3. Extend the trial period in order to permit the manufacturer to make minor modifications to the product.

**13:69E-1.28T Software development requirements for electronic gaming equipment submitted to the Division for approval**

(a) Each company who submits products to the Division for testing shall employ documented procedures designed to ensure their products comply with Division rules prior to submission.

(b) Each company who submits products to the Division for testing are required to immediately notify the Division of any field issue which may impact the integrity of any electronic gaming equipment which has been approved for use in New Jersey.

### **13:69E-1.28U Technical standards for a keno system**

(a) A keno system is defined as all hardware and software responsible for generating keno tickets, generating outcomes, validating winnings, and reporting for keno games.

(b) All keno systems shall comply with the Division's rules regarding casino computer systems.

(c) Keno system outcomes shall be randomly determined in accordance with Division's rules for a random number generator (RNG).

(d) Each keno game conducted during the gaming day shall be assigned a unique sequential game number by the keno system.

(e) A keno ticket shall contain:

1. The time and date of issuance;
2. All numbers chosen by the patron;
3. The ticket number;
4. The game number;
5. The station number; and
6. The casino name.

(f) Keno systems shall generate a void slip whenever a keno ticket is voided provided that the system prevents a void from occurring after the outcome has been determined.

(g) Keno systems shall be capable of validating and redeeming winning keno tickets for payment in accordance with the rules of the game.

(h) If a malfunction occurs during number selection of a keno game and the system is unable to correct the malfunction, all wagers shall be returned to the patron(s).

(i) Critical keno equipment shall be housed in a secure location on the casino gaming premises.

(j) The keno system shall not allow the alteration of critical software through external hardware or software.

(k) The keno system shall be designed to detect critical hardware and software corruptions. If a corruption is detected, the system shall suspend normal operation until the corruption is addressed.

(l) The keno system shall be designed in such a manner which prevents data from being erased or modified when the system loses power.

(m) The keno system shall be capable of recording and recalling the following on demand:

1. The total tickets and winning tickets for each:
  - i. Shift;
  - ii. Gaming day;
  - iii. Month to date; and
  - iv. Year to date;
2. Award information for each winning ticket, which includes:
  - i. The date and time of the win;
  - ii. The ticket number; and

- iii. The amount;
- 3. Game information which includes:
  - i. The date and time;
  - ii. The game number; and
  - iii. The numbers selected; and
- 4. An exception report including:
  - i. Voided tickets; and
  - ii. System alteration such as system parameters or pay tables.

**13:69E-1.28V Server supported system technical standards**

(a) A server supported system means a system comprised of one or more server supported slot machines connected to a slot machine server and an associated computer network for the purpose of downloading approved slot machine games and other related software from the slot machine server to the slot machines.

(b) A server supported system shall be designed for compliance with Division rules regarding critical casino computer systems.

(c) Server supported slot machines shall comply with Division rules regarding slot machine hardware, software and meters.

(d) A server supported system shall automatically create a secure electronic log every time a software component is added, removed or altered in the slot machine server. The log entry shall contain:

1. The date and time of the action;
2. Identification of the software affected; and
3. One of the following methods of identifying the individual performing the modification:
  - i. The name and employer of the individual performing the modification, and if applicable, his or her employee license number; or
  - ii. The unique username and password of the individual performing the modification, provided that such username

and password are identifiable to the individual, his or her employer and, if applicable, his or her license number.

(e) A server supported system shall automatically create a secure electronic log each time a software module is downloaded to a slot machine.

(f) A server supported system shall not be approved for use unless:

1. The server supported system is capable of activating and deactivating slot machine games; and
2. The outcome of each round of play is determined solely by the individual slot machine game and not the server.

(g) Server supported systems shall be designed so that all game software installed on the system can be verified by the Division using an independent verification method, such as game authentication terminal (GAT).

(h) Each slot machine that is connected to a server supported system shall be capable of external verification using a method such as GAT, or other method as approved by the Division.

(i) Transfers of software and data between a server supported system and a slot machine shall be conducted using a secure method such as digital certificates or digital signatures, over a secure network that links the server to the slot machine so that software can only be transferred to and used by an authorized slot machine.

(j) All required meters shall be successfully communicated to a slot machine server, slot monitoring system or other approved slot accounting system for any

paytable changes, activations or deactivations of a slot machine game in a server supported slot machine.

(k) Software may not be added to, modified or removed from a server-supported slot machine if an error or tilt condition exists on that slot machine, except as necessary to rectify the error or tilt condition.

(l) Server supported systems shall be designed to monitor and log the status of all payable changes, activations or deactivations of a slot machine game downloaded to a server supported slot machine. Such log shall include at a minimum the user name, date, time, asset number of the machine(s) receiving the software and the identity of the slot machine software.

(m) Software downloaded to a server-supported slot machine shall be initially stored in a separate area or partition of memory or hard disk space located in the slot machine so that the downloaded software is segregated from the slot machine's operating software and cannot affect the operation of the slot machine.

(n) Whenever a slot machine game or other software is downloaded to a server-supported slot machine, the slot machine shall automatically:

1. Ensure all software and data sent is or was completely and accurately received;
2. Detect the presence of corrupt or lost data packets and, as necessary, reject the transmission; and

3. Perform a self authentication in accordance with Division rules for alterable media.

(o) In the event of a failed authentication, a server supported slot machine shall enter into a tilt mode.

(p) Whenever any material changes are made to game software in a server supported slot machine, including, but not limited to, control and payable programs, a log entry will be made in the slot machine's computer and on the server supported system for that slot machine asset. The log entries must be retained by the slot machine for a minimum of 100 logged events and by the server supported system for a minimum of one year provided that logged events older than 90 days may be archived in accordance with the licensee's internal controls. Unless otherwise authorized by the Division, the removal of any software from a server-supported slot machine or slot machine server will not affect the logging requirements related to that software.

(q) Server supported slot machines shall be designed to maintain all meter information required by Division rules for the slot machine asset including meters required to calculate the actual return to player for each individual slot machine game that is downloaded to that slot machine asset, until such time that the slot machine stored meter information is cleared.

(r) Prior to implementing any change to a server supported slot machine the following must occur:

1. For at least four minutes prior to implementing any change, the slot machine will be required to be in idle mode, with no errors or tilt conditions, no play and no credits on the machine; and
2. During implementation of the change, the slot machine on which the game is offered must be disabled and rendered unplayable for at least 60 seconds. During that time, a conspicuous message stating that the game configuration is being changed must be continuously displayed either on the slot machine's video screen or in another manner approved by the Division.

**13:69E-1.28W Tournament slot machine software**

(a) Slot machine software designed for use in a slot tournament shall, when in tournament mode:

1. Cause the slot machine bill acceptor to be deactivated;
2. Cause all wins to be credited to the credit meter even if the wins are over the machine handpay amount;
3. Provide a visual indication that the tournament mode is enabled;  
and
4. Cause the cash out button or equivalent to be disabled.

(b) Each casino licensee shall provide 24-hour advanced notification to the Division's Technical Services Bureau prior to the use of such software in a tournament.

(c) Slot machines shall not enter tournament mode if credits exist on the slot machine. Additionally, the slot machine shall complete all fund transfers, game play, currency and voucher transactions prior to entering tournament mode.

(d) The slot machine shall not increment any live game accounting meters or override live game history data during tournament mode.

(e) The slot machine shall not communicate any gross revenue accounting information to the slot management system during tournament mode.

(f) All slot machines used in a single tournament shall be configured to have the same reel speed settings, hit rates, bet limits, and bonus rounds to ensure each player has the same chance at winning the tournament unless otherwise disclosed by the rules of the tournament.

**13:69E-1.28X Technical standards for automated shufflers**

(a) Shuffler means an electronic product that has the capability to rearrange the playing cards to completely eradicate any prior pattern(s) introduced to the playing cards.

(b) Automated shufflers shall be secured in a manner which prevents:

1. Viewing of the cards being shuffled;
2. Tampering of cards being shuffled; and
3. The shuffler from leaving any marks on the cards during shuffling.

(c) If the shuffler is capable of recognizing rank and suit, it shall:

1. Not provide real time information that can be used to aid in the projecting of the outcome of the game; and
2. Have user access controls which restrict access to the history of game(s) played.

(d) Access to the shuffler's critical files, passwords, and configuration parameters shall only be permitted to authorized personnel.

(e) Shufflers shall be capable of detecting door access during shuffling. If access is detected during dealing, the shufflers shall halt the dealing process.

(f) Playing cards shall be shuffled in a random manner which prevents the presence of patterns.

(g) Each shuffler shall utilize a random number generator (RNG) in accordance with Division rules for RNGs.

(h) Every shuffler shall contain a mechanism which has the capability to internally authenticate the software files and/or support files have not been corrupted or altered prior to use or loading. Such mechanism shall prevent further operation of the shuffler if unexpected data or inconsistencies are found.

(i) Critical files including RNG shall be stored in unalterable memory mediums, write protected, or be equipped with sufficient controls that prevents software modifications.

(j) In the event of error, the shuffler shall cease operation and there shall be an appropriate indicator to notify the casino personnel. If a liquid crystal display (LCD) screen is present, a message describing the type of error shall be displayed.

(k) Shufflers shall implement a mechanism, such as game authentication terminal (GAT), to externally validate the shuffler's critical files including the RNG.

**13:69E-1.29 and 1.30 (Reserved)**

**13:69E-1.31 Records and reports for customer complaints**

Each casino licensee shall maintain a complete record of all customer complaints registered and repairs made with regard to each slot machine in the possession of the licensee. A copy of such records shall be made available to authorized employees of the Division upon request.

13:69E-1.32 (Reserved)

**13:69E-1.32A Technical standards for count room equipment**

(a) Each casino licensee shall receive Division approval of all computer equipment used in the counting process of the contents of drop boxes, slot cash storage boxes, slot drop buckets, and slot drop boxes.

(b) Each casino licensee shall maintain the following information in its internal controls:

1. A detailed description of the design and use of the computer equipment and any communication interfaces related to the counting process;
2. Names of all revenue files and who has access and what type of access they have to these files; and
3. Procedures for controlling changes to computer equipment, communication interfaces, configuration, and software which provide for, at a minimum, written or electronic notification in accordance with Division rules for casino computer systems.

(c) Each casino licensee shall submit Release Notes to the Division prior to any hardware or software modification to count room equipment.

**13:69E-1.33 Issuance and use of slot tokens for gaming and simulcast wagering; prize**

**tokens, slot token and prize token specifications; promotional non-gaming tokens**

(a) Each casino licensee may issue the following types of metal disks having two faces and an edge:

1. A "slot token" that is:
  - i. Designed for gaming use in the hoppers of the casino licensee's slot machines, in keno and in simulcast wagering within the casino licensee's casino simulcasting facility;
  - ii. Capable, upon insertion into and recognition by the coin acceptor of a designated slot machine operated by the casino licensee that issued the slot token, of activating the play of that slot machine;
  - iii. Issuable, in an exchange with a patron upon request, only from a slot booth, the cashiers' cage, a change machine or bill changer, or by a changeperson; provided, however, that each casino licensee may issue slot tokens as complimentary services or items in accordance with a distribution program;
  - iv. Exchangeable, by a patron at the casino where the slot token was issued;
  - v. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more slot

tokens for an equivalent amount of cash or for a casino check of that casino licensee in the amount of the slot tokens surrendered and dated the day of the redemption; and, at the option of the issuing casino licensee, redeemable upon request of the patron by mail, provided such redemption shall be effectuated by a cage supervisor; and

vi. Incapable of activating play at any slot machine other than a slot machine operated by the casino licensee that issued the slot token; and

2. A "prize token" that is:

i. Designed to be awarded and issued only as a payout from a payout-only hopper of a designated slot machine that is operated by the casino licensee using the token;

ii. Incapable of activating slot machine play at any slot machine which is capable of accepting coin or slot tokens of a denomination that is greater than the denomination of the prize token;

iii. Unavailable for use in keno or simulcast wagering;

iv. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more prize tokens for an equivalent amount of cash or for a casino

check of that casino licensee in the amount of the prize tokens surrendered and dated the day of the redemption; and, at the option of the issuing casino licensee, redeemable upon request of the patron by mail, provided such redemption shall be effectuated by a cage supervisor;

- v. Exchangeable, by a patron at the casino where the prize token was issued;
- vi. Unavailable as a manually paid jackpot;
- vii. Unavailable as a payout on a winning progressive jackpot;
- viii. Unavailable as a multi-casino jackpot; and
- ix. Unavailable as a complimentary service or item.

(b) Each slot token and each prize token shall be designed so that it:

1. Clearly identifies the name or trade name and location of the issuing casino;
2. Clearly states its face value;
3. Contains on at least one face, in the case of a slot token only, a statement that notifies a patron that the slot token will be accepted to activate play only in slot machines operated by the casino licensee that issued it;
4. Contains the statement "Not Legal Tender";
5. Is not deceptively similar to any current or past coin of the United States or a foreign country;

6. Is of a size or shape or has other characteristics which physically prevents its use in lawful vending machines or other machines designed to be operated by coins of the United States, except slot machines;
7. Is not manufactured from:
  - i. A three-layered material consisting of a pure copper core clad on both sides with a copper-nickel alloy;
  - ii. A copper based alloy, unless the total zinc, nickel, aluminum, magnesium and other alloying metal exceeds 25 percent of the token's weight; or
  - iii. A ferromagnetic material;
8. Shall not have a diameter which is between:
  - i. 0.680 inch and 0.860 inch;
  - ii. 0.890 inch and 0.980 inch;
  - iii. 1.018 inches and 1.068 inches;
  - iv. .180 inches and 1.230 inches; or
  - v. 1.475 inches and 1.525 inches;
9. Shall not weigh less than two grams and shall not be less than 0.060 inch thick;
10. Incorporates such anti-counterfeiting features and other security measures as the Division may require including, without limitation, for slot tokens in a denomination greater than \$500.00,

high security coin acceptor technology for casino licensee and denomination recognition; and

11. Contains on each face, in the case of a prize token only, a statement that notifies a patron that the prize token does not activate play.

(c) A casino licensee may issue the following denominations of slot tokens which shall have the following diameters:

<u>Denomination Diameter</u>	
\$ .10	.875 inches
\$ .25	.986 inches
\$ .50	1.175 inches
\$ 1.00	1.469 inches
\$ 2.00	1.340 inches
\$ 5.00	1.750 inches
\$ 10.00	1.700 inches
\$ 20.00	1.650 inches
\$ 25.00	1.875 inches or 1.950 inches
\$ 50.00	1.812 inches
\$100.00	1.600 inches
\$500.00	1.550 inches

(d) Each prize token with a face value that is less than the denomination of any slot token that is approved for use by any casino licensee shall be designed, through

differences between it and such slot token in metal content, diameter, thickness or by any other means approved by the Division, to prevent its use for activating play at any slot machine that is capable of accepting any slot token of greater denomination than the prize token.

(e) Each casino licensee may encase its prize tokens in clear plastic provided that:

1. The plastic does not hamper the payout of prize tokens from a payout-only hopper;
2. A patron with reasonable ease can remove the prize token from the plastic; and
3. The casino licensee:
  - i. Redeems each prize token under the same terms and conditions whether or not the prize token, when presented for redemption, is encased in plastic as originally issued by the casino licensee; and
  - ii. Reasonably notifies its patrons that prize tokens that are encased in plastic when originally issued to the patron may be redeemed without removing the plastic.

(f) No slot token or prize token shall be issued by a casino licensee or utilized in a casino or casino simulcasting facility unless and until a sample slot token or prize token, manufactured in accordance with its approved design specifications, is submitted to and approved by the Division.

(g) No casino licensee shall issue, use or allow a patron to use in its casino or casino simulcasting facility any slot token or prize token that it knows, or reasonably should know, is materially different from the sample of that slot token or prize token approved by the Division.

(h) A casino licensee may issue promotional non-gaming tokens not intended for and prohibited from use in gaming or simulcast wagering in its casino or casino simulcasting facility. The physical characteristics of promotional non-gaming tokens shall be sufficiently distinguishable from approved design specifications of any authorized slot token issued by a casino licensee so as to reasonably ensure that they will not be confused with authorized slot tokens and that they will be incapable of activating slot machine play at any slot machine operated by the issuing casino licensee or any other casino licensee. In addition, at a minimum, such promotional non-gaming tokens shall:

1. Be unique in terms of size or metallic composition;
2. Be not deceptively similar to any current or past coin of the United States or a foreign country, nor have characteristics which physically allow their use in lawful vending machines or other machines designed to be operated by coins of the United States; and
3. Bear the name and location of the issuing casino licensee on at least one face and language on both faces stating that they do not activate slot machine play.

(i) A casino licensee may issue a slot token in a denomination greater than

\$500.00 provided that each such slot token:

1. Has a diameter and manufacturing tolerance approved by the Division; and
2. Incorporates approved high security coin acceptor technology, which technology shall also be incorporated in the coin acceptor that the casino licensee uses in conjunction with the slot token.

**13:69E-1.34 Wagering at slot machines; use of slot tokens, prize tokens, gaming vouchers, and coupons**

(a) All wagering at slot machines in a casino shall be conducted with coins or slot tokens; provided, however, that currency, gaming vouchers, and coupons may be accepted through bill changers.

(b) Slot tokens may be used to make keno or simulcast wagers.

(c) Prize tokens shall not be used for keno or simulcast wagering or to activate play at slot machines.

**13:69E-1.35 Redemption of slot tokens and prize tokens from non-patrons; duty of patrons to surrender slot tokens and prize tokens upon demand**

(a) Except as provided in (e) and (h) below and as may be specifically approved by the Division, each casino licensee shall redeem its slot tokens and prize tokens only from its patrons and shall not knowingly redeem its slot tokens and prize tokens from any non-patron source.

(b) Each slot token and prize token is solely evidence of a debt that the issuing casino licensee owes to the person legally in possession of the slot token or prize token, and shall remain the property of the issuing casino licensee. Each casino licensee shall have the right at any time to demand that the person in possession of the slot token or prize token surrender the item for redemption in accordance with (c) below.

(c) Each casino licensee, upon demand, shall have the right to redeem its slot tokens and prize tokens from any person in possession of them, who shall surrender the slot tokens and prize tokens upon the casino licensee presenting the person with an equivalent amount of cash.

(d) Notwithstanding (c) above, a casino licensee may apply all or any part of the slot tokens or prize tokens presented by a patron to the redemption of any Counter Check or Slot Counter Check drawn by the patron or to the payment of any returned check drawn by the patron provided that the casino licensee has given that patron written notice of such right of setoff and has obtained the patron's written acknowledgment thereof:

1. As part of the patron's credit application;
2. In a separate writing, which shall be maintained in the patron's credit file;

Or

3. On a Counter Check or Slot Counter Check drawn by the patron and issued pursuant to the rules of the Division, provided that a photocopy of the signed Counter Check or Slot Counter Check shall be maintained in the patron's credit file.

(e) Each casino licensee shall accept, exchange, use or redeem only slot tokens or prize tokens that it has issued and shall not knowingly accept, exchange, use or redeem slot tokens or prize tokens, or objects purporting to be slot tokens or prize tokens, that have been issued by any other person, except that each casino licensee may redeem from its patrons slot tokens or prize tokens issued by any other legally operated casino licensee upon a patron's representation that he or she received such tokens from the payout chutes of slot machines on the casino licensee's premises, or that the patron purchased or received such tokens as payment in a gaming transaction from an employee of the casino licensee during the normal course of the employee's duties on the premises while at work.

(f) Each casino licensee shall redeem promptly its own genuine slot tokens and prize tokens presented to it by any other legally operated casino licensee upon the representation that such slot tokens and prize tokens were received or accepted

unknowingly, inadvertently or in error, were unavoidably received in slot machines through patron play, or mistakenly were redeemed from patrons. Each casino licensee shall submit to the Division for approval a system for the exchange, with other legally operated casino licensees, of slot tokens and prize tokens:

1. That are in its possession and that have been issued by any other legally operated casino licensee; and
2. That it has issued and that are presented to it for redemption by any other legally operated casino licensee.

(g) Each casino licensee shall cause to be posted and remain posted in a prominent place on all slot booths, the keno booth, all satellite keno booths, the simulcast counter and all coin redemption booths a sign that reads as follows:

"It is a violation of Federal law to use tokens issued by this casino outside these premises or to use tokens issued by another casino here."

(h) Employees of a casino licensee who are authorized to receive slot tokens or prize tokens as personal gratuities may redeem the slot tokens or prize tokens at the cashiers' cage or at another secure location in the casino hotel as approved by the Division. Slot tokens and prize tokens redeemed by employees at a non-cage employee redemption site shall be exchanged on a daily basis with the cashiers' cage pursuant.

**13:69E-1.36 Slot tokens and prize tokens; receipt, inventory, security, storage and destruction**

(a) Each casino licensee shall inspect all slot tokens or prize tokens, or any combination thereof, upon receipt from the manufacturer or distributor to ensure, at a minimum, that:

1. The quantity and denomination of slot tokens or prize tokens that are actually received from the manufacturer or distributor agrees with the amount of such tokens listed on the shipping documents; and
2. There are no physical defects in the slot tokens or prize tokens that were received.

(b) The inspection required by (a) above shall be conducted by at least three employees of the casino licensee (the "inspection team"). Each inspection team shall consist of at least one representative from the accounting or auditing department of the casino licensee and one representative from any of the casino licensee's other mandatory departments.

(c) Each casino licensee shall report to the Division promptly after an inspection required by (a) above discloses any discrepancy in the shipment including, but not limited to, the following:

1. The shipment contains defective slot tokens or prize tokens; or
2. The quantity and denomination of the slot tokens or prize tokens actually received does not agree with the amount listed on the shipping documents.

(d) Each casino licensee shall file with the Division procedures to record and process the receipt, inventory, storage and destruction of slot tokens and prize tokens.

13:69E-1.37 (Reserved)

**13:69E-1.37A Standards for electronic account based wagering system**

(a) An account based wagering system shall comply with standards of this section, N.J.A.C. 13:69D-2.2, 2.3, and 2.4, and the requirements of N.J.A.C. 13:69D-1.37.

(b) An electronic account based wagering system shall, at a minimum:

1. Allow efunds to be withdrawn or deposited either at a gaming table or slot machine if such gaming table or slot machine is connected to an account based wagering system;
2. Account for the transfer-in and transfer-out of efunds;
3. Assign a unique transaction number in sequence to each transaction;
4. Distinguish between cashable and non-cashable credits, if applicable, and between patron deposit funds and promotional funds;
5. Require a patron to enter an access code associated with his or her patron account to initiate each withdrawal or deposit of efunds or an account balance inquiry;
6. Lockout a patron account after three unsuccessful attempts to access an account;
7. Identify either the gaming table or the slot machine at which an efund transaction occurs;

8. Display at the gaming table or the slot machine, upon a patron's request, the patron's current account balance (cashable and non-cashable);
9. Prohibit a withdrawal in excess of available balance;
10. Prohibit simultaneous transactions on a patron account;
11. Provide upon request the means for a patron to obtain his or her account activity statement for 12 months prior to the request;
12. Provide a patron with a receipt either automatically or upon request when efunds, are deposited to a patron account at the gaming table or the slot machine, however a receipt shall not be required for the deposit of complimentary efunds. This requirement may be waived if the proponent of the waiver demonstrates that it has an alternative methodology by which the patron can be assured that the deposit is properly credited to his account;
13. Transmit to a host card reader display a confirmation or rejection of every efund transaction initiated;
14. Allow a casino licensee to limit the amount withdrawn during a transaction;
15. Generate reports set forth in this section or otherwise required by the Division;

16. Allow a casino licensee to utilize temporary anonymous accounts which do not require an access code if such accounts are part of a complimentary distribution program; and
17. Prohibit patrons from making deposits to temporary accounts.

(c) A casino licensee may, in its discretion:

1. Issue promotional efunds;
2. Convert patron deposit account funds to cashable efunds upon the request of the patron;
3. Create temporary anonymous accounts from which efunds may be withdrawn; and
4. Allow a purchase of non-cashable efunds.

(d) The receipt provided to a patron as required in (b)12 above shall include,

at a minimum:

1. The date and time;
2. The total amount deposited and current balance;
3. A unique transaction number;
4. The casino name and the words "Atlantic City"; and
5. The gaming table or slot machine asset number, from which the

deposit occurred.

(e) A casino licensee may allow its casino affiliate to issue promotional efunds that can be withdrawn in the casino licensee's facility at a gaming table or a slot machine.

(f) A gaming table or slot machine which transfers efunds shall be equipped with the following meters, where applicable:

1. "Non-cashable Electronic Promotion In";
2. "Non-cashable Electronic Promotion Out";
3. "Cashable Electronic Promotion In";
4. "Cashable Electronic Promotion Out";
5. "Wagering Account Transfer In"; and
6. "Wagering Account Transfer Out."

(g) An electronic account based wagering system shall maintain a record in a machine readable form that is not susceptible to unauthorized alteration or deletion by any person of the following information:

1. The type of transaction;
2. The transaction value;
3. The unique transaction number;
4. The gaming table or slot machine, as applicable;
5. The time and date; and
6. The patron account number, if applicable.

(h) The electronic account based wagering system shall limit the ability to void refund transactions to authorized users and approved automated procedures. The system shall maintain an unalterable record of each void and shall identify, at a minimum:

1. The person or procedure that voided the record;
2. The patron account number, if applicable;
3. The unique transaction number;
4. The date and time the void occurred; and
5. The value of the transaction.

(i) An electronic account based wagering system shall maintain a record of any changes to the access code associated with a patron's account including the date and time when the change was made, and the location where the change was made.

(j) The electronic account based wagering system shall generate reports on a daily basis for the gaming day which contain the following:

1. The date and time generated;
2. The gaming date;
3. For each gaming table or slot machine, the amount, date, time, and sequence number of each cashable and non-cashable withdrawal and the total of all cashable withdrawals and the total of all non-cashable withdrawals;

4. For each gaming table or slot machine, the amount, date, time, and sequence number of each cashable and non-cashable deposit and the total of all cashable deposits and the total of all non-cashable deposits;
5. For each gaming table or slot machine, a comparison between the transaction totals required in (j)3 and 4 above to the meters required in (f) above;
6. A summary of all cashable withdrawals, cashable deposits, non-cashable withdrawals, and non-cashable deposits by slot machine denomination or table game type;
7. For each patron account, the amount, date, time, and sequence number of each type (patron deposit account or promotional) of withdrawal and the total of all withdrawals;
8. For each patron account, the amount, date, time, and sequence number of each type (patron deposit account or promotional) of deposit and the total of all deposits;
9. A listing of all transaction voided including the information required in (h) above;
10. Patron accounts with a negative balance;
11. For all questionable transactions (for example, transactions with no amount, transactions outside the system parameters), the

amount, date, time, sequence number, and, if applicable, gaming  
table or slot machine asset number; and

12. Any other reports which the Division may require.

13:69E-1.38 (Reserved)

**13:69E-1.39 Progressive gaming device standards**

(a) A progressive gaming device means one or more slot machines, bonusing systems, multiplayer systems or table games which offers one or more progressive awards that automatically increase in value based upon a set rate of progression and are awarded after a player achieves a disclosed specific game outcome.

(b) Progressive devices may be designed to limit or cap a progressive award provided the limit is disclosed to the patron.

(c) Slot machines and multiplayer systems with a progressive feature shall immediately lock up to restrict further play whenever a progressive jackpot greater than \$1,199.99 has been awarded. The slot machine or multiplayer system shall remain locked until the jackpot has been verified and cleared by the licensee.

(d) Progressive gaming devices shall be designed with a mechanism to display and communicate the winning amount to the patron and the casino licensee when a progressive award has been won.

(e) Progressive gaming devices shall be designed with one or more progressive display meters which:

1. Communicate the value of each achievable progressive jackpot award;
2. Are readily available to and easily discernable by the patron; and
3. Shall not be reduced unless the reduction is the result of a progressive win or is otherwise authorized by Division rules.

(f) The following must be readily available on demand for inspection and audit:

1. The current progressive amount;
2. The contribution rate;
3. The reset amount; and
4. Any other meter required to reconcile the progressive display

meter.

(g) Progressive gaming devices shall contain a secure mechanism to reset the progressive display meter to the appropriate reset amount following an award.

(h) Progressive gaming devices shall be designed with a method to adjust mandatory progressive meters when necessary.

(i) Progressive gaming devices shall be equipped with security features which prevent unauthorized changes to progressive parameter settings, meters, reset switch and software.

**13:69E-1.39A Mandatory progressive parameters and meters**

(a) The following progressive parameters shall be utilized for each progressive award offered by an individual progressive gaming device or link:

1. The base amount, which means the initial starting amount;
2. The reset amount, which means the base amount after a progressive is won;
3. The incrementation rate, which means the rate of progression;
4. The progressive limit, which means the maximum progressive value that can be reached when applicable;
5. The hidden rate, which means the increment rate for a reserved pool(s) used to fund the next reset amount when applicable;
6. The unreasonable contribution, which means an incrementation amount determined by the progressive gaming device to be invalid, when applicable; and
7. Any other parameter as may be required by the Division in order to ensure the proper accounting and auditing of a progressive gaming device.

(b) The following progressive meters shall be utilized for each progressive award offered by an individual progressive gaming device or link:

1. "Progressive In-meter" that continuously and automatically counts the number of qualifying wagers or other activity which causes progressive incrementation;
2. "Display Meter" that continuously, automatically and prominently displays to the patron the current value for each progressive jackpot award for a given game or link;
3. "Progressive Hits Meter" which continuously and automatically counts each time a progressive jackpot is won;
4. "Progressive Wins Meter" which continuously and automatically accumulates the dollar value of all progressive payouts for each progressive level;
5. "Overflow Meter" which continuously and automatically accumulates progressive amounts over the progressive limit when applicable;
6. "Reserved Pool Meter" which continuously and automatically accumulates progressive amounts for the purpose of funding progressive jackpots when applicable; and
7. Any other meter as may be required by the Division in order to ensure the proper accounting and auditing of a progressive gaming device.

**13:69E-1.39B Linked progressive gaming device standards**

(a) Two or more progressive gaming devices located within the same casino may be connected using an approved local area progressive (LAP) controller in order to establish a shared LAP link.

(b) LAP controller means all hardware and software used to configure, maintain and operate a LAP link. All or part of the LAP controller's software may reside within the control program of a slot machine.

(c) LAP controllers utilized by slot machines and multiplayer stations shall comply with all requirements of this subsection. LAP controllers utilized with table games may comply with the requirements of this subsection or utilize compensating controls as approved by the Division.

(d) Progressive gaming devices may utilize a LAP controller if:

1. The LAP controller is capable of uniquely identifying each linked progressive gaming device;
2. All progressive gaming devices connected to a LAP controller become unplayable when the LAP controller is disabled; and
3. The linked game enters into an unplayable mode when it loses communication with the LAP controller.

(e) LAP controllers shall become inoperable for any of the following errors, at a minimum:

1. RAM failures;
2. Power failures;

3. Self-check error;
4. Incorrect configurations; or
5. Lost jackpot configurations.

(f) All progressive gaming devices connected to a LAP controller shall become inoperable if the LAP controller becomes inoperable.

(g) A mechanism shall be implemented to notify the casino licensee and patrons affected whenever a LAP controller or linked progressive gaming device becomes inoperable.

(h) LAP controllers shall be designed to recover from an error or communication failure, and when recovered, to return to the state they were in prior to the error or failure.

(i) LAP controllers shall be designed to automatically and accurately calculate the progressive award value based on a configured rate of progression, and to continuously update the required displays and meters.

(j) LAP controllers utilized by slot machines shall be designed to recognize when a progressive gaming device awards a progressive jackpot and shall communicate:

1. The appropriate jackpot amount to the winning device; and
2. The appropriate reset amount to all linked devices.

(k) LAP controllers shall be designed to accurately identify and record the order of winning progressive jackpots when two or more linked progressive gaming devices achieve the same winning game outcome at nearly the same time.

(l) Upon power-up, LAP controllers shall be designed so that they may only become operational after they have successfully passed a self-check. Self checks shall include at a minimum the authentication of the LAP controller's software via a 16 bit Cyclical Redundancy Check or other method as approved by the Division.

(m) Cabinets which house LAP controllers shall be equipped dual lock security to prevent unauthorized access to the hardware and software of the LAP controller.

(n) The LAP controllers used with slot machines or multiplayer systems shall not allow progressive parameter changes while a progressive link is in operation.

(o) The LAP controller shall be designed to permit external authentication of its software using a method approved by the Division such as Game Authentication Terminal (GAT).

(p) Nothing shall prevent a casino licensee from creating a manual system to operate a LAP link at a table game provided that the manual process has been approved by the Division.

**13:69E-1.39C Wide area progressive standards for linked progressive gaming devices used in more than one casino facility**

(a) Two or more progressive gaming devices located within two or more casinos may be connected using an approved progressive system to establish a shared wide area progressive (WAP) link. The progressive system includes all hardware and software responsible for the operation of a WAP link including but not limited to communication and configuration of the link.

(b) WAP links for slot machines and multiplayer systems shall be administered from an approved location within Atlantic County, provided that wagering and account information for a multi-state slot system shall be transmitted by the operator of such multi-state slot system to either a restricted area on the premises of a casino hotel or to a secure facility inaccessible to the public and specifically designed for that purpose off the premises of a casino hotel but within the territorial limits of Atlantic County, New Jersey, and from there to slot machines of New Jersey casino licensees, provided all locations are approved by the Division. The system shall utilize a central server which is responsible for, at a minimum:

1. Maintaining all meter information for all progressive links on the system;
2. Communicating the appropriate incrementation amount to all participating progressive gaming devices and displays;
3. Recording and maintaining all progressive meters;

4. Recording the date, time, and location of each progressive win;
5. Recording and maintaining material security events such as a door open;
6. Recording and maintaining all progressive parameter changes;  
and
7. Recording and maintaining progressive error events which may negatively impact the operation of the link.

(c) The progressive system shall prevent unauthorized changes to progressive parameters.

(d) The progressive system shall secure all contribution and meter information from unauthorized alteration.

(e) The progressive system shall be designed to comply with the Division's rules for critical computer systems.

(f) Progressive systems shall utilize a dedicated network using secure lines, such as virtual private network (VPN) or other method as approved by the Division.

(g) A progressive system shall be capable of generating the following reports:

1. A progressive summary report which details the amount of and basis for the current jackpot amount for each WAP link;

2. An aggregate summary report which provides system wide totals of progressive liabilities; and
3. A payoff report that clearly demonstrates the method of arriving at the payoff amount when a WAP progressive has been awarded.

(h) Progressive systems shall be designed to enable the WAP system operator and casino licensee to:

1. Reconcile progressive meters; and
2. Reconcile jackpot awards.

(i) WAP systems shall utilize a progressive controller located at each participating casino. The role of a progressive controller in a WAP configuration is to communicate meter information from the progressive gaming device to the central server.

(j) All progressive gaming devices within a WAP system may remain operational during a communication failure between the central server and the progressive controller within the casino if the progressive controller is designed with a buffer that retains all meter information required to calculate the progressive liability.

(k) All progressive gaming devices within a WAP system shall become inoperable during a communication failure between the central server and the progressive controller within a casino if:

1. The progressive controller's buffer is full; or
2. The progressive controller is not designed with a buffer to retain the progressive gaming device's critical gaming information during a communication failure.

(l) Each WAP progressive gaming device connected to a progressive controller shall become inoperable if there is a communication failure between the progressive controller and the progressive gaming device connected to it.

(m) All WAP progressive gaming devices connected to a progressive controller shall become inoperable if the progressive controller becomes inoperable.

(n) Progressive controllers shall accurately identify and record the order of the winning WAP progressive jackpots when two or more linked progressive gaming devices achieve the same winning game outcome at nearly the same time. If more than one valid jackpot occurred simultaneously, internal procedure shall be implemented to address such occurrence.

(o) Nothing shall prevent a casino licensee from creating a manual system to operate a WAP link at a table game provided that the manual process has been approved by the Division.

**13:69E-1.39D Wide area progressive standards for a multi-state progressive gaming system**

(a) Wide area progressive (WAP) links located in casinos in this State may be connected to WAP links located in casinos licensed by another state of the United States using a Division-approved progressive system to establish a shared multistate progressive system (MSPS). The progressive system includes all hardware and software responsible for the operation of the MSPS including, but not limited to, the communication and configuration of the system.

(b) All participating state casino regulatory agencies shall establish an agreement that shall address the following:

1. The method to ensure the accurate accounting of all contributions;
2. The method to ensure that each participating state's tax laws are adhered to;
3. Procedures to ensure that the amount required to be wagered in order to qualify for the multistate progressive jackpot is identical in all participating states;
4. Procedures to ensure equal probability in all participating states for winning the multistate progressive jackpot;
5. Procedures for progressive jackpot adjustments;

6. Procedures to address multistate jackpots that occur simultaneously;
7. Procedures to address dispute resolution;
8. Procedures regarding the security of the MSPS including the game, communications, and monitoring room;
9. Procedures to accept additional participants once the link is established in casinos of more than one state;
10. Procedures to ensure the MSPS operator is credentialed in all participating states;
11. The method for withdrawal from the MSPS;
12. MSPS parameter requirements including:
  - i. Maximum odds for obtaining the multistate jackpot;
  - ii. The base amount of the multistate jackpot award;
  - iii. The reset amount of the multistate jackpot award;
  - iv. The rate of increment of the multistate jackpot award;
  - v. The hidden rate, which means the increment rate for one or more reserve pools used to fund the next reset amount when applicable; and

vi. Any other parameter as may be required in order to ensure the proper accounting and auditing of the MSPS;  
and

13. Procedures for the independent reconciliation of the multistate jackpot amount when won.

(c) Each MSPS shall comply with Division rules for WAP links set forth at N.J.A.C. 13:69D1.39A, 1.40B, and 1.40C and 13:69E1.39C.

(d) The maximum permissible odds for any jackpot awarded as part of an MSPS shall be 150 million to one.

**13:69E-1.40 Technical standards for gaming voucher systems and promotional coupons**

(a) In order to issue and redeem gaming vouchers, a casino licensee shall implement an approved gaming voucher system (voucher system) which shall also comply with Division rules for casino computer systems.

(b) Each device and location that issues or redeems gaming vouchers shall be connected to a voucher system and shall be inspected by the Division prior to use.

(c) A voucher system may be used to redeem promotional coupons which meet the requirements of this section provided that:

1. The software used to insert coupon records into the gaming voucher database has been approved by the Division; and
2. Such method does not alter existing gaming voucher records.

(d) The voucher system shall be capable of limiting the maximum dollar value of gaming vouchers and coupons.

(e) The voucher system shall maintain a unique record for each gaming voucher and promotional coupon. Such record shall have, at a minimum, the following critical data elements:

1. The date and time the gaming voucher was issued or coupon data was inserted into the database;

2. The issuance location or identity of issuer;
3. The validation number;
4. The voucher or coupon status;
5. The value in dollars and cents;
6. The date and time of redemption; and
7. The location of redemption.

(f) Gaming vouchers issued from the voucher system shall contain the following information, at a minimum:

1. The name or trade name of the casino licensee, and if the casino licensee is affiliated with a casino in any other jurisdiction with an identical or similar name or trade name, the words "Atlantic City" or "New Jersey";
2. The date and time of issuance;
3. The value of the voucher, printed in both numbers and words;
4. For slot and electronic table game issued vouchers, a conspicuous notice that the voucher must be redeemed within one year of the date of its issuance or the obligation of the casino licensee to pay the patron will expire;

5. For vouchers issued from a cashiering location, a notice that the gaming voucher shall never expire;
6. The validation number which shall be printed in at least two locations;
7. The asset number of the slot machine dispensing the voucher;  
and
8. A bar code which shall enable the system to identify the gaming voucher record.

(g) Promotional coupons redeemable through the gaming voucher system shall contain the following information, at a minimum:

1. The name or trade name of the casino licensee, and if the casino licensee is affiliated with a casino in any other jurisdiction with an identical or similar name or trade name, the words "Atlantic City" or "New Jersey";
2. The value of the coupon, printed in both numbers and words;
3. A conspicuous notice when the coupon will expire;
4. Any restriction regarding the coupon's redemption such as non-cashable;
5. The validation number; and

6. A bar code which shall enable the system to identify the coupon record.

(h) The voucher system shall be capable of identifying the following type of gaming vouchers or coupons when applicable:

1. Slot machine or electronic table game issued gaming vouchers;
2. Gaming vouchers that are issued from a cashiering location;
3. Non-cashable gaming vouchers issued by a slot machine or electronic table game;
4. Non-cashable coupons; and
5. Cashable coupons.

(i) The voucher system shall be capable of identifying the status of gaming vouchers or coupons as follows:

1. Unredeemed or active, meaning the voucher or coupon is available for redemption and has not been electronically canceled;
2. Redeemed, meaning the voucher or coupon has been validated and paid;
3. Expired, meaning:

- i. The voucher is greater than 365 days old and it is prevented from being redeemed at any location; or
    - ii. The coupon has exceeded its specified redemption period and it is prevented from being redeemed at any location;
  4. Voided, meaning the voucher has not been expired or redeemed, but has been cancelled in a way that precludes its redemption; or
  5. Pending, meaning the voucher is in a status other than (i)1 through 4 above but has not been electronically canceled.
- (j) The voucher system shall be designed to:
1. Validate the identity of devices used to issue and redeem gaming vouchers or redeem coupons prior to processing the issuance or redemption request;
  2. Validate the data type and format of all inputs to critical fields and reject any incompatible data;
  3. Prevent users of the system from changing any voucher or coupon data elements except as otherwise provided by this section;
  4. Be capable of detecting errors during the issuance and immediately void the transaction when the error is detected;

5. Be capable of detecting errors during the redemption of a gaming voucher or promotional coupon, and immediately reject the transaction when an error is detected; and
6. Encrypt the validation number during the transmission of unredeemed and unexpired voucher data.

(k) The validation number shall be generated in a manner that prevents a person from being able to determine the composition of the number or to predict the composition of a validation number generated by the system.

(l) The voucher system application shall prevent a user from obtaining or viewing the complete validation number of an unredeemed and unexpired gaming voucher by masking at a minimum three digits or characters on all system menus, printed reports, and displays.

(m) The voucher system shall be capable of recognizing valid gaming vouchers that contain a duplicate validation number and require the redemption by a cashier.

(n) The voucher system shall be capable of recognizing vouchers with a status of expired, void, redeemed or pending when they are presented for redemption and the system shall:

1. Cause redemption locations to immediately reject the gaming voucher or coupon;

2. Where applicable, recognize and report the following conditions when the voucher or coupon is presented to a cashier for redemption:
  - i. Validation number is not found in the system;
  - ii. Voucher or coupon is expired;
  - iii. Voucher or coupon is non-cashable;
  - iv. Duplicate validation number exists;
  - v. Previously redeemed;
  - vi. Requires an override for redemption; and
  - vii. Otherwise not redeemable by the system; and
3. Provide a mechanism which allows an authorized user to research why a gaming voucher presented for redemption is invalid.

(o) The voucher system shall limit the ability to void gaming voucher or coupon records to authorized users and approved automated procedures. When a gaming voucher or promotional coupon is voided, the voucher system shall be capable of distinguishing voids conducted by a user from those that were caused by an automated process and shall be capable of reporting the following for each voided record:

1. The user that voided the record when applicable;

2. The date and time the void occurred;
3. The validation number; and
4. The value.

(p) The voucher system shall be designed to perform the following during an interruption of service:

1. Permit the electronic redemption of gaming vouchers or coupons only if the redemption location is capable of electronically validating the gaming vouchers or coupon;
2. Prohibit cashier locations from issuing gaming vouchers;
3. Be capable of limiting the number of gaming vouchers that may be issued from a slot machine, multiplayer station or electronic table game; and
4. Automatically enter all gaming voucher records that were issued during the interruption, into the voucher database immediately following the restoration of service.

(q) Gaming voucher systems shall be required to generate the following reports as approved by the Division. Such reports shall distinguish by type and status where applicable:

1. Voucher Issuance Detail Report used to detail and support the totals reported on the Voucher Issuance Summary Report;
2. Voucher Issuance Summary used to gross revenue deductions in accordance with Division rules;
3. Voucher Redemption Detail Report used to detail and support the totals reported on the Voucher Redemption Summary Report;
4. Voucher Redemption Summary Report used to reconcile cashier redemptions;
5. Voucher Expiration Detail Report used to detail and support the totals reported on the Voucher Expiration Summary Report;
6. Voucher Expiration Summary Report used to adjust revenue and report expired gaming debt accounts in accordance with Division rules;
7. Voucher Voided Detail Report used to provide an audit trail for void vouchers;
8. Voucher Liability Detail Report used to detail and support the totals reported on the Voucher Liability Summary Report;
9. Voucher Liability Summary Report used to summarize the outstanding gaming voucher liability;

10. Voucher Issuance Variance Detail Report used to compare the slot machine and electronic table game meters to the system transaction amounts;
11. Voucher Soft Count Detail Report used to detail and support the totals reported on the Voucher Soft Count Summary Report;
12. Voucher Soft Count Summary Report used to record vouchers counted in the count room;
13. Voucher Soft Count Exception Report used to identify gaming vouchers with exceptions; and
14. Voucher Drop Variance Detail Report used to compare the slot machine and electronic table game meters to the count room amounts.

# **CHAPTER 69F**

## **RULES OF THE GAMES**

### **SUBCHAPTER 1. CRAPS AND MINI-CRAPS**

#### **13:69F-1.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Boxperson" shall mean the first level supervisor assigned the responsibility of directly participating in and supervising the operation and conduct of the craps game.

"Come out point" shall mean a total of 4, 5, 6, 8, 9, or 10 thrown by the shooter on the come out roll.

"Come out roll" shall mean the first roll of the dice at the opening of the game and the first roll of the dice after a decision with respect to Pass Bet and Don't Pass Bet has been effected.

"Come point" shall mean a total of 4, 5, 6, 8, 9, or 10 thrown by the shooter on the next roll following placement of a Come Bet or Don't Come Bet.

**13:69F-1.2 Permissible wagers**

(a) The following shall constitute the permissible wagers at the games of craps, mini-craps and automated craps, except that the fire bet in (a)40 below shall only be permitted at the game of craps:

1. "Pass Bet" is a wager placed on the Pass Line of the layout immediately prior to the come out roll.
  - i. The Pass Bet shall win if, on the come out roll:
    - (1) A total of 7 or 11 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a 7 appears.
  - ii. The Pass Bet shall lose if, on the come out roll:
    - (1) A total of 2, 3, or 12 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 subsequently appears before that total is again thrown.
2. "Don't Pass Bet" is a wager placed on the Don't Pass Line of the layout immediately prior to the come out roll.
  - i. The Don't Pass Bet shall win if, on the come out roll:
    - (1) A total of 2 or 3 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and a 7 subsequently appears before that total is again thrown.

- ii. The Don't Pass Bet shall lose if, on the come out roll:
    - (1) A total of 7 or 11 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a 7 appears.
  - iii. The Don't Pass Bet shall be void if, on the come out roll, a total of 12 is thrown.
3. "Come Bet" is a wager placed on the Come Line of the layout at any time after the come out roll.
- i. The Come Bet shall win if, on the roll immediately following placement of such bet:
    - (1) A total of 7 or 11 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a 7 appears.
  - ii. The Come Bet shall lose if, on the roll immediately following placement of such bet:
    - (1) A total of 2, 3, or 12 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and a 7 subsequently appears before that total is again thrown.
4. "Don't Come Bet" is a wager placed on the Don't Come area of the layout at any time after the come out roll.

- i. The Don't Come Bet shall win if, on the roll immediately following placement of such bet:
    - (1) A total of 2 or 3 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and a 7 subsequently appears before that total is again thrown.
  - ii. The Don't Come Bet shall lose if, on the roll immediately following placement of such bet:
    - (1) A total of 7 or 11 is thrown; or
    - (2) A total of 4, 5, 6, 8, 9, or 10 is thrown and that total is again thrown before a 7 appears.
  - iii. The Don't Come Bet shall be void if, on the roll immediately following placement of such bet, a total of 12 is thrown.
5. "Place Bet to Win" is a wager that may be made at any time on any of the numbers 4, 5, 6, 8, 9, or 10 which shall win if the number on which the wager was placed is thrown before a 7 and shall lose if a 7 is thrown before such number. All place bets shall be inactive on any come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of such player's wager.

6. A "Place Bet to Lose" is a wager that may be made at any time against any of the numbers 4, 5, 6, 8, 9, or 10 which shall win if a 7 is thrown before the particular number against which the wager is placed and shall lose if the particular number against which the wager is placed is thrown before a 7 appears.
7. "Four the Hardway" is a wager, that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 appearing on each die) before 4 is thrown in any other way and before a 7 is thrown.
8. "Six the Hardway" is a wager, that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 appearing on each die) before 6 is thrown in any other way and before a 7 is thrown.
9. "Eight the Hardway" is a wager, that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 appearing on each die) before 8 is thrown in any other way and before a 7 is thrown.
10. "Ten the Hardway" is a wager, that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 appearing on each die) before 10 is thrown in any other way and before a 7 is thrown.

11. "Field Bet" is a one roll wager that may be made at any time which shall win if any one of the totals 2, 3, 4, 9, 10, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if a total of 5, 6, 7 or 8 is thrown on such roll.
12. "Any Seven" is a one roll wager that may be made at any time which shall win if a total of 7 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
13. "Any Craps" is a one roll wager that may be made at any time which shall win if a total of 2, 3, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
14. "Craps Two" is a one roll wager that may be made at any time which shall win if a total of 2 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
15. "Craps Three" is a one roll wager that may be made at any time which shall win if a total of 3 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
16. "Craps Twelve" is a one roll wager that may be made at any time which shall win if a total of 12 is thrown on the roll immediately

following placement of such bet and shall lose if any other total is thrown.

17. "11 in One Roll" is a one roll wager that may be made at any time which shall win if a total of 11 is thrown on the next roll and shall lose if any other total is thrown.
18. "Craps-Eleven or C and E" is a one roll wager that may be made at any time which shall win, as provided at N.J.A.C. 13:69F-1.4(d), if either a craps (2, 3, or 12) or 11 is rolled immediately following placement of such bet and shall lose if any other total is thrown.
19. "Horn Bet" is a one roll wager that may be made at any time which shall win if any one of the totals 2, 3, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
20. "Horn High Bet" is a wager that may be made at any time which shall win if any one of the totals 2, 3, 11, or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown. A Horn High Bet shall be placed in units of five with four units wagered as a Horn Bet and an additional unit wagered on one of the totals 2, 3, 11, or 12. A casino licensee that does not have a designated area on its layouts for the acceptance of a Horn High Bet shall break down the wager into

two separate wagers on the "Horn" and one of the totals 2, 3, 11, or 12.

21. "Whirl Bet" is a one roll wager that may be made at any time, consisting of a Horn Bet and the Any Seven wager. A Whirl Bet shall be placed in units of five, with four units wagered on 2, 3, 11, and 12 and the fifth unit wagered as an Any Seven wager. A casino licensee shall break down a Whirl wager into two separate wagers on the Horn Bet and the Any Seven wager.
22. "Four The Hardway on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown the hardway (that is, with 2 appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
23. "Six The Hardway on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown the hardway (that is, with 3 appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
24. "Eight The Hardway on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown the hardway (that is, with 4 appearing on each die) on the roll

immediately following placement of such bet and shall lose if any other combination is thrown.

25. "Ten The Hardway on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown the hardway (that is, with 5 appearing on each die) on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
26. "One-Three (Ace-Trey) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 4 is thrown with a 1 appearing on one die and a 3 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
27. "One-Four (Ace-Four) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 1 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
28. "Two-Three (Deuce-Trey) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 5 is thrown with a 2 appearing on one die and a 3 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

29. "One-Five (Ace-Five) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 1 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
30. "Two-Four (Deuce-Four) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 6 is thrown with a 2 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
31. "One-Six (Ace-Six) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 1 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
32. "Two-Five (Deuce-Five) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with a 2 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
33. "Three-Four (Trey-Four) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 7 is thrown with

a 3 appearing on one die and a 4 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.

34. "Two-Six (Deuce-Six) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 2 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
35. "Three-Five (Trey-Five) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 8 is thrown with a 3 appearing on one die and a 5 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
36. "Three-Six (Trey-Six) on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 3 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
37. "Four-Five on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 9 is thrown with a 4 appearing on one die and a 5 appearing on the other die on the

roll immediately following placement of such bet and shall lose if any other combination is thrown.

38. "Four-Six on the Hop" is a one roll wager that may be made at any time, which shall win if a total of 10 is thrown with a 4 appearing on one die and a 6 appearing on the other die on the roll immediately following placement of such bet and shall lose if any other combination is thrown.
39. "6-7-8" is a one roll wager, offered at the election of a casino licensee, that may be made at any time, which shall win if any one of the totals 6, 7, or 8 is thrown on the roll immediately following the placement of such bet and shall lose if the total of 2, 3, 4, 5, 9, 10, 11, or 12 is thrown on such roll.
40. "Fire bet" is a wager that may only be made prior to the come out roll of a new shooter, which wager shall win if at least four different (unique) point totals (either 4, 5, 6, 8, 9, or 10) are made by the shooter before a loser 7 is thrown, and shall lose if fewer than four different (unique) point totals are made before a loser 7 is thrown.

(b) Only the wagers listed in subsection (a) above shall be permissible at the games of craps, mini-craps and automated craps.

**13:6F-1.3 Making and removal of wager**

(a) Wagers should be made before the dice are thrown. However, they may be made between the time the dice leave the shooter's hand and the time the dice come to rest provided that they are confirmed verbally:

1. In craps, by the dealer and a boxperson; or
2. In mini-craps, by the dealer and floorperson.

(b) All wagers shall be made by placing gaming chips, match play coupons (only for Pass or Don't Pass wagers) or plaques on the appropriate areas of the layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and that such cash is expeditiously converted into gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(c) A wager made on any bet may be removed or reduced at any time prior to a roll that decides the outcome of such wager except that:

1. A Pass Bet and a Come Bet shall not be removed or reduced after a come out point or come point is established with respect to such bet; and
2. A fire bet, once made, shall not be reduced or increased at any time, and shall not be removed prior to the throwing of a loser 7.

(d) A Don't Come Bet and a Don't Pass Bet may be removed or reduced at any time but may not be replaced or increased after such removal or reduction.

(e) All buy and place to win bets, come odds, and hardways shall be inactive on any come out roll unless called "On" by the player and confirmed by the dealer through placement of an "On" marker button on the top of each player's wager. All other wagers shall be considered "On."

(f) Only players who are seated at a mini-craps table may place a wager at the game. Once a player has placed a wager, that player must remain seated until the completion of the round of play.

**13:69F-1.4 Payout odds**

(a) All odds stated on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through use of the word "to" and no odds shall be stated through use of the word "for."

(b) No casino licensee or any employee or agent thereof shall pay off winning wagers at the game of craps or mini-craps at less than the odds listed below. A casino licensee may pay off winning wagers at higher odds than those listed below, provided that such odds are uniform within the casino and the casino simulcasting facility.

<u>Wager</u>	<u>Payout Odds</u>
Pass Bet	1 to 1
Don't Pass Bet	1 to 1
Come Bet	1 to 1
Don't Come Bet	1 to 1
Place Bet 4 to Win	9 to 5
Place Bet 5 to Win	7 to 5
Place Bet 6 to Win	7 to 6
Place Bet 8 to Win	7 to 6
Place Bet 9 to Win	7 to 5
Place Bet 10 to Win	9 to 5
Place Bet 4 to Lose	5 to 11
Place Bet 5 to Lose	5 to 8

Place Bet 6 to Lose	4 to 5
Place Bet 8 to Lose	4 to 5
Place Bet 9 to Lose	5 to 8
Place Bet 10 to Lose	5 to 11
Four the Hardway	7 to 1
Six the Hardway	9 to 1
Eight the Hardway	9 to 1
Ten the Hardway	7 to 1
Field Bet	1 to 1 on 3, 4, 9, 10, 11
	2 to 1 on 2
	2 to 1 on 12
Any Seven	4 to 1
Any Craps	7 to 1
Craps 2	30 to 1
Craps 3	15 to 1
Craps 12	30 to 1
11 in one roll	15 to 1
Four the Hardway on the Hop	30 to 1
Six the Hardway on the Hop	30 to 1
Eight the Hardway on the Hop	30 to 1
Ten the Hardway on the Hop	30 to 1
One-Three (Ace-Trey)	

on the Hop	15 to 1
One-Four (Ace-Four)	
on the Hop	15 to 1
One-Five (Ace-Five)	
on the Hop	15 to 1
One-Six (Ace-Six)	
on the Hop	15 to 1
Two-Three (Deuce-Trey)	
on the Hop	15 to 1
Two-Four (Deuce-Four)	
on the Hop	15 to 1
Two-Five (Deuce-Five)	
on the Hop	15 to 1
Two-Six (Deuce-Six)	
on the Hop	15 to 1
Three-Four (Trey-Four)	
on the Hop	15 to 1
Three-Five (Trey-Five)	
on the Hop	15 to 1
Three-Six (Trey-Six)	
on the Hop	15 to 1
Four-Five on the Hop	15 to 1

Four-Six on the Hop	15 to 1
Six-Seven-Eight	1 to 1 on 6 (One-Five or Two-Four), 7, 8 (Two-Six or Three-Five) 2 to 1 on 6 (the Hardway) or 8 (the Hardway)

(c) A Horn Bet and Horn High Bet shall be paid as if they were four separate wagers on 2, 3, 11, and 12.

(d) A Craps-Eleven or C and E Bet shall be paid as if one half of the wagered amount had been placed on "Any Craps" and one half on "Eleven," and shall be paid as if two separate wagers were made for the one roll.

(e) A winning fire bet shall be paid once for the highest number of different (unique) points made and at no less than the odds set forth in one of pay tables below pre-selected by the casino licensee:

<u>Individual Points Made</u>	<u>Table A</u>	<u>Table B</u>
Four	24 to 1	39 to 1
Five	249 to 1	199 to 1
Six	999 to 1	499 to 1

(f) No casino licensee or his employees shall accept any wager that because of the amount thereof cannot be paid at the odds permitted by (b), (c), or (d) above.

**13:69F-1.5 True odds on place bets (buy and lay bets); vigorish prohibited**

(a) Buy bets: In addition to the payout odds set forth in N.J.A.C. 13:69F-1.4 for place bets to win on 4, 5, 6, 8, 9, and 10, a casino licensee may offer a player the option of receiving true odds on these bets in return for the player paying to the casino licensee, at the time of making the bet, a percentage of the amount wagered which in no event shall exceed five percent of such wager. Notwithstanding the foregoing, a casino licensee may, for one or more pre-specified place bets at a designated table, collect the percentage of the amount wagered only on winning bets. A casino licensee that offers a player the option of receiving true odds on any of these place bets shall describe in its rules of games checklist whether, as to each specified place bet, it collects the percentage when the wager is made or when the wager is won. A casino licensee that offers a player true odds shall pay winning wagers as follows:

<u>Bet</u>	<u>Odds</u>
4 to Win	2 to 1
5 to Win	3 to 2
6 to Win	6 to 5
8 to Win	6 to 5
9 to Win	3 to 2
10 o Win	2 to 1

(b) Lay bets: In addition to or in lieu of the payout odds set forth in N.J.A.C. 13:69F-1.4 for place bets to lose on 4, 5, 6, 8, 9, and 10, a casino licensee may offer a player true odds on these bets in return for the player paying to the casino licensee, at the time of making the bet, a percentage of the amount wagered which in no event shall exceed five percent of such wager. Notwithstanding the foregoing, a casino licensee may collect the percentage of the amount wagered only on winning bets. A casino licensee that offers a player true odds shall pay winning wagers as follows:

<u>Bet</u>	<u>Odds</u>
4 to Lose	1 to 2
5 to Lose	2 to 3
6 to Lose	5 to 6
8 to Lose	5 to 6
9 to Lose	2 to 3
10 o Lose	1 to 2

(c) Except as provided for in (a) and (b)above, no casino licensee shall charge any percentage, fee or vigorish to a player in making any wager in the game of craps, mini-craps or automated craps.

**13:69F-1.6 Supplemental wagers made after come out roll in support of Pass, Don't Pass, Come and Don't Come Bets (taking and laying odds)**

(a) Whenever a player makes a Pass Bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the Pass Bet which may be limited by the casino licensee to an amount that is equal to the amount of the original Pass Bet. If, in such circumstances, the Pass Bet wins, the original Pass Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the come out point was 4 or 10, 3 to 2 if the come out point was 5 or 9, and 6 to 5 if the come out point was 6 or 8.

(b) Whenever a player makes a Don't Pass Bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the Don't Pass Bet which may be limited by the casino licensee to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the Don't Pass Bet. If, in such circumstances, the Don't Pass Bet wins, the original Don't Pass Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come out point was 4 or 10, 2 to 3 if the come out point was 5 or 9, and 5 to 6 if the come out point was 6 or 8.

(c) Whenever a player makes a Come Bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the Come Bet which may be limited by the casino licensee to an amount that is equal to the amount of the original Come Bet. If, in such circumstances, the Come Bet wins, the original Come Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the

come point was 4 or 10, 3 to 2 if the come point was 5 or 9, and 6 to 5 if the come point was 6 or 8.

(d) Whenever a player makes a Don't Come Bet and a total of 4, 5, 6, 8, 9, or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the Don't Come Bet which may be limited by the casino licensee to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the Don't Come Bet. If, in such circumstances, the Don't Come Bet wins, the original Don't Come Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come point was a 4 or 10, 2 to 3 if the come point was 5 or 9, and 5 to 6 if the come point was 6 or 8.

(e) A casino licensee may allow a supplemental wager in support of a Pass or Come Bet in an amount up to 100 times the amount of the original Pass or Come Bet. A casino licensee may allow a supplemental wager in support of a Don't Pass or Don't Come Bet in an amount so calculated as to provide a winning player with winnings not in excess of up to 100 times the amount originally wagered on the Don't Pass or Don't Come Bet. The original Pass, Don't Pass, Come or Don't Come Bet and any supplemental wager allowed pursuant to this subsection shall be paid at the same odds as the original and supplemental wagers are paid under (a) through (d) above.

(f) Notwithstanding (e) above, a casino licensee may accept a supplemental wager that exceeds an amount that is otherwise authorized by this section or posted as the maximum wager permitted pursuant to N.J.A.C. 13:69F-8.2 and 8.3 provided that

the excess amount of the supplemental wager is necessary to facilitate the payouts permitted by this section.

**13:69F-1.7 Dice: retention; selection**

(a) A set of at least five dice conforming to the specifications contained in N.J.A.C. 13:69E-16 shall be present at the craps or mini-craps table during gaming. Control of the dice at a craps table, or at a mini-craps table with an optional stickperson, shall be the responsibility of the stickperson at the table; control of the dice at a mini-craps table without an optional stickperson shall be the responsibility of the dealer at the table. The stickperson or mini-craps dealer shall retain all dice, except those in active play, in a dice cup at the table.

(b) At the commencement of play:

1. The craps stickperson shall offer the set of dice to the player immediately to the left of the craps bank of chips at the table. If such a player rejects the dice, the stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice;
2. The mini-craps dealer or the optional mini-craps stickperson shall offer the set of dice to the player immediately to his or her left at the table. If such a player rejects the dice, the dealer or stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice.

(c) The first player to accept the dice when offered shall become the shooter who shall select and retain two of the dice offered. The remaining dice of the set shall

be returned to the dice cup which shall:

1. In craps, be placed immediately in front of the craps stickperson;  
and
2. In mini-craps, be placed immediately in front of the mini-craps  
dealer or stickperson.

**13:69F-1.8 Throw of the dice**

Upon selection of the dice, the shooter shall make a Pass or Don't Pass Bet after which he or she shall throw the two selected dice so that they leave his or her hand simultaneously and in a manner calculated to cause them to strike the end of the table farthest from him or her.

**13:69F-1.9 Invalid roll of the dice**

(a) A roll of the dice shall be invalid whenever either or both of the dice go off the table or whenever one die comes to rest on top of the other.

(b) The persons listed in (e) below shall have the authority to invalidate a roll of the dice by calling "No Roll" for any of the following reasons:

1. The dice do not leave the shooter's hand simultaneously;
2. Either or both of the dice fail to strike an end of the table;
3. Either or both of the dice come to rest on the chips constituting the craps bank of chips;
4. Either or both of the dice come to rest in the dice cup in front of the craps stickperson, or in front of the mini-craps dealer or stickperson, or on one of the rails surrounding the table;
5. The use of a cheating, crooked or fixed device or technique in the roll of the dice; and
6. For any other reason the craps boxperson or stickperson, or the mini-craps dealer or stickperson, considers the throw to be improper.

(c) The call of "No Roll" under either (b)1, 2, or 6 above shall, whenever possible, be made before both dice come to rest.

(d) A throw of the dice which results in the dice coming into contact with any match play coupons or chips on the table, other than the craps bank of chips located in front of the boxman, shall not be a cause for a call of "No Roll."

(e) "No Roll" may be called:

1. In craps, by a boxperson or stickperson, as designated by the casino licensee; and
2. In mini-craps, by the dealer, stickperson, or floorperson, as designated by the casino licensee.

**13:69F-1.10 Point throw; settlement of wagers**

(a) When the dice come to rest from a valid throw, the craps stickperson or the mini-craps dealer or stickperson shall at once call out the sum of the numbers on the high or uppermost sides of the two dice. Only one face on each die shall be considered skyward.

1. In the event either or both of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost and skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be re-thrown.
2. In the event of a dispute as to which face is uppermost:
  - i. In craps, the boxperson shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown; and
  - ii. In mini-craps, the floorperson shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown.

(b) In craps, after calling the throw, the stickperson shall collect the dice and bring them to the center of the table. All wagers decided by that throw shall then be settled, following which the stickperson shall pass the dice to the shooter for the next throw. When collecting the dice and passing them to the shooter, the stickperson shall

use a stick designed for that purpose.

(c) In mini-craps, after calling the throw, the dealer or stickperson shall collect the dice and bring them to the center of the table. All wagers decided by that throw shall then be settled, following which the dealer or stickperson shall pass the dice to the shooter for the next throw. When collecting the dice and passing them to the shooter, the dealer or stickperson shall use a stick designed for that purpose.

**13:69F-1.11 Continuation of shooter as such; selection of new shooter**

(a) It shall be the option of the shooter, after any roll, either to pass the dice or remain the shooter except that:

1. The shooter shall pass the dice upon throwing a loser 7; and
2. The craps boxperson or the mini-craps dealer may order the shooter to pass the dice if the shooter unreasonably delays the game, repeatedly makes invalid rolls or violates either the Casino Control Act or the rules of the Division.

(b) If a shooter, after making the Come Out Point elects not to place a Pass or Don't Pass Bet, and other wagers remain on the table with respect to Come and/or Don't Come numbers, the craps stickperson or the mini-craps dealer or stickperson shall offer the dice to the player immediately to the left of the previous shooter, as provided for in (c) below. If there are no other players at the table, or if no other players at the table elect to make a Pass or Don't Pass Bet in order to shoot the dice and continue the game, the previous shooter shall be allowed to shoot the dice without a Pass or Don't Pass Bet only for the purpose of effecting a decision on the remaining Come and/or Don't Come Wagers. The On/Off marker shall be placed on the Don't Pass Line in the Off position in front of the shooter in order to indicate that the shooter is rolling the dice only to effectuate a decision for those wagers remaining on the layout. Once the remaining Come and/or Don't Come Wagers have been decided or a player wishes to place a Pass or Don't Pass Bet, the game shall proceed in accordance with N.J.A.C.

13:69F-1.8.

(c) Whenever a voluntary or compulsory relinquishment of the dice occurs by the shooter, the craps stickperson or the mini-craps dealer or stickperson shall offer the complete set of five or more dice to the player immediately to the left of the previous shooter and, if he or she does not accept, to each of the other players in turn clockwise around the table.

(d) The first player to accept the dice when offered shall become the new shooter who shall select and retain two of the dice offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the craps stickperson or the mini-craps dealer or stickperson.

**13:69F-1.12 Additional procedures and rules for the fire bet**

(a) If a casino licensee elects to offer the fire bet in the game of craps as permitted by N.J.A.C. 13:69F-1.2(a)40, the following additional procedures shall be observed:

1. Each player shall, prior to a new shooter's initial come out roll, place his or her fire bet on the numbered designated area for the placement of fire bets that is closest to his or her position at the craps table.
2. Whenever there is a voluntary or compulsory surrender of the dice by a shooter pursuant to N.J.A.C. 13:69F-1.11(a) prior to the throwing of a loser 7, any pending fire bet shall be settled upon the successor shooter throwing a loser 7.
3. Once all fire bets are placed, the dealer shall bring in each fire bet in numerical order and place it on the corresponding number of the designated area in front of the craps bank of chips, where such bets shall remain until they are either lost or paid.
4. With each individual point made by a shooter, the dealer shall place a fire bet point marker inscribed with the total number of different (unique) points made by the shooter in the area of the table layout containing the number of the point (4, 5, 6, 8, 9, or 10) which was just made. Each fire bet point marker shall be visually distinguishable from and have a diameter larger than any

authorized gaming chip. Fire bet point markers shall be maintained by games personnel at the craps table.

5. Fire bets shall be collected or paid, as applicable, upon a shooter throwing a loser 7.
6. Once four different (unique) points are made, the surveillance department shall be notified for the purpose of confirming all fire bets and payouts.

(b) If a casino licensee elects to offer the fire bet in the game of craps as permitted by N.J.A.C. 13:69F-1.2(a)40, the following additional rules shall apply:

1. The minimum wager shall be \$1.00 and the maximum wager shall be \$5.00 and all wagers shall be made in increments of one dollar.
2. When a shooter makes the same point total more than once, the total number of different (unique) points made for purposes of settling a fire bet shall not increment.
3. The four or more different (unique) points required to win a fire bet are not required to be made in any specific order or combination.

## **SUBCHAPTER 1A. AUTOMATED CRAPS**

### **13:69F-1A.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Roll" shall mean the action by which the two dice contained in the automated shaker are randomly mixed to simulate an actual roll of the dice, and are then allowed to rest on the bottom of the shaker so that the number of spots on the top faces of the dice can be totaled and used to settle the wagers.

**13:69F-1A.2 Permissible wagers**

(a) Permissible wagers in the game of automated craps include all craps wagers defined in N.J.A.C. 13:69F-1.2(a).

(b) All wagers shall be made prior to each roll of the dice.

**13:69F-1A.3 Dice; number of dice; automated craps shaker**

(a) Automated craps shall be played with two dice, which shall be sealed inside an automated craps shaker at all times pursuant to N.J.A.C. 13:69E-1.11A. The dice used to play automated craps shall meet the requirements of N.J.A.C. 13:69E-1.15, and the automated craps shaker shall meet the requirements of N.J.A.C. 13:69E-1.11A.

1. The automated craps shaker and the dice contained therein shall be the responsibility of the dealer, and the shaker shall never be left unattended while the table is open for play.
2. No dice placed in an automated craps shaker for use in gaming shall remain on an automated craps table for more than 24 hours.
3. The dice used in automated craps shall remain sealed inside the shaker at all times and shall not be handled by a player or the dealer.

**13:69F-1A.4 Making and removal of wagers**

(a) All wagers at automated craps shall be made by placing gaming chips, plaques or coupons on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players seated at the automated craps table may place a wager at the game. Once a player has placed a wager, that player must remain seated until the completion of that round of play.

(c) Each player shall be responsible for the correct positioning of his or her wagers on the layout regardless of whether the player is assisted by the dealer. Each player must ensure that any instructions given to the dealer regarding the placement of wagers are correctly carried out.

(d) A wager made on any bet may be removed or reduced at any time during a round of play and prior to a roll that decides the outcome of such wager, except that:

1. A Pass Bet and a Come Bet shall not be removed or reduced after a come out point or come point is established with respect to such bet; and
2. A Don't Come Bet and a Don't Pass Bet may be removed or reduced at any time, but may not be replaced or increased after such removal or reduction.

(e) All buy and place to win bets, come odds, and hardways shall be inactive on any come out roll unless called "On" by the player and confirmed by the dealer

through placement of an "On" marker button on the top of each player's wager. All other wagers shall be considered "On."

(f) All wagers shall be placed or removed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-1A.5(c).

(g) A wager shall be settled strictly in accordance with its position on the layout when the dice come to rest.

**13:69F-1A.5 Procedures for opening and dealing the game**

(a) Prior to opening an automated craps table for gaming activity, the floorperson assigned to the automated craps table shall inspect the automated craps shaker and operate it for at least one roll to ensure that the device is in proper working order.

(b) At the commencement of the first round of play, the dealer shall offer the opportunity to operate the automated dice shaker to the player immediately to the left of the dealer. To be eligible to accept an offer to operate the automated dice shaker, a player shall first make a Pass or Don't Pass bet.

1. If that player is ineligible or rejects the offer, the dealer shall then offer the shaker to each of the other eligible players in turn, moving clockwise around the table until one of the players accepts the offer.
2. If an eligible player accepts the offer, the dealer shall use the selector switch to select and illuminate the button located at that player's betting position.
3. If no eligible player accepts the offer, the dealer shall use the selector switch to select and illuminate the button located at the dealer's position.

(c) Immediately prior to a roll of the dice in the automated craps shaker, the dealer shall announce "No more bets."

(d) Once "No more bets" has been announced, the dealer shall activate the selected button, which shall permit the player to operate the shaker for that round of play.

(e) When the dice have come to a rest after the roll, the dealer shall immediately call out the sum of the spots on the top or uppermost faces of the two dice. Only one face on each die shall be considered uppermost.

(f) After calling out the sum of the spots, the dealer shall settle all wagers decided by that roll of the dice by first collecting all losing wagers and then paying all winning wagers at the odds currently being offered in accordance with N.J.A.C. 13:69F-1A.6.

**13:69F-1A.6 Payout odds; vigorish prohibited**

(a) The payout odds for winning wagers at automated craps printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay off winning wagers at no less than the odds listed in N.J.A.C. 13:69F-1.4(b)through(d).

(c) No casino licensee or its employees shall accept any wager that, because of the amount thereof, cannot be paid at the odds permitted by (b) above.

(d) Except as provided in N.J.A.C. 13:69F-1.5, no casino licensee shall charge any percentage fee or vigorish to a player making any wager in the game of automated craps.

**13:69F-1A.7 Voluntary or compulsory relinquishment of the automated dice shaker**

(a) After each roll of the dice is completed and the bets are settled, the person who last operated the automated dice shaker may, at his or her option, retain or relinquish the opportunity to operate the automated dice shaker, except that he or she shall relinquish the opportunity to operate the automated dice shaker if:

1. The person is a player and:
  - i. Has rolled a 7 during the last round of play; or
  - ii. Is not eligible to operate the automated dice shaker in the current round of play;
2. That person is the dealer; or
3. That person is a player who is unreasonably delaying the game or violating the Casino Control Act or the rules of the Division, and the floorperson requires him or her to relinquish the opportunity to operate the automated dice shaker for that reason.

(b) Whenever a voluntary or compulsory relinquishment of the offer to operate the automated dice shaker occurs, the dealer shall offer the opportunity to operate the automated dice shaker to the next player immediately to the dealer's right of the person who last operated the shaker, and if that player does not accept, to each of the players in turn moving clockwise around the table until one of the players accepts the offer. If no eligible player accepts the offer, the dealer shall use the selector switch to select and illuminate the button located at the dealer's position and shall operate the shaker for that round of play.

**13:69F-1A.8 Irregularities**

(a) A roll of the dice shall be invalid whenever both dice do not land flat on the bottom of the automated dice shaker after being tossed, or whenever one die comes to rest on top of the other.

(b) If the automated dice shaker, the selector switch or any other component of the system fails to operate or malfunctions when activated, the round of play shall be void.

(c) The floorperson shall have the authority to invalidate a roll of the dice by calling "No Roll," for any other reason he considers the roll to be improper.

## **SUBCHAPTER 2. BLACKJACK**

### **13:69F-2.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Bart Carter shuffle" shall mean the shuffling procedure in which approximately one deck of cards is shuffled after being dealt, segregated into separate stacks and each stack is inserted into premarked locations within the remaining decks contained in the dealing shoe.

"Blackjack" shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer except that this shall not include an ace and a 10 point value card dealt to a player who has split pairs.

"Card reader device" is defined in N.J.A.C. 13:69E-1.10.

"Dealer" shall mean the person responsible for dealing the cards at a blackjack table.

"Determinant card" shall mean the first card drawn for each round of play to determine from which side of the two-compartment dealing shoe the cards for that hand shall be dealt.

"Double shoe" shall mean a dealing shoe that has two adjacent compartments in which cards are stacked separately and which permits cards to be dealt from only one compartment at any given time.

"Hand fee" shall mean the amount of money required to be paid by a player prior to participating in each round of play pursuant to N.J.A.C. 13:69F-2.3(l).

"Hard total" shall mean the total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

"Soft total" shall mean the total point count of a hand containing an ace when the ace is counted as 11 in value.

**13:69F-2.2 Cards; number of decks; value of cards**

(a) Blackjack shall be played with at least one deck of cards. All decks of cards used to play blackjack shall comply with the requirements of N.J.A.C. 13:69E-1.17 and, except as otherwise provided in this section, all decks of cards shall be identical in appearance. Blackjack shall also be played with one additional cutting card or, if blackjack is dealt from the hand, two additional cutting cards, which shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards in use at the table. Notwithstanding the foregoing, the minimum number of decks used to play blackjack shall be:

1. One or two, if blackjack is dealt from the hand;
2. Two, if the 20 point bonus wager authorized by N.J.A.C. 13:69F-2.24 or the in-between wager authorized by N.J.A.C. 13:69F-2.26 is offered;
3. Four, if the additional wager authorized by N.J.A.C. 13:69F-2.17(a)3 or the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19 is offered; or
4. Six or eight, if the match-the-dealer wager authorized by N.J.A.C. 13:69F-2.23 or the optional bonus wager authorized by N.J.A.C. 13:69F-2.25 is offered.

(b) The value of the cards contained in each deck shall be as follows:

1. Any card from two to 10 shall have its face value;
2. Any Jack, Queen or King shall have a value of 10;

3. An ace shall have a value of:
  - i. Eleven, unless that value would give a player or the dealer a score in excess of 21, in which case, it shall have a value of one; or
  - ii. One, if the ace is one of the initial two cards dealt to a player in determination of the additional wager authorized by N.J.A.C. 13:69F-2.17(a)1; provided, however, that the value of such ace for all other purposes under this subchapter shall be governed by (b)3i above.
  - iii. An automated card shuffling device shall be utilized for any blackjack game authorized to be dealt by hand. The device shall shuffle and store one deck or a set of two decks of cards while the other deck or set of two decks is being dealt or used to play the game. Each deck or set of two decks of cards shall be alternated for use, with the deck or set of two decks in use to be shuffled upon completion of the round of play after reaching the cutting card.
  - iv. When an automated card shuffling device is utilized and blackjack is played with at least two decks of cards, the game shall be played in accordance with the following requirements:

- (1) The cards shall be separated into two batches, with an equal number of decks included in each batch;
- (2) The cards in each batch shall be identical in appearance, but the backs of the cards in each batch shall be of a different color than the cards included in the other batch;
- (3) One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being dealt or used to play the game;
- (4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe; and
- (5) The cards from only one batch shall be placed in the discard rack at any given time.

**13:69F-2.3 Wagers**

(a) Prior to the first card being dealt for each round of play, each player at the game of blackjack shall make a wager against the dealer which shall win if:

1. The score of the player is 21 or less and the score of the dealer is in excess of 21;
2. The score of the player exceeds that of the dealer without either exceeding 21; or
3. The player has achieved a score of 21 in two cards and the dealer has achieved a score of 21 in more than two cards.

(b) Except as otherwise provided in (a)3 above, a wager made in accordance with this section shall be void when the score of the player is the same as the dealer provided, however, that a player's wager shall be lost when the dealer has a blackjack and the player has a simple 21 which is not a blackjack.

(c) Except as otherwise provided in this subchapter, no wager shall be made, increased or withdrawn after the first card of the respective round has been dealt.

(d) All wagers at blackjack shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the blackjack layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and casino supervisor and that such cash is expeditiously converted into gaming chips or plaques. All wagers at the 6 to 5 blackjack variation shall be made in multiples of \$5.00.

(e) After each round of play is complete, the dealer shall collect all losing

wagers and pay off all winning wagers. All winning wagers made in accordance with (a) above shall be paid at odds of 1 to 1 with the exception of standard blackjack which shall be paid at odds of 3 to 2, or at odds of 6 to 5 for the 6 to 5 blackjack variation. Notwithstanding any other provision of this subsection and except in the 6 to 5 blackjack variation, a casino licensee may, in its discretion, offer one or more of the following payout odds for winning wagers made in accordance with (a) above, provided that the casino licensee complies with the notice requirements set forth in N.J.A.C.

13:69F-8.3:

1. Three cards consisting of the six, seven, and eight of the same suit shall be paid at odds of 2 to 1;
2. Three cards consisting of three sevens of any suit shall be paid at odds of 3 to 2;
3. A single blackjack combination consisting of a specific ace and face card designated by the casino licensee in accordance with N.J.A.C. 13:69F-8.3 shall be paid at odds of 2 to 1; and/or
4. Five cards totaling 21 shall be paid at odds of 2 to 1.
  - i. Once the first card of any hand has been dealt by the dealer, no player shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager except as explicitly permitted by this subchapter.
  - ii. Once a wager on the insurance line, a wager to double

down or a wager to split pairs has been made and confirmed by the dealer, no player shall handle, remove or alter such wagers until a decision has been rendered and implemented with respect to that wager except as explicitly permitted by this subchapter.

- iii. No dealer or other casino employee or casino key employee shall permit any player to engage in conduct in violation of (f) or (g) above.
- iv. After the cards have been shuffled pursuant to N.J.A.C. 13:69F-2.5, a casino licensee may, in its discretion, prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table unless the casino licensee chooses to permit the player to begin wagering or until a reshuffle of the cards has occurred.
- v. If a double shoe is utilized, the term "first card" as used in (a), (c), and (f) above shall mean "determinant card."
- vi. Notwithstanding any other provision of this subchapter to the contrary, a player may, in accordance with N.J.A.C. 13:69F-2.19, make a supplemental progressive blackjack wager at any blackjack table where that wager is offered

either by depositing a \$1.00 gaming chip into the acceptor device designated for that player or by redeeming a progressive wager coupon.

- vi. A casino licensee may elect to charge each player at a blackjack table with a minimum wager of \$5.00 or less a “hand fee” for the right to participate in each round of play, which hand fee shall be:
  - (1) In an amount not exceeding \$.25;
  - (2) Paid prior to each round of play by any player at that table making an initial wager in the amount of \$5.00 or less and regardless of any additional wagers made by the player during the same round of play; provided, however, that a casino licensee may, in its discretion, waive the payment of the hand fee for any player at the table prior to any round of play;
5. Placed on the designated area of the blackjack layout by the player prior to the start of each round of play and collected by the dealer and deposited into the table inventory container prior to any cards being dealt to any player;

6. Paid by the player in addition to any required wager and shall not be included in calculating the required minimum wager or the payout of any winning wager;
7. Retained by the casino licensee regardless whether the player wins or loses any wager during the round of play;
8. Described in signage posted in accordance with the rules of the Division which signage shall:
  - i. Specify the requirement and amount of the hand fee; and
  - ii. State that the hand fee is not a wager and shall not be included in calculating the required minimum wager or the payout on any winning wager; and
9. Included in the gross revenue of the casino licensee.

**13:69F-2.4 Opening of table for gaming**

(a) After receiving the one or more decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (e) below or N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) After the cards are inspected, the cards shall be spread out face upwards on the table for visual inspection by the first player or players to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player or players is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a "washing" or a "chemmy shuffle" of the cards and stacked.

(d) If a double shoe is utilized, all the decks that comprise one side of the dealing shoe shall be spread for inspection on the table separate from the decks that comprise the other side of the dealing shoe. After the player or players is afforded an opportunity to visually inspect the cards, the cards that comprise one side of the dealing shoe and the cards that comprise the other side of the dealing shoe shall separately be turned face downward on the table, mixed thoroughly by a "washing" or a "chemmy shuffle" of the cards and stacked.

(e) If an automated shuffling device is utilized, all the decks in one batch of cards shall be spread for inspection on the table separate from the decks in the other

batch of cards. After the player or players is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face downward on the table and stacked.

**13:69F-2.5 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), after any round of play as may be determined by the casino licensee and after each shoe of cards is dealt, the dealer shall shuffle the cards so that they are randomly intermixed.

(b) After the cards have been shuffled, the dealer shall offer the stack of cards, with backs facing away from him or her to the players to be cut.

(c) The player designated by (e) below shall cut the cards by placing the cutting card in the stack at least 10 cards in from either end.

(d) Once the cutting card has been inserted by the player, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then take the entire stack of cards that was just shuffled and align them along the side of the dealing shoe which has the mark required by N.J.A.C. 13:69E-1.19(d)4. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. If the "Bart Carter shuffle" is utilized, the dealer shall not re-insert the cut card after the stack has been cut by the players.

(e) The player to cut the cards shall be:

1. The first player to the table if the game is just beginning;

2. The player on whose box the cutting card appeared during the last round of play;
3. The player at the farthest point to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or
4. The player at the farthest point to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(f) If the player designated in (e) above refuses the cut, the cards shall be offered to each other player moving clockwise around the table until a player accepts the cut. If no player accepts the cut, the dealer shall cut the cards.

(g) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (f) above.

(h) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-2.6(k) except that:

1. The casino licensee may determine after each round of play that the cards should be reshuffled; and

2. When the "Bart Carter shuffle" is utilized, a reshuffle shall take place after the cards in the discard rack exceed approximately one deck in number.

(i) When blackjack is dealt from the hand, after the cards have been removed from the automated shuffling device and cut, the dealer shall maintain one cutting card to cover the bottom card of the deck or, if two decks are used, the stacked decks. If a casino licensee elects to deal multiple rounds of play from a single deck or two decks, the dealer shall insert a second cutting card at a position at least one-third of the way in from the back of the deck or decks. If a casino licensee elects to deal only one round of play from a single deck, the casino licensee shall rotate decks of cards with each round of play in accordance with the requirements of N.J.A.C. 13:69F-2.2(d).

(j) If there is no gaming activity at a blackjack table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack, and spread out on the table for inspection, either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards the cards shall be turned face downward on the table.

1. If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing or chemmy shuffle of the cards, stacked, then shuffled and cut in accordance with this section.
2. If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be

shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player so requests, the batch of cards removed from the shuffler need not be spread for inspection and reshuffled prior to being dealt, if:

- i. The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner in accordance with the casino licensee's internal control procedures; and
- ii. The shuffled cards have been secured, released and prepared for play in accordance with the casino licensee's internal control procedures.

(k) A casino licensee may use an alternative shuffle, cut card placement, number of cut cards (to include shuffle techniques without the use of any cut cards), location of where the shuffle takes place, who is responsible for shuffling, shuffling equipment (dealing shoes or other dealing devices) and burn card procedures in accordance with the casino licensee's internal control procedures.

**13:69F-2.6 Procedure for dealing of cards**

(a) All cards used to game at blackjack shall be dealt from a dealing shoe specifically designed for such purpose unless such cards are dealt from the dealer's hand in accordance with the procedure set forth at N.J.A.C. 13:69F-2.6A.

(b) Each dealer shall remove cards from the shoe with his or her left hand, turn them face upwards, and then place them on the appropriate area of the layout with his or her right hand, except that the dealer has the option to deal hit cards to the first two positions with his or her left hand.

(c) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack. Each new dealer who comes to the table shall also burn one card as described herein before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by the player. This procedure shall not be applicable to the "Bart Carter shuffle."

(d) If a double shoe is utilized, the following procedures shall be used in lieu of those set forth in (c) above.

1. Prior to commencement of each round of play, the dealer shall draw a card from either side of the double shoe. The suit of that card shall determine from which side of the shoe that round of play will be dealt. The casino licensee shall designate that the suits of hearts and diamonds shall correspond to the color of the backs of the cards being dealt from one side of the shoe, and that the suits of spades and clubs shall correspond to the color of the

backs of the cards being dealt from the other side of the shoe.

2. A determinant card corresponding to the side of the shoe from which it was drawn shall become the player's first card. A determinant card that does not correspond to the side of the shoe from which it was dealt shall be burned by placing it in a segregated area of the dealing shoe.

(e) At the commencement of each round of play, or immediately after the determinant card has been drawn and either burned or used as the player's first card, the dealer shall, starting on his or her left and continuing around the table, deal the cards in the following order:

1. One card face upwards to each box on the layout in which a wager is contained;
2. One card face upwards to himself or herself; and
3. A second card face upwards to each box in which a wager is contained.

(f) After two cards have been dealt to each player and the appropriate number to the dealer, the dealer shall, beginning from his or her left, announce the point total of each player. As each player's point total is announced, such player shall indicate whether he or she wishes to surrender, double down, split pairs, stand or draw, as provided for by this chapter.

(g) As each player indicates his or her decision(s), the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decision consistent

with these regulations and shall announce the new point total of such player after each additional card is dealt.

(h) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a second card face upward to himself or herself provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card" which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-2.12(b) shall be dealt face upwards at this time after which the dealer shall announce his or her total point count. In lieu of the requirements of this subsection, the procedures set forth in (j) or (k) below may be implemented.

(i) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the players' cards have been collected, the dealer shall pick up his or her cards against the bottom of the players' cards and place them in the discard rack or in a segregated area of the double shoe.

(j) In lieu of the procedures set forth in (h) above, a casino licensee may permit a blackjack dealer to deal his or her hole card face downward after a second card and before additional cards are dealt to the players provided that said dealer not look at the face of his or her hole card until after all other cards requested by the players

pursuant to those regulations are dealt to them. Notwithstanding the foregoing, if a casino licensee elects to utilize a card reader device and the dealer's first card is an ace, king, queen, jack or 10 of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the players at the table, in accordance with the casino licensee's internal control procedures. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table.

1. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled in accordance with N.J.A.C. 13:69F-2.3, 2.7, and 2.20.
2. The alternative dealing procedure described in this subsection shall not be used at any blackjack table which offers the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19.
3. If a casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-2.17(a)3 at a blackjack table that has a card reader device and the dealer has a blackjack, the dealer shall, starting from his or her left, offer any player that has been dealt two sevens as his or her initial two cards an additional card to complete the hand on which the additional wager has been made.

(k) In lieu of the procedures set forth in (h) above, a casino licensee may permit a blackjack dealer to deal his or her hole card face upward after a second card and before additional cards are dealt to the players, provided that the casino licensee

complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3. The alternative dealing procedure described in this subsection shall not be used at any blackjack table which offers the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19.

Notwithstanding any other provision of this subchapter, the following rules shall apply whenever cards used to game at blackjack are dealt in accordance with this subsection:

1. Winning wagers shall be determined in accordance with N.J.A.C. 13:69F-2.3(a) and (b); provided, however, that a player's wager shall be lost if the score of the player is the same as the dealer, except that a player's wager shall win if both the player and dealer have blackjack;
2. Winning wagers shall be paid in accordance with N.J.A.C. 13:69F-2(e), except that standard blackjack shall be paid at odds of 1 to 1;
3. Surrender, pursuant to N.J.A.C. 13:69F-2.8, and insurance wagers, pursuant to N.J.A.C. 13:69F-2.9, shall not be available;
4. A player may double down, pursuant to N.J.A.C. 13:69F-2.10, only on a point count of 9, 10, or 11;
5. Any player who elects to split cards of identical value, pursuant to N.J.A.C. 13:69F-2.11, may not split pairs again if the second card so dealt is identical in value to a card of the split pair; and
6. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled in accordance with N.J.A.C. 13:69F-2.3 and 2.7; provided, however, if a casino elects to offer

the additional wager authorized by N.J.A.C. 13:69F-2.17(a)3 and the dealer has blackjack, the dealer shall, starting from his or her left, offer each player that has been dealt two sevens as his or her initial two cards an additional card to complete the hand on which the additional wager has been made.

(l) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the dealer shall:

1. Collect the cards as provided in (i) above;
2. Prepare to shuffle the cards, as follows:
  - i. Whenever a single dealing shoe is used, the dealer shall remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; or
  - ii. Whenever a double shoe is used, the dealer shall remove the cards remaining in the side of the shoe from which the cutting card was drawn and the cards, if any, that were put in a separate segregated area for the discards from that side of the double shoe, after which the dealer shall place those cards face down in the discard rack in order to ensure that no cards are missing; and
3. Shuffle the cards. If a double shoe is utilized, the shuffle of the cards shall be limited to the side of the shoe from which the

cutting card was drawn.

- i. If the "Bart Carter shuffle" is utilized and the cards in the discard rack exceed approximately one deck in number, the dealer shall continue dealing the cards until that round of play is completed after which he shall remove the cards from the discard rack and shuffle those cards so that they are randomly intermixed. After the cards taken from the discard rack are shuffled, they shall be split into three separate stacks and each stack shall be inserted into premarked locations within the remaining decks contained in the dealing shoe.
- ii. No player or spectator shall handle, remove or alter any cards used to game at blackjack except as explicitly permitted by these regulations and no dealer or other casino employee shall permit a player or spectator to engage in such activity.
- iii. Each player at the table shall be responsible for correctly computing the point count of his or her hand and no player shall rely on the point counts required to be announced by the dealer under this section without himself or herself checking the accuracy of such announcement.

**13:69F-2.6A Procedure for dealing cards dealt from the dealer's hand**

(a) If a casino licensee elects to deal blackjack from the dealer's hand, a dealer shall deal the cards in accordance with this section.

(b) Once the applicable procedures required by N.J.A.C. 13:69F-2.5 have been completed, the dealer shall remove the shuffled deck or decks from the automated shuffling device and shall place the single deck or two stacked decks of cards in either hand. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.

(c) At the commencement of each round of play, the dealer may, upon the election of the casino licensee, burn the top card of the deck or stack of two decks and not reveal the card to any player. The dealer shall then, starting on his or her left and continuing around the table, deal the cards in the following order:

1. One card face down to each box on the layout in which a wager is contained;
2. One card face up to the dealer; and
3. A second card face down to each box in which a wager is contained.

(d) After two cards have been dealt face down to each player and one card face upwards to the dealer, each player may, with one hand, pick up and evaluate the two cards dealt to him or her. The dealer shall then, beginning from the dealer's left,

ascertain from each player upon each such player's indication whether he or she wishes to double down, split pairs, stand or draw as provided for by this subchapter.

(e) As each player indicates his or her decision(s), the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decision consistent with this subchapter.

1. If a player indicates that he or she wishes to split a pair, the dealer shall turn over the player's two cards dealt face down and proceed in accordance with N.J.A.C. 13:69F-2.11.
2. If a player is dealt a card which causes his or her point total to exceed 21, the player shall immediately discard his or her first two cards face down. A player shall not intentionally draw additional cards after exceeding a point count of 21.
3. The dealer shall immediately collect a player's losing wager and place the player's cards in the discard rack.

(f) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a second card face upwards to himself or herself; provided, however, that such card shall not be dealt until the dealer has first announced "Dealer's Card" which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-2.12(c) shall be dealt face upwards at this time after which the dealer shall announce his or her total point count.

(g) After all additional cards have been dealt in accordance with (e) and (f) above, the dealer shall turn over each player's two cards dealt face down and settle all remaining wagers.

(h) In lieu of the procedures set forth in (d) through (g) above, a casino licensee may permit a blackjack dealer to deal his or her second card face downward and to utilize a card reader device pursuant to N.J.A.C. 13:69F-2.6(j) prior to dealing any additional cards to the players.

(i) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the players' cards have been collected, the dealer shall pick up his or her cards against the bottom of the players' cards and place them in the automated shuffling device.

(j) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed, after which the dealer shall collect the cards as provided in (i) above, shuffle the cards and alternate the deck or set of two decks pursuant to N.J.A.C. 13:69F-2.2(e) for the next round of play.

(k) Each player at the table shall be responsible for correctly computing the point count of his or her hand and no player shall rely on the point count required to be announced by the dealer under this section without checking the accuracy of such announcement.

**13:69F-2.7 Payment of blackjack; even-money payout option for certain insurance wagers**

(a) If the first face up card dealt to the dealer is a two, three, four, five, six, seven, eight, or nine and a player has blackjack, the dealer shall announce and pay the blackjack at odds of 3 to 2 and, unless the player has also made a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, shall remove the player's cards before any player receives a third card.

(b) If the first face up card dealt to the dealer is an ace, king, queen, jack, or 10 and a player has a blackjack, the dealer shall announce the blackjack but shall make no payment nor remove any cards until all other cards are dealt to the players and the dealer receives his or her second card. If, in such circumstances, the dealer's second card does not give him or her blackjack, the player having blackjack shall be paid at odds of 3 to 2. If, however, the dealer's second card gives him or her blackjack, the wager of the player having blackjack shall be void and constitute a stand off.

(c) If the first face up card dealt to the dealer is an ace and a player has blackjack, a casino licensee may, notwithstanding (b) above and before any additional cards are dealt, offer the player the option to be paid at odds of 1 to 1 on the blackjack wager instead of making an insurance wager pursuant to N.J.A.C. 13:69F-2.9. If the casino licensee chooses to offer the even-money payout option authorized by this subsection, notice shall be provided by the casino licensee in accordance with N.J.A.C. 13:69F-8.3.

**13:69F-2.8 Surrender**

(a) After the first two cards are dealt to the player and the player's point total is announced, the player may elect to discontinue play on his or her hand for that round by surrendering one-half his or her wager. All decisions to surrender shall be made prior to such player indicating as to whether he or she wishes to double down, split pairs, stand, and/or draw as provided for in this subchapter.

1. Should the first card dealt to the dealer be other than an ace or 10-value card, the dealer shall immediately collect one-half of the wager and return one-half to the player.
2. Should the first card dealt to the dealer be an ace or 10-value card, the dealer will place the player's wager on top of the player's cards. When the dealer's second card is revealed, the hand will be settled by immediately collecting the entire wager should the dealer have blackjack or collecting one-half of the wager and returning one-half of the wager to the player should the dealer not have blackjack.

(b) If the player has made an insurance wager and then elects to surrender, each wager will be settled separately as provided for above and in accordance with N.J.A.C. 13:69F-2.9 and one will have no bearing on the other.

(c) Each casino licensee may, at its discretion, offer its patrons the surrender option authorized in this section, except that when a casino licensee offers the rule variation multiple action blackjack pursuant to N.J.A.C. 13:69F-2.18, or on any blackjack

table which offers the 6 to 5 blackjack variation or the progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, the surrender option shall not be available. A casino licensee shall not initiate or terminate the use of the surrender option at a table unless the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3.

**13:69F-2.9 Insurance wagers**

(a) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance bet which, except as otherwise provided in N.J.A.C. 13:69F-2.7(c), shall win if the dealer's second card is a king, queen, jack or 10 and shall lose if the dealer's second card is an ace, two, three, four, five, six, seven, eight, or nine.

(b) An insurance bet may be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may bet an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be bet. If a card reader device is not in use, all insurance wagers shall be placed immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table except, at the discretion of the casino licensee, a player may place an insurance wager immediately prior to such player indicating whether he or she wishes to double down, split pairs, stand, and/or draw as provided for in this subchapter and prior to any additional cards being dealt, provided that the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3. If a card reader device is in use, all insurance wagers shall be placed prior to the dealer inserting his or her hole card into the card reader device.

(c) All winning insurance wagers shall be paid at odds of 2 to 1.

(d) All losing insurance wagers shall be collected by the dealer immediately after he or she draws his or her second face up card or discloses his or her hole card and

before he or she draws any additional cards.

(e) Insurance wagers shall not apply to the progressive blackjack wager permitted pursuant to N.J.A.C. 13:69F-2.19.

(f) An insurance wager does not apply to any of the additional wagers permitted pursuant to N.J.A.C. 13:69F-2.17(a).

**13:69F-2.10 Doubling down**

(a) Except for blackjack or a point count of 21 in two cards, a player may elect to double down, that is, make an additional wager not in excess of the amount of his or her original wager, on the first two cards dealt to him or her or the first two cards of any split pair on the condition that one and only one additional card shall be dealt to the hand on which he or she has elected to double down. If, however, blackjack is dealt from the hand, a casino licensee may prohibit doubling down upon compliance with the notice requirements set forth at N.J.A.C. 13:69F-8.3:

1. Unless a player establishes a hard total of nine, 10, or 11 by turning his or her cards face up; and
2. After the player splits a pair.

(b) If a dealer obtains blackjack after a player doubles down, the dealer shall only collect the amount of the original wager of such player and shall not collect the additional amount wagered in doubling down.

(c) Upon a player's election to double down as authorized by this section, the dealer shall deal the one additional card face upwards. Notwithstanding the foregoing or any other provision of this subchapter, a casino licensee may, at its discretion, require the dealer at one or more blackjack tables to deal the one additional card face down or, alternatively, permit a player to request that his or her one additional card be dealt face down. If the face down dealing procedure is implemented at a particular table upon the request of a player, the procedure shall, commencing with the next round of play, be offered to all players at that table. Regardless of the dealing

procedure in effect, the one additional card shall be placed sideways on the layout. The casino licensee shall post a notice of any optional dealing procedure in effect at a particular table and identify its choice of dealing procedure under this subsection in its gaming submission as either: face up at all tables, face down at designated table(s) or face down at the request of a player. If the one additional card is dealt face down, such card shall be turned face upward after the dealer has drawn additional cards to his or her hand in accordance with N.J.A.C. 13:69F-2.12(b) and at such time as the player's wagers are to be settled in rotation at the conclusion of the round of play.

(d) In the 6 to 5 blackjack variation, a casino licensee may prohibit doubling down after splitting pairs upon compliance with the notice requirements set forth at N.J.A.C. 13:69F-8.3.

**13:69F-2.11 Splitting pairs**

(a) Whenever the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he or she makes a wager on the second hand so formed in an amount equal to his or her original wager.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate his or her decision to stand, draw or double down with respect thereto except that:

1. A player may not split pairs again if the second card so dealt is identical in value to a card of the split pair; and
2. A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.

(d) If the dealer obtains blackjack after a player splits pairs, the dealer shall only collect the amount of the original wager of such player and shall not collect the additional amount wagered in splitting pairs.

(e) Notwithstanding the provisions of (c)1 above, a casino licensee may, at its discretion, permit a player to split pairs up to three times (a total of four hands) at a blackjack table with up to six player boxes or twice (a total of three hands) at a blackjack table with seven player boxes if notice of the option is provided as set forth in N.J.A.C.

13:69F-8.3, except that this option shall not be available in games in which the rule variation multiple action blackjack is available pursuant to N.J.A.C. 13:69F-2.18. If a casino licensee elects to offer the option of splitting pairs more than once, it may, at its discretion, prohibit a player from splitting a pair of aces more than once (a total of two hands) if notice is provided as set forth in N.J.A.C. 13:69F-8.3. All other requirements of this section shall apply to each hand which is formed as a result of splitting pairs more than once.

(f) If a player has made the additional wager authorized by N.J.A.C. 13:69F-2.17(a)3, is dealt two sevens as his or her initial two cards and elects to split the pair of sevens, the dealer shall announce that the player is splitting sevens and forfeiting any potential payout for three sevens. The player shall be paid for the additional winning wager prior to any additional cards being dealt to either of the split hands.

**13:69F-2.12 Drawing of additional cards by players and the dealer**

(a) A player may elect to draw additional cards whenever his or her point count total is less than 21 except that:

1. A player having blackjack or a hard or soft total of 21 may not draw additional cards;
2. A player electing to double down shall draw one and only one additional card; and
3. A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.

(b) Except as provided in (c), (d), or (e) below, a dealer shall draw additional cards to his or her hand in accordance with one of the following options:

1. The dealer shall draw additional cards until he or she has a hard or soft total of 17, 18, 19, 20, or 21; or
2. The dealer shall draw additional cards until he or she has:
  - i. A hard total of 17, 18, 19, 20, or 21; or
  - ii. A soft total of 18, 19, 20, or 21.

(c) Except as provided in N.J.A.C. 13:69F-2.25(d), a dealer shall draw no additional cards to his or her hand, regardless of the point count, if decisions have been made on all player's hands and the point count of the dealer's hand will have no effect on the outcome of the round of play.

(d) In the 6 to 5 blackjack variation, a dealer shall draw additional cards to his or her hand until he or she has a hard total of 17 or a hard or soft total of 18, 19, 20, or 21, at which point no additional cards shall be drawn.

(e) If blackjack is dealt from the hand pursuant to N.J.A.C. 13:69F-2.6(a) and 2.6A, a casino licensee may, at its option, require the dealer to draw additional cards to the dealer's hand until the dealer has a hard total of 17 or a hard or soft total of 18, 19, 20, or 21, at which point no additional cards shall be drawn by the dealer. The casino licensee shall make any such election on its rules of the games checklist.

**13:69F-2.13 More than one player wagering on a box**

(a) Unless otherwise directed by the Division, a casino licensee may permit from one to three people to wager on any one box of the blackjack layout provided that the first person wagering on that box consent to additional players wagering on such box and provided further that the casino licensee adhere to such procedures and limitations imposed by the Division as dictated by the particular circumstances. This option may not be used at any blackjack table which offers the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19.

(b) Whenever more than one player wagers on a box, the player who is seated at that box shall have the exclusive right to call the decision with regard to the cards dealt to such box. In the case of no seated player, the person with the highest wager in the box shall have such right.

(c) The player calling the decisions with respect to any box shall place his or her wager in that portion of the box closest to the dealer's side of the table and all other players wagering on such box shall place their wagers immediately behind and in a vertical line with the aforementioned wager.

(d) Whenever more than one player is wagering on a box and the player calling the decisions decides to double down, the other players may also double their wagers but shall not be required to do so. In any event, only one additional card shall be dealt to the hand that is subject to the double down decision.

(e) Whenever more than one player is wagering on a box and the player calling the decisions decides to split pairs, the other players shall either make an

additional wager as provided for in N.J.A.C. 13:69F-2.11 to cover each split pair or designate which of the split pairs they wish their initial wager to apply.

(f) Whenever more than one player is wagering on a box, each player shall have the right to make an insurance bet in accordance with N.J.A.C. 13:69F-2.9 regardless of whether the other players on that box make such a bet.

(g) The Division and its agents shall have the discretion and authority to limit, control and regulate the implementation of this section as is appropriate under the circumstances which shall include, without limitation, the right to limit the number of tables at which this procedure is permitted, the right to limit the number of boxes at each table on which more than one person can wager, and the right to require the casino licensee to establish the ability of its dealers to implement this section.

**13:69F-2.14 A player wagering on more than one box**

A player may only wager on one box at a blackjack table unless the casino licensee, in its discretion, permits the player to wager on additional boxes.

**13:69F-2.15 Irregularities**

(a) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack or in a segregated area of the double shoe.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to him or her during such round. If the card is refused by the players and the dealer cannot use the card, the card shall be burned.

(d) If the dealer has seventeen and accidentally draws a card for himself or herself, such card shall be burned.

(e) If the dealer misses dealing his or her first or second card to himself or herself, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to himself or herself.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack or in a segregated area of the double shoe shall be shuffled and cut according to the procedures outlined in N.J.A.C. 13:69F-2.5, the first card shall be drawn face downwards and burned, and the dealer shall complete the round of play. If the cards are being dealt by hand and there are insufficient cards remaining in the deck(s) in use to complete a round of play, all the discarded cards from

the deck(s) in use shall be shuffled by hand and cut according to the procedures outlined in N.J.A.C. 13:69F-2.5, the first card shall be drawn face downwards and burned, and the dealer shall complete the round of play. All cards shall then be reshuffled for the next round of play in the automated cards shuffling device.

(g) If no cards are dealt to the player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) Any round of play drawn from the inappropriate side of a double shoe shall be treated as if it were drawn from the appropriate side of the shoe and concluded.

(i) If after receiving the first two cards and the dealer fails to deal an additional card(s) to a player who has requested such a card, then, at the player's option, the dealer shall either deal the additional card(s) after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or call the player's hand dead and return the player's original wager.

(j) If the dealer inserts his or her hole card into a card reader device when the value of his or her first card is not an ace, king, queen, jack, or 10, the dealer, after notification to a casino supervisor, shall:

1. If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager; or

2. If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(k) If a card reader device malfunctions the dealer may only continue dealing the game of blackjack at that table using the dealing procedures applicable when a card reader device is not in use.

(l) If the dealer fails to move his or her original face up card to the area of the layout designated for the second or third hand of the round in accordance with N.J.A.C. 13:69F-2.18, the round shall continue as if the original face up card was moved to the appropriate area of the layout.

(m) If the dealer inadvertently picks up his or her original face up card and places it in the discard rack prior to the completion of the second or third hand of multiple action Blackjack, the dealer shall immediately notify a casino supervisor assigned to that table. The casino supervisor shall remove the appropriate cards from the discard rack and reconstruct the last hand of play so as to determine the dealer's original face up card. The original face up card shall be placed in the appropriate area on the layout, and the remaining cards shall be returned to the discard rack. Play shall resume in accordance with the rules of this chapter.

(n) If the light at a player's betting area on a blackjack table which offers the progressive blackjack wager is not operating properly, no progressive wager shall be permitted in that betting area.

(o) If the bonus blackjack system fails to select or display a payout amount

when the bonus blackjack button is pressed, and the amount of the payout cannot be ascertained by a casino supervisor from the table controller or otherwise, the patron's wager shall be paid at 21 to 1.

(p) If a casino licensee implements the procedure by which one additional card is dealt face down to a hand on which a player has elected to double down pursuant to N.J.A.C. 13:69F-2.10(c) and the dealer inadvertently deals such card face upwards, play shall continue and the player's wagers shall be resolved in completion of the round of play.

**13:69F-2.16 Five cards totaling 21 rule**

(a) Whenever a player has achieved a score of 21 in five cards and the dealer has not achieved a blackjack or a score of 21, the winning hand shall be paid at odds of 2 to 1.

(b) If the player has achieved a score of 21 in five cards and the dealer has blackjack, the player's wager shall be settled in accordance with N.J.A.C. 13:69F-2.3(b). If the player has achieved a score of 21 in five cards and the dealer has achieved a score of 21 in three or more cards, the player's wager shall be considered void and said wager shall be returned to the player.

(c) A casino licensee may, in its discretion, offer to all patrons at a blackjack table the five cards totaling 21 option authorized in this section, provided that the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to withdrawing the offer of this option.

**13:69F-2.17 Permissible additional wagers**

(a) A casino licensee may, in its discretion, offer to all players at a blackjack table that does not offer the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19 the option to make one of the following additional wagers in an amount of \$1.00 provided that the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to withdrawing the offer of this option:

1. A wager on whether the player's initial two cards shall have a point total either greater than or less than 13;
2. A wager on whether the player's initial two cards shall be of the same suit; or
3. A wager on whether one or more of the player's initial three cards shall be a seven.

(b) Prior to the first card being dealt for each round of play, each player shall make a wager against the dealer as required by N.J.A.C. 13:69F-2.3(a) and (d) and, if given an option to make an additional wager, shall also indicate whether he or she wishes to wager, as applicable, that:

1. The point total of the player's initial two cards shall exceed 13, which wager shall win if the point total does exceed 13;
2. The point total of the player's initial two cards shall be less than 13, which wager shall win if the point total is less than 13;
3. The player's initial two cards shall be of the same suit, which wager shall win if the initial two cards are of the same suit; or

4. One or more of the player's initial three cards shall be a seven, which wager shall win if one or more of the initial three cards dealt to the player is a seven.

(c) An additional wager made pursuant to (a)1 above shall be lost when the point total of the player's initial two cards equals 13.

(d) All losing additional wagers shall be collected by the dealer immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table.

(e) All winning additional wagers shall be paid immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table. Notwithstanding the foregoing, if a wager authorized by (a)3 above is a winning wager because the player has received two sevens as the initial two cards dealt to his or her hand, the winning wager shall be paid immediately after the player elects to draw an additional card, surrender, stand, double down or split pairs. All winning additional wagers shall be paid at the following odds:

1. For wagers made pursuant to (a)1 above, one to one; or
2. For wagers made pursuant to (a)2 above, depending on the number of decks in use at the table and the cards received by the player, in accordance with one of the following options as selected by the casino licensee; provided, however, that notice of the payout option selected by the casino licensee or any change thereto shall be provided in accordance with the requirements of

N.J.A.C. 13:69F-8.3; and provided further, however, that the same payout option shall be used by a casino licensee at all blackjack tables which use the same number of decks of cards:

i. Single Deck Blackjack Tables:

<u>Initial Two Cards</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
King and Queen	50 to 1	10 to 1	5 to 1	25 to 1
Any Two Cards	2.5 to 1	3 to 1	3 to 1	2.5 to 1

ii. Two Deck Blackjack Tables:

<u>Initial Two Cards</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
King and Queen	10 to 1	5 to 1	25 to 1	20 to 1
Any Two Cards	3 to 1	3 to 1	2.5 to 1	2.5 to 1

iii. Four Deck Blackjack Tables:

<u>Initial Two Cards</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
King and Queen	5 to 1	25 to 1	20 to 1	50 to 1
Any Two Cards	3 to 1	2.5 to 1	2.5 to 1	2 to 1

iv. Six Deck Blackjack Tables:

<u>Initial Two Cards</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
King and Queen	5 to 1	25 to 1	20 to 1	15 to 1
Any Two Cards	3 to 1	2.5 to 1	2.5 to 1	2.5 to 1

v. Eight Deck Blackjack Tables:

<u>Initial Two Cards</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>
King and Queen	5 to 1	25 to 1	50 to 1
Any Two Cards	3 to 1	2.5 to 1	2 to 1

3. For wagers made pursuant to (a)3 above, the player shall be paid only for the highest winning payout below:

<u>Hand</u>	<u>Payout Odds</u>
Three Sevens of the Same Suit	5000 to 1
Three Sevens of any Suit	500 to 1
Two Sevens of the Same Suit (initial two cards)	100 to 1
Two Sevens of any Suit (initial two cards)	50 to 1
One Seven (initial card)	3 to 1

(f) An additional wager shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate area of the blackjack layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player and such cash is expeditiously converted into gaming chips or plaques.

(g) Any additional wager made pursuant to this section shall not exceed the lesser of:

1. The amount of the blackjack wager made by the player pursuant to N.J.A.C. 13:69F-2.3(a) and (d); or
2. A maximum limit established by the casino licensee.

(h) A casino licensee shall post the maximum limit of the additional wager, as established in (g) above, in accordance with N.J.A.C. 13:69F-8.3.

(i) An additional wager shall have no bearing on any other wager made by the player at the game of blackjack.

**13:69F-2.18 Multiple action blackjack rule**

(a) A casino licensee may, in its discretion, offer to every player at a blackjack table the option to make either two or three separate wagers on the outcome of the players hand against either two or three separate hands of the dealer which shall be formed with the dealer's original face up card, provided that the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to withdrawing the offer of this option. This option may not be used at any blackjack table which offers the progressive blackjack wager authorized by N.J.A.C. 13:69F-2.19, the blackjack bonus wager authorized by N.J.A.C. 13:69F-2.20, the streak wager authorized by N.J.A.C. 13:69F-2.22, the match-the-dealer wager authorized by N.J.A.C. 13:69F-2.23, the 20 point bonus wager authorized by N.J.A.C. 13:69F-2.24, the optional bonus wager authorized by N.J.A.C. 13:69F-2.25, or the in-between wager authorized by 13:69F-2.26.

(b) Prior to the first card being dealt for the first of the three rounds of play, each player shall be required to make two or three wagers against the dealer as required by N.J.A.C. 13:69F-2.3(a) and (d) by placing the wagers in the designated betting areas on the layout. A casino licensee may, in its discretion, require every player to place a wager against all three of the dealer's hands. The minimum number of wagers required and the minimum and maximum limits for each wager shall be posted at the table in accordance with N.J.A.C. 13:69F-8.3.

(c) After all wagers have been placed, the dealer shall deal the cards in accordance with N.J.A.C. 13:69F-2.6(e). As each player's point total is announced, the player shall indicate whether he wishes to double down, split pairs, stand or draw as

provided for by this subchapter, except that a decision to double down or split pairs shall require an additional wager for each wager placed by the player in accordance with (b) above.

(d) Any player may elect to make an insurance wager pursuant to N.J.A.C. 13:69F-2.9 on any or all of his or her wagers made in accordance with (b) above. Such wager or wagers shall be decided individually based on the second card dealt to each of the dealer's hands.

(e) After the decisions of all players have been implemented and all additional cards have been dealt, the dealer shall deal a second card to his or her original face up card in accordance with N.J.A.C. 13:69F-2.6(h) and any additional cards required by N.J.A.C. 13:69F-2.12(b).

(f) Once all wagers on the dealer's first hand have been decided, the dealer shall collect all losing wagers and pay off all winning wagers based on wagers placed in the first spot of each player's betting area, except that all of a player's wagers shall be collected along with his or her cards when that player's hand exceeds a hard total of 21. The dealer shall collect all of his or her cards and place them face down in the discard rack in accordance with one of the following:

1. If the hand of each player at the table has exceeded a hard total of 21, the dealer shall draw no additional cards pursuant to N.J.A.C. 13:69F-2.12 and the dealer shall collect all of his or her cards including his or her original face up card; or

2. If a wager remains on the second or third spot of a player's betting area, the dealer shall then collect all of his or her cards except his or her original face up card.

(f) If the dealer's cards have been collected and discarded in accordance with (f)2 above, the dealer shall move his or her original face up card to the area of the layout designated for the dealer's second hand and shall deal a second card to his or her original face up card in accordance with N.J.A.C. 13:69F-2.6(h) and any additional cards required by N.J.A.C. 13:69F-2.12(b).

(g) Once all wagers on the dealer's second hand have been decided, the dealer shall collect all losing wagers and pay off all winning wagers based on wagers placed in the second spot of each player's betting area. The dealer shall then collect all of his or her cards except his or her original face up card and place them face down in the discard rack. The dealer shall then move his or her original face up card to the area of the layout designated for the dealer's third hand and shall deal a second card to his or her original face up card in accordance with N.J.A.C. 13:69F-2.6(h) and any additional cards required by N.J.A.C. 13:69F-2.12(b), except that if no player has made a third wager the round shall be concluded in accordance with (j) below.

(h) Once all wagers on the dealer's third hand have been decided, the dealer shall collect all losing wagers and pay off all winning wagers based on wagers placed in the third spot of each player's betting area.

(i) At the conclusion of the third hand, all cards still remaining on the layout shall be picked up in accordance with N.J.A.C. 13:69F-2.6(i).

**13:69F-2.19 Progressive blackjack wager payouts; rules**

(a) If a blackjack table includes the equipment that is required to offer a progressive blackjack wager, a casino licensee may give each player at that blackjack table the option to make an additional one dollar wager on whether the player will be dealt any of the designated series of cards set forth in (c) below. This wager shall be known as a progressive blackjack wager.

(b) Prior to the first card being dealt for each round of play, each player may make a progressive blackjack wager by placing a one dollar gaming chip in the designated chip acceptor device at his or her betting position. Once such wagers have been placed, a light shall then illuminate at each betting position at which a progressive blackjack wager has been made. In accordance with N.J.A.C. 13:69E-1.10(j), the dealer shall ensure that only one progressive blackjack wager has been made for each light that is illuminated and shall verify that the number of gaming chips wagered equals the number of lights illuminated. The dealer shall then announce "No more bets" and register the progressive wagers on the progressive meter and reset meter, if applicable. The dealer shall then deal the hand to all players in accordance with N.J.A.C. 13:69F-2.6.

(c) A player who has placed a progressive blackjack wager shall win the specified payout if he or she receives any of the following combinations of cards:

Winning Hand

Payout

Four Black or Four Red Aces in the First Four Cards	100 percent of the progressive meter amount
Three Aces of the Same Suit in the First Three Cards	\$2,500
Any Three Aces in the First Three Cards	\$250.00
Two Aces of the Same Suit in the First Two Cards	\$100.00
Any Two Aces in the First Two Cards	\$25.00

(d) A progressive blackjack wager shall have no bearing on any other wager made by a player at the game of blackjack and shall be paid irrespective of the point total of the hand of the dealer.

(e) A winning player shall receive the payout for only the highest possible progressive blackjack hand.

(f) A player shall only be permitted to make a progressive blackjack wager if he or she has placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) and (d).

(g) Prior to making a payout for a winning progressive blackjack wager, the dealer shall:

1. Verify that the player has received a winning combination of cards;
2. Verify that the appropriate light on the acceptor device has been illuminated; and
3. Have a casino supervisor validate the progressive blackjack payout

pursuant to the casino licensee's internal control procedures.

(h) All winning progressive blackjack wagers shall be paid in accordance with the amount on the primary meter when the player's regular blackjack wager is settled pursuant to N.J.A.C. 13:69F-2.3(e); provided, however, if more than one player at a table has four black or four red aces on the first four cards, each player shall share equally in the amount on the progressive meter when the first player with four aces is to be paid. If a player has won a progressive payout which is not being paid from the table inventory container, the cards of that player shall not be collected until the necessary documentation has been completed pursuant to the rules of the Division.

(i) The rate of progression for the progressive meter or, if applicable, the reset meter and progressive meter combined, shall be no less than 70 percent. The initial amount placed on the progressive meter by the casino licensee and the portion of the reset amount funded by the casino licensee shall be established by each casino licensee in accordance with the rules of the Division. In no instance shall the initial amount on the progressive meter or the reset amount funded by the casino licensee be less than \$5,000.

**13:69F-2.20 Blackjack bonus wager**

(a) If a blackjack table includes the equipment required by N.J.A.C 13:69E-1.10(k) to offer a blackjack bonus wager, a casino licensee may offer each player at that blackjack table the option to make an additional wager of \$1.00 or \$5.00, as to whether the player will be dealt a blackjack in the first two cards. This wager shall be known as a blackjack bonus wager.

(b) Prior to the first card being dealt for each round of play, each player may make a blackjack bonus wager by placing gaming chips in the designated betting area on the layout, except that a verbal wager accompanied by cash may be accepted, provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt and such cash is expeditiously converted into gaming chips. The dealer shall then announce "No more bets" and deal the hand to all players in accordance with N.J.A.C 13:69F-2.6.

(c) A player shall be permitted to make a blackjack bonus wager only if he or she has first placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) and (d).

(d) A player who has placed a blackjack bonus wager shall win if the player receives a blackjack in the first two cards.

(e) After the second card is dealt to all players at the table, and prior to any additional cards being dealt to any player or the dealer:

1. All losing blackjack bonus wagers shall be collected by the dealer;  
and

2. The cards of any player with a winning blackjack bonus wager shall be placed underneath that player's blackjack bonus wager by the dealer.

(f) The dealer shall then proceed to complete the round of play, collecting any other losing wagers and paying off any other winning wagers in accordance with N.J.A.C. 13:69F-2.6. After all such wagers have been settled, the dealer, starting on his or her left and continuing around the table, shall place the blackjack bonus button in front of each player with a winning blackjack bonus wager. Each winning blackjack bonus player shall press the blackjack bonus button once, causing the bonus amount payable to that player to be displayed on the blackjack bonus display.

(g) Prior to making a payout for a winning blackjack bonus wager, the dealer shall:

1. Verify that the player has received a winning combination of cards;
2. Verify the amount of the blackjack bonus payout shown on the blackjack bonus display at the table;
3. In a tone of voice calculated to be heard by the patron who won it and the casino supervisor assigned to the table, verbally announce the amount of the blackjack bonus payout, if it is less than \$100.00; and
4. Have a casino supervisor confirm and verify the amount of the blackjack bonus payout, if it is \$100.00 or more.

(h) After all winning blackjack bonus wagers have been paid, the dealer shall remove all cards and wagers remaining on the layout, in accordance with N.J.A.C. 13:69F-2.6(i).

(i) A blackjack bonus wager shall have no bearing upon any other wager made by a player at the game of blackjack, and shall be paid regardless of the point total of the dealer's hand.

(j) A casino licensee shall pay winning blackjack bonus wagers at no less than the amounts listed below:

<u>Blackjack bonus wager</u>	<u>Blackjack bonus payout</u>
\$1.00	\$5.00 minimum to \$1,000 maximum
\$5.00	\$50.00 minimum to \$5,000 maximum

(k) Notwithstanding any minimum or maximum payoff amounts in (j) above, the house advantage for blackjack bonus wagers shall not exceed 30 percent or be less than zero. Additionally, although the house advantage may vary for different denominations of the wager, the house advantage for a blackjack bonus wager of any given denomination shall be the same in all blackjack games offered by that casino licensee at any given time.

(l) The blackjack bonus wager may not be offered at a blackjack table which offers multiple action blackjack wagers pursuant to N.J.A.C. 13:69F-2.18, a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, a streak wager pursuant to N.J.A.C. 13:69F-2.22, a 20 point bonus wager pursuant to N.J.A.C. 13:69F-2.24, an optional

bonus wager pursuant to N.J.A.C. 13:69F-2.25, or the in-between wager authorized by N.J.A.C. 13:69F-2.26.

**13:69F-2.21 Continuous shuffling shoe or device**

In lieu of the dealing and shuffling requirements set forth in N.J.A.C. 13:69F-2.5 and 2.6, a casino licensee may utilize a dealing device designed to automatically reshuffle the cards or shoe, provided that such device, as approved by the Division, or shoe and the procedures for dealing and shuffling the cards through use of this device are in accordance with the casino licensee's internal control procedures.

**13:69F-2.22 Streak wager**

(a) If a blackjack table includes the information and equipment required by N.J.A.C 13:69E-1.10(l), a casino licensee may, in its discretion, offer each player at that blackjack table the option to make an additional wager that the player will win either two, three, four, or five consecutive hands of blackjack. This wager shall be known as a streak wager.

(b) Prior to the first card being dealt for each round of play, any player who has placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) and (d) may make a streak wager by placing gaming chips in the appropriate designated betting area of the layout.

(c) Once the round of play has been dealt, the dealer shall, starting with the player farthest to his or her right and continuing counter-clockwise around the table, collect all losing blackjack and streak wagers and place them in the table inventory container, pay off all winning blackjack and streak wagers, place any necessary streak lammers in accordance with (d) below, and then collect the cards and place them in the discard rack in accordance with N.J.A.C. 13:69F-2.6.

(d) When any player making an optional streak wager has won an initial blackjack hand, the dealer shall place a lammer button or other marker device approved by the Division in the player's streak betting area labeled "2," to indicate that the player has one winning blackjack hand and is attempting to obtain a second consecutive winning hand.

1. If a player had placed a streak wager on the designated betting area labeled "2" and the player wins the next consecutive blackjack hand, the player shall win the streak wager in addition to the basic blackjack wager.
2. If a player had placed a streak wager on the designated betting area labeled "3," the player must win the next two consecutive blackjack hands. If the player wins the second consecutive blackjack hand, the dealer shall move the lammer button onto the designated betting area labeled "3" to indicate that the player has won two consecutive hands and is attempting to obtain a third consecutive winning hand. If the player wins the third consecutive blackjack hand, the player shall win the streak wager in addition to the basic blackjack wager.
3. If a player had placed a streak wager on the designated betting area labeled "4" the player must win the next three consecutive blackjack hands. With each consecutive win, the dealer shall move the lammer button onto the designated betting area labeled "3," and then onto "4." If the player wins the fourth consecutive blackjack hand, the player shall win the streak wager in addition to the basic blackjack wager.
4. If a player had placed a streak wager on the designated betting area labeled "5" the player must win the next four consecutive

blackjack hands. With each consecutive win, the dealer shall move the lammer button onto the designated betting area labeled "3," then onto "4," and then onto "5." If the player wins the fifth consecutive blackjack hand, the player shall win the streak wager in addition to the basic blackjack wager.

(e) If a player loses a blackjack hand during the pendency of a streak wager, the streak wager shall lose and the dealer shall collect the losing streak wager and the losing blackjack wager from that player.

(f) If a player makes a streak wager in conjunction with a blackjack hand, and thereafter fails or refuses to complete the underlying blackjack hand or any successive blackjack hands required to satisfy the streak wager, the streak wager shall be deemed abandoned and lost.

(g) A push shall not advance or lose a streak wager.

(h) A player who elects to split pairs on any hand during the pendency of a streak wager must win a majority of the split hands to advance the consecutive winning streak; otherwise the streak wager is lost. If a player wins and loses the same number of split hands, the streak wager is not advanced or lost. A push on a split hand shall not advance or lose a streak wager.

(i) A streak wager shall have no bearing upon any other wager made by a player at the game of blackjack.

(j) A casino licensee shall pay winning streak wagers at no less than the amounts listed below:

<u>Streak wager</u>	<u>Streak payout</u>
Two Consecutive Winning Hands	3 to 1
Three Consecutive Winning Hands	7 to 1
Four Consecutive Winning hands	17 to 1
Five Consecutive Winning Hands	37 to 1

(k) A player may make more than one streak wager at a time on a blackjack hand, provided that:

1. All such streak wagers are placed simultaneously (that is, placing streak wagers on designated betting areas “3” and “4” at the same time) and prior to any cards being dealt for that hand;
2. A player who makes a multiple streak wager may not place any additional streak wagers until all prior streak wagers made by that player have been determined; and
3. When multiple streak wagers are in play, the dealer shall move the lammer to the next applicable streak betting area, if any, prior to paying any winning streak wager.

(l) The streak wager may not be offered at a blackjack table which offers multiple action blackjack wagers pursuant to N.J.A.C. 13:69F-2.18, a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, a 20 point bonus wager pursuant to N.J.A.C. 13:69F-2.24, an

optional bonus wager pursuant to N.J.A.C. 13:69F-2.25, or the in-between wager authorized by N.J.A.C. 13:69F-2.26.

**13:69F-2.23 Match-the-dealer wager**

(a) A casino licensee may, at its discretion, offer players at a blackjack table the option to make an additional match-the-dealer wager. The match-the-dealer wager of a player shall win if either of the player's initial two cards matches the dealer's initial card. For purposes of the match-the-dealer wager, any card with a face value of 10 or a point value of 10 (jack, queen, king) shall only match a card of identical ascription without regard to value.

1. A winning match-the-dealer wager shall be paid in accordance with (f) below.
2. If both of the initial cards dealt to a player match the dealer's initial card, the player shall be paid for each card.

(b) A match-the-dealer wager shall have no bearing on any other wager made by a player at the game of blackjack.

(c) Prior to the first card being dealt for each round of play, a player who has placed the basic wager required by N.J.A.C. 13:69F-2.3(a) may make a match-the-dealer wager. The minimum and maximum match-the-dealer wagers permitted by a casino licensee shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(d) A match-the-dealer wager shall be made by placing gaming chips, plaques or, if applicable, a match play coupon on the appropriate area of the blackjack layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being

dealt to any player, and that such cash is expeditiously converted into gaming chips or plaques.

(e) Immediately after the second card is dealt to each player, and prior to any additional cards being dealt to any player at the table or the dealer and before any card reader device is utilized, all losing match-the-dealer wagers shall be collected by the dealer, and then all winning match the dealer wagers shall be paid in accordance with (f) below.

(f) All winning match-the-dealer wagers shall be paid at no less than the following odds for each card that matches the dealer's initial card:

Six-deck blackjack

Non-Matching Suit	4 to 1
Matching Suit	11 to 1

Eight-deck blackjack

Non-Matching Suit	3 to 1
Matching Suit	14 to 1

(g) The match-the-dealer wager may not be offered at a blackjack table that offers an optional bonus wager pursuant to N.J.A.C. 13:69F-2.25, or the in-between wager authorized by N.J.A.C. 13:69F-2.26.

**13:69F-2.24 20 point bonus wager**

(a) A casino licensee may, in its discretion, offer each player at a blackjack table the option to make an additional wager that the player will be dealt a point count of 20 in the first two cards. For the purposes of this subchapter, this wager shall be known as the 20 point bonus wager.

(b) A 20 point bonus wager shall have no bearing on any other wager made by a player at the game of blackjack.

(c) Prior to the first card being dealt for each round of play, each player who has placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) may make a 20 point bonus wager by placing gaming chips, plaques or, if applicable, a match play coupon on the appropriate area of the blackjack layout, except that a verbal wager accompanied by cash may be accepted, provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt and such cash is expeditiously converted into gaming chips or plaques. The minimum and maximum 20 point bonus wagers permitted by a casino licensee shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(d) The dealer shall then announce "No more bets" and deal the initial two cards to all players and the dealer in accordance with N.J.A.C 13:69F-2.6(e) and (j). Prior to any additional cards being dealt to any player at the table, the dealer shall, starting with the player farthest to his or her right and continuing counterclockwise around the table, settle in succession, except as provided in (e) below, all 20 point bonus wagers by collecting all losing wagers and paying all winning wagers in accordance with (f) below.

(e) If the upcard of the dealer is a ten, jack, queen, king, or ace and a player who has placed a 20 point bonus wager has two queens of hearts, that player's 20 point bonus wager shall be settled after all other 20 point bonus wagers. Upon notification to and in the presence of a floorperson, the dealer shall settle all such 20 point bonus wagers as follows:

1. If the casino licensee utilizes a card reader device pursuant to N.J.A.C. 13:69F-2.6(j) and the dealer:
  - i. Has a blackjack, the player shall be paid in accordance with (f) below when the player's blackjack wager is settled; or
  - ii. Does not have a blackjack, the player shall be paid in accordance with (f) below before any other cards are dealt; or
2. If the casino licensee does not utilize a card reader device, the player shall be paid in accordance with (f) below when the player's blackjack wager is settled.

(f) All winning 20 point bonus wagers shall be paid once for the highest qualifying hand and at no less than the odds in the following payable selected by the casino licensee and posted at the table pursuant to N.J.A.C. 13:69F-8.3:

<u>Winning Hand</u>	<u>Paytable A</u>	<u>Paytable B</u>
Queen of Hearts Pair and Dealer Blackjack	1,000 to 1	1,000 to 1
Queen of Hearts Pair	125 to 1	200 to 1
Matched 20	19 to 1	25 to 1

Suited 20	9 to 1	10 to 1
Any 20	4 to 1	4 to 1

(g) For purposes of (f) above, the following definitions shall apply:

1. "Matched 20" – Two identical cards with a total value of 20, except for a queen of hearts pair (for example, two kings of diamonds).
2. "Suited 20" – Two cards of the same suit with total value of 20 (for example, one king of diamonds and one jack of diamonds).
3. "Any 20" – Two cards of different suits with a total value of 20 (for example, one king of diamonds and one king of hearts, or one king of diamonds and one jack of hearts).

(h) Notwithstanding the minimum payout odds required in (f) above for a winning hand of queen of hearts pair and dealer blackjack, a casino licensee may establish a maximum amount as approved by the Division that is payable to all such winning hands in the aggregate on a single round of play, which amount shall be at least \$25,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. Pursuant to any such established maximum payout limit, if more than one player at a table has a winning hand of queen of hearts pair and dealer blackjack, each player shall share the maximum payout amount proportionately to the amount of their respective wagers. The payout limit and the proportionate allocation between two or more players with such winning hands

shall either be included on the layout or posted at the table pursuant to N.J.A.C. 13:69E-1.10(n). If the payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3.

(i) The 20 point bonus wager may not be offered at a blackjack table that offers multiple action blackjack wagers pursuant to N.J.A.C. 13:69E-2.18, a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, a streak wager pursuant to N.J.A.C. 13:69F-2.22, an optional bonus wager pursuant to N.J.A.C. 13:69F-2.25, or the in-between wager authorized by N.J.A.C. 13:69F-2.26.

**13:69F-2.25 Optional bonus wager**

(a) A casino licensee may, in its discretion, offer each player at a blackjack table the option to make an additional wager that the dealer shall be required to draw a third card and that the third card will result in the dealer's hand having a point total greater than 21.

(b) Prior to the first card being dealt for each round of play, each player who has placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) may make the bonus wager authorized by this section by placing his or her wager on the appropriate area of the blackjack layout. A verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player, and that such cash is expeditiously converted into gaming chips or plaques.

(c) The amount of an optional bonus wager shall be at least \$1.00 but shall not exceed the lesser of the player's wager pursuant to N.J.A.C. 13:69F-2.3(a) or any maximum amount established by the casino licensee and posted in accordance with N.J.A.C. 13:69F-8.3.

(d) The optional bonus wager of a player shall lose if the dealer's first two cards have a point count of 17 or higher or, if the dealer is required to draw a third card, the dealer's first three cards have a point count of 21 or less. The optional bonus wager of a player shall win if the dealer is required to draw a third card and the third card results in the dealer's hand having a point total of greater than 21. If the dealer's first two cards have a point total of less than 17 and any player has placed an optional bonus

wager under this section, the dealer shall be required to draw a third card regardless of whether all players have been dealt blackjack.

(e) Immediately after the dealer either determines his or her first two cards have a point count of 17 or higher or deals a third card to his or her hand, the dealer shall, before any other wagers are settled, settle all optional bonus wagers. Starting with the player farthest to the dealer's right who has placed an optional bonus wager and proceeding around the table in a counterclockwise direction, the dealer shall collect all losing optional bonus wagers and pay all winning optional bonus wagers based upon the value of the third card drawn by the dealer as set forth in the following pay table:

<u>Dealer's Third Card Value</u>	<u>Payout Odds</u>
10	3 to 1
Nine	5 to 1
Eight	7 to 1
Seven	9 to 1
Six	15 to 1

(f) Notwithstanding (e) above, if the dealer is required to draw three cards during a round of play and all three cards have a value of eight and are of the same color or suit, a casino licensee shall pay each player who has placed an optional bonus wager as follows:

1. Three eights of the same color: 50 to 1;
2. Three eights of the same suit: 200 to 1.

(g) The optional bonus wager shall have no bearing on any other wager made by a player at the game of blackjack.

(h) The optional bonus wager authorized by this section may not be offered at a blackjack table that offers multiple action blackjack wagers pursuant to N.J.A.C. 13:69E-2.18, a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, a streak wager pursuant to N.J.A.C. 13:69F-2.22, a match-the-dealer wager pursuant to N.J.A.C. 13:69F-2.23, a 20 point bonus wager pursuant to N.J.A.C. 13:69F-2.24, or the in-between wager authorized by N.J.A.C. 13:69F-2.26.

**13:69F-2.26 In-between wager**

(a) A casino licensee may, in its discretion, offer players at a blackjack table the option to make an additional wager that, when “ranking” the initial two cards dealt to the player, one card will have a rank higher than and one card will have a rank lower than the first face up card dealt to the dealer (the rank of the dealer’s card is “in-between”).

(b) Notwithstanding the value assigned to each card in N.J.A.C. 13:69F-2.2(b), the rank of each card for purposes of determining a winning in-between wager, in order of lowest to highest rank, shall be: two, three, four, five, six, seven, eight, nine, 10, jack, queen, king, and ace.

(c) An in-between wager shall have no bearing on any other wager made by a player at the game of blackjack.

(d) Prior to the first card being dealt for each round of play, each player who has placed a blackjack wager in compliance with N.J.A.C. 13:69F-2.3(a) may make an in-between wager by placing gaming chips, plaques or, if applicable, a match play coupon on the appropriate area of the blackjack layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player and such cash is expeditiously converted into gaming chips or plaques. The minimum and maximum in between wagers permitted by a casino licensee shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(e) The dealer shall then announce “No more bets” and deal the initial two cards to all players and the dealer in accordance with N.J.A.C 13:69F-2.6(e), (j), or (k). Prior to any additional cards being dealt to any player at the table and before any card reader device is utilized, the dealer shall, starting with the player farthest to his or her right and continuing counterclockwise around the table, settle in succession all in-between wagers by collecting all losing wagers and paying all winning wagers in accordance with (f) below.

(f) All winning in-between wagers shall be paid at no less than the odds in one of the following pay tables pre-selected by the casino licensee and posted at the table pursuant to N.J.A.C. 13:69F-8.3.

	<u>Table A</u>	<u>Table B</u>	<u>Table C</u>	<u>Table D</u>
Triple match	30 to 1	30 to 1	30 to 1	40 to 1
One-card spread	12 to 1	10 to 1	10 to 1	10 to 1
Two-card spread	6 to 1	6 to 1	5 to 1	5 to 1
Three-card spread	4 to 1	4 to 1	3 to 1	3 to 1
All other spreads	1 to 1	1 to 1	1 to 1	1 to 1

(a) For purposes of (f) above, the following definitions shall apply:

1. “Triple match” – The dealer’s face up card has the same rank as each of the player’s initial two cards (for example, three jacks).
2. “One-card spread” – The dealer’s face up card is one rank higher than one of the player’s initial two cards and one rank lower than

the other of the player's initial two cards (for example, dealer's card is a five and the player's cards are a four and a six).

3. "Two-card spread" – The dealer's face up card is one of two consecutively ranked cards, each of which is ranked higher than one of the player's initial two cards and lower than the other of the player's initial two cards (for example, dealer's card is a five or six and the player's cards are a four and a seven).
4. "Three-card spread" – The dealer's face up card is one of three consecutively ranked cards, each of which is ranked higher than one of the player's initial two cards and lower than the other of the player's initial two cards (for example, dealer's card is a five, six, or seven and the player's cards are a four and an eight).
5. "All other spreads" – The dealer's face up card is one of four or more consecutively ranked cards, each of which is ranked higher than one of the player's initial two cards and lower than the other of the player's initial two cards (for example, dealer's card is a jack and the player's cards are a four and an ace).

(b) The in-between wager may not be offered at a blackjack table that offers multiple action blackjack wagers pursuant to N.J.A.C. 13:69F-2.18, a progressive blackjack wager pursuant to N.J.A.C. 13:69F-2.19, a blackjack bonus wager pursuant to N.J.A.C. 13:69F-2.20, a streak wager pursuant to N.J.A.C. 13:69F-2.22, a match-the-

dealer wager pursuant to N.J.A.C. 13:69F-2.23, a 20 point bonus wager pursuant to N.J.A.C. 13:69F-2.24, or an optional bonus wager pursuant to N.J.A.C. 13:69F-2.25.

## **SUBCHAPTER 2A. BLACKJACK SWITCH**

### **13:69F-2A.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Bart Carter shuffle" means a shuffling procedure in which approximately one deck of cards is shuffled after being dealt, segregated into separate stacks and each stack is inserted into premarked locations within the remaining decks contained in the dealing shoe.

"Blackjack" means an ace and any card having a point value of 10 dealt as the initial two cards to a player or dealer. An ace and a card having a point value of 10 dealt to a player who has split a pair, or an ace and a card having a point value of 10 that results from a player's decision to switch pairs pursuant to N.J.A.C. 13:69F-2A.7, shall be a hand with a point value of 21, but is not a blackjack.

"Hard total" means the total point count of a hand which contains no aces or which contains one or more aces that are each counted as one in value.

"Hole card" means the second card dealt to the hand of the dealer.

"Push" means a void wager which is returned to the player.

"Soft total" means the total point count of a hand which contains an ace that is counted as 11 in value.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade.

“Switch” means a player’s one-time option to have the second cards dealt to that player’s two blackjack hands exchanged with each other pursuant to N.J.A.C. 13:69F-2A.7, thus creating two new blackjack hands.

**13:69F-2A.2 Cards; number of decks; rank of cards**

(a) Blackjack shall be played with six or eight decks of cards, with backs of the same color and design and one additional cutting card. The cutting card shall be opaque and a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The point value of the cards contained in each deck shall be as follows:

1. Any card from two to 10 shall have its face value;
2. Any jack, queen, or king shall have a value of 10; and
3. An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21, in which case it shall have a value of one.

(c) The "rank" of the cards, for purposes of the optional match wager, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. All suits shall be considered equal in rank.

**13:69F-2A.3 Opening of the table for gaming**

After receiving the decks of cards at the table, the dealer shall comply with the rules of the Division regarding table opening and inspection of cards.

**13:69F-2A.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to the rules of the Division, after any round of play as may be determined by the casino licensee and after each shoe of cards is dealt, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, place the stack of cards in the dealing shoe and deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-2A.7; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe; or
2. If the cards were shuffled manually or were pre-shuffled, cut the cards in accordance with the procedures set forth in (c) through (f) below.

(c) If a cut of the cards is required, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, as determined in accordance with (d) or (e) below.

(d) The player to cut the cards shall be:

1. The first player to the table if the game is just beginning;
2. The player on whose box the cutting card appeared during the last round of play;
3. The player at the farthest point to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or
4. The player at the farthest point to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(e) If the player designated in (d) above refuses the cut, the cards shall be offered to each other player moving clockwise around the table until a player accepts the cut or all players refuse the cut. If no player accepts the cut, the dealer shall cut the cards.

(f) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards in front of the cutting card and place them to the back of the stack. The dealer shall then take the entire stack of cards that was just shuffled and align them along the side of the dealing shoe which has the mark required by the rules of the Division. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. If the Bart Carter shuffle is utilized, the dealer shall not re-insert the cut card after the stack has been cut.

(g) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (d) and (e) above.

(h) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-2A.7, except that:

1. The casino licensee may determine after each round of play that the cards should be reshuffled; and
2. When the "Bart Carter shuffle" is utilized, a reshuffle shall take place after the cards in the discard rack exceed approximately one deck in number.

**13:69F-2A.5 Wagers; payout odds**

(a) Prior to the first card being dealt for each round of play, each player at the game of blackjack switch shall make two equal wagers, one for each blackjack hand to be dealt to that player, and each wager shall equal or exceed the posted minimum wager for the table. Each wager of a player shall be determined individually, and shall win if:

1. The point count of the player is 21 or less and the point count of the dealer exceeds 22;
2. The point count of the player exceeds that of the dealer without either exceeding 21; or
3. The player has a blackjack without switching cards pursuant to N.J.A.C. 13:69F-2A.7, and the dealer has achieved a point count of 21 in more than two cards.

(b) Except as provided in (a)3 above, if the point count of the player is the same as the dealer, a wager made in accordance with this section shall be a push, unless:

1. The player has a point count of 21 in more than two cards and the dealer has a blackjack, in which case the wager shall lose; or
2. The player has a point count exceeding 21, in which case the wager shall lose.

(c) If the point count of the dealer is 22 and the point count of the player is 21 or less, a wager made in accordance with this section shall be a push unless the

player has a blackjack without switching cards pursuant to (a)3 above, in which case the wager shall win.

(d) All wagers at blackjack switch, including the optional match wager in N.J.A.C. 13:69F-2A.6, shall be made by placing gaming chips or plaques and, if applicable, a wager coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may be accepted, provided it is confirmed by the dealer and casino supervisor, and that such cash is expeditiously converted into gaming chips or plaques in accordance with the rules of the Division.

(e) Once the first card of any round of play has been removed from the shoe by the dealer, no player shall make, alter, remove, or otherwise handle any wager that has been made until a decision has been rendered and implemented with respect to that wager, except as permitted in this subchapter.

(f) Once an insurance wager or a wager to double down has been made by a player and confirmed by the dealer, no player shall alter, remove or otherwise handle the wager until a decision has been rendered and implemented with respect to that wager.

(g) After each round of play is complete, the dealer shall collect all losing wagers, return any pushes, and pay off all winning wagers. Except as provided in N.J.A.C. 13:69F-2A.6 (match wager) and N.J.A.C. 13:69F-2A.8 (insurance wager), all winning blackjack switch wagers, including a blackjack, shall be paid at odds of 1 to 1.

(h) After the cards have been shuffled, a casino licensee may, in its discretion, prohibit any person, whether seated at the gaming table or not, who does

not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table unless the casino licensee chooses to permit the player to begin wagering or until a reshuffle of the cards has occurred.

(i) Only wagers authorized by this subchapter shall be permitted in the game of blackjack switch.

**13:69F-2A.6 Match wager; payout odds**

(a) A player at a blackjack switch table may make an additional optional wager, known as a “match wager,” that two or more of the initial four cards dealt to that player will form one of the following authorized matches:

1. "One pair" or a “pair” is a hand consisting of two cards of the same rank, regardless of suit;
2. "Two pairs" is a hand consisting of two "pairs";
3. "Three-of-a-kind" is a hand consisting of three cards of the same rank, regardless of suit; and
4. "Four-of-a-kind" is a hand consisting of four cards of the same rank, regardless of suit.

(b) Prior to the first card being dealt for each round of play, any player who has placed the two blackjack wagers required by N.J.A.C. 13:69F-2A.5 may make a match wager by placing gaming chips or plaques, and, if applicable, a match play coupon, on the appropriate designated betting area of the layout, and in an amount which shall equal or exceed the posted minimum wager for a match wager at that table.

(c) A casino licensee shall pay winning match wagers at no less than the amounts listed below, using one of the following pay tables:

	<u>Payout Odds</u>	
<u>Match Type</u>	<u>Six-Deck Game</u>	<u>Eight-Deck Game</u>
One Pair	1 to 1	1 to 1

Three-of-a-Kind	5 to 1	5 to 1
Two Pair	8 to 1	7 to 1
Four-of-a-Kind	40 to 1	50 to 1

(d) If more than one type of match occurs in a player's initial four cards, the match wager shall be paid only once, using the highest payoff occurring within those cards.

(e) A match wager shall have no bearing upon any other wager made by a player at the game of blackjack switch.

**13:69F-2A.7 Procedure for dealing the cards**

(a) All cards used in blackjack switch shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of the dealer.

(b) The dealer shall remove cards from the shoe with his or her left hand, turn them face upwards, and then place them on the appropriate area of the layout with his or her right hand, except that the dealer has the option to deal hit cards to the first two betting spots with his or her left hand.

(c) After each full set of cards is placed in the shoe, the dealer shall remove the first card from the shoe face downwards and place it in the discard rack, which shall be located on the table immediately to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described herein before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by a player. This procedure shall not be applicable to the "Bart Carter shuffle."

(d) At the commencement of each round of play, the dealer shall, starting on his or her left and continuing around the table, deal the cards in the following order:

1. One card face upwards to each box on the layout in which a wager is contained;
2. One card face upwards to the dealer; and
3. A second card face upwards to each box in which a wager is contained, which card shall be dealt so as to overlap the lower left-hand corner of the first card, as seen from the dealer's point of view.

(e) Immediately after the first four cards are dealt to each player, and before any card reader device is utilized and any additional cards are dealt to any player or the dealer, the dealer shall collect all losing match wagers and pay off all winning match wagers in accordance with N.J.A.C. 13:69F-2A.6.

(f) After all match wagers have been settled, each player may make an insurance bet pursuant to N.J.A.C. 13:69F-2A.8.

(g) After all match wagers have been settled and any insurance bets have been made, the dealer shall, beginning from his or her left, announce the point total of the first hand of each player, and ask if the player wishes to switch, by saying, for example, "15 or switch?".

1. If the player decides to switch, the dealer shall exchange the second cards dealt to the two hands of that player with each other, and then announce the new point total of each hand.
2. A player who has switched cards pursuant to this subsection may revoke the decision and request the dealer to return the cards to their original positions, provided that no additional cards have yet been dealt to either of the player's hands or to the dealer.
3. Other than a return of the cards to their original positions pursuant to (g)2 above, a player shall be permitted only one switch of cards per hand in each round of play.

(h) After the player has been offered a switch and has either declined or obtained the switch, the player shall, for the first of the player's two hands, indicate

whether the player wishes to stand, draw, surrender pursuant to N.J.A.C. 13:69F-2A.9, double down pursuant to N.J.A.C. 13:69F-2A.10, or split pairs pursuant to N.J.A.C. 13:69F-2A.11.

(i) As the player indicates decisions as to the first hand, the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decisions consistent with these rules, and shall announce the new point total of that hand after each additional card is dealt.

(j) After the player completes his or her decisions as to the first hand, the procedures in (g) through (i) above shall be repeated for the second hand of that player.

(k) After the player has completed all decisions for both hands, the procedures in (g) through (j) above shall be repeated for the player to the dealer's right of that player at the table.

(l) After the decisions of each player have been implemented and all additional player cards have been dealt, the dealer shall deal a second card face upward to himself (the "hole card"); provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card," which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-2A.12 shall be dealt face upwards at this time, after which the dealer shall announce the total point count for the hand of the dealer.

1. In lieu of the foregoing, a casino licensee may permit the dealer to deal the hole card face downward after a second card but before

any additional cards are dealt to the box of each player, provided that the dealer shall not look at the face of the hole card until after all other cards requested by the players pursuant to these rules have been dealt.

2. Notwithstanding (l)1 above, if a casino licensee elects to utilize a card reader device and the dealer's first card is an ace, king, queen, jack, or 10 of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the players at the table, in accordance with procedures approved by the Commission. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled in accordance with N.J.A.C. 13:69F-2A.5.

(m) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each hand of each player in case of a question or dispute. The dealer shall pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the cards of the players have been collected, the dealer shall pick up his or her cards against the bottom of the players' cards and place all of them in the discard rack.

(n) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed, after which the dealer shall:

1. Collect the cards as provided in (l) above;
2. Remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; and
3. Shuffle the cards.

(o) If the "Bart Carter shuffle" is utilized and the cards in the discard rack exceed approximately one deck in number, the dealer shall continue dealing the cards until that round of play is completed after which he or she shall remove the cards from the discard rack and shuffle those cards so that they are randomly intermixed. After the cards taken from the discard rack are shuffled, they shall be split into three separate stacks and each stack shall be inserted into premarked locations within the remaining decks contained in the dealing shoe.

(p) No player or spectator shall handle, remove or alter any cards used to game at blackjack switch, and no dealer or other casino employee shall permit a player or spectator to engage in such activity.

(q) Each player at the table shall be responsible for correctly computing the point count of his or her hands, and no player shall rely on the point counts required to be announced by the dealer without checking the accuracy of such announcement himself or herself.

**13:69F-2A.8 Insurance bets**

(a) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance bet, which shall win if the hole card of the dealer is a king, queen, jack, or 10, and shall lose if the hole card of the dealer is an ace, two, three, four, five, six, seven, eight, or nine.

1. A player may make an insurance bet on either or both of the player's hands.
2. Any insurance bets shall be placed only after the first four cards are dealt to all players, before any players are offered the opportunity to switch cards pursuant to N.J.A.C. 13:69F-2A.7, and before any additional cards are dealt to any player.
3. If a card reader device is in use, all insurance bets shall also be placed before the dealer inserts his or her hole card into the card reader device.

(b) An insurance bet shall be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may bet an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be bet.

(c) All losing insurance bets shall be collected by the dealer immediately after the dealer discloses his or her hole card and before the dealer draws any additional cards.

(d) After all losing insurance bets are collected, all winning insurance bets shall be paid at odds of 2 to 1.

(e) Insurance bets shall not apply to the match wager.

### **13:69F-2A.9 Surrender**

(a) After the first four cards are dealt to a player and the point totals of each hand are announced, the player may elect to discontinue play on one or both hands for that round of play by surrendering one-half of the amount of the wager for the surrendered hand. All decisions to surrender shall be made prior to the player indicating whether the player wishes to stand, draw, double down or split pairs. If a player elects to surrender a hand and:

1. If the first card dealt to the dealer is not an ace or a card having a point value of 10, the dealer shall immediately collect half of the wager and return the remaining half to the player; or
2. If the first card dealt to the dealer is an ace or a card having a point value of 10, the dealer shall place the wager on top of the player's cards. When the dealer's second card is revealed, the hand shall be settled by immediately collecting the entire wager if the dealer has blackjack, or by collecting half of the wager and returning the remaining half to the player if the dealer does not have blackjack.

(b) If the player has made an insurance wager and then elects to surrender, each wager shall be settled separately and each wager shall have no bearing upon the other.

(c) A casino licensee may, in its discretion, offer its patrons the surrender option authorized in this section. A casino licensee shall not initiate or terminate the

use of the surrender option at a table unless the casino licensee complies with the notice requirements set forth in the rules of the Division.

### **13:69F-2A.10 Doubling down**

(a) Except for a blackjack, a player may elect to double down (make an additional wager not in excess of the amount of the original wager). A player may double down on one or both of the player's hands after the player has accepted or declined the opportunity to switch cards pursuant to N.J.A.C. 13:69F-2A.7, but prior to any additional cards being dealt to that hand.

(b) One and only one additional card shall be dealt to each hand on which the player has elected to double down, and that additional card shall be dealt face upwards and placed sideways on the layout.

(c) If the dealer obtains blackjack after a player doubles down, the dealer shall only collect the amount of the original wager of such player, and shall not collect the additional amount wagered in doubling down.

### **13:69F-2A.11 Splitting pairs**

(a) Whenever the initial two cards in either or both hands dealt to a player are identical in value, or the two cards in either hand of a player who has completed a switch pursuant to N.J.A.C. 13:69F-2A.7 are identical in value, the player may elect to split the hand into two separate hands, provided that the player makes a wager on the second hand so formed in an amount equal to the original wager.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate a decision to stand, draw or double down with respect thereto except that:

1. A player may not split pairs again if the second card so dealt is identical in value to a card of the split pair; and
2. A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.

(d) If the dealer obtains blackjack after a player splits pairs, the dealer shall only collect the amount of the original wager of such player and shall not collect the additional amount wagered in splitting pairs.

(e) Notwithstanding the provisions of (c)1 above, a casino licensee may, in its discretion, permit a player to split pairs up to three times. If a casino licensee elects to

offer the option of splitting pairs more than once, it may, at its discretion, prohibit a player from splitting a pair of aces more than once (a total of two hands) if notice is provided. All other requirements of this section shall apply to each hand which is formed as a result of splitting pairs more than once.

**13:69F-2A.12 Drawing of additional cards by players and dealers**

(a) Except as provided in N.J.A.C. 13:69F-2A.11, a player may elect to draw additional cards whenever the point count total of the player is less than 21, except that:

1. A player having blackjack or a total of 21 may not draw additional cards; and
2. A player electing to double down shall draw one and only one additional card.

(b) Except as provided in (c) below, a dealer shall draw additional cards to his or her hand until the dealer has a hard total of 17 or a hard or soft total of 18, 19, 20, 21, or 22, at which point no additional cards shall be drawn.

(c) A dealer shall not draw any additional cards to his or her hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play.

**13:69F-2A.13 More than one player wagering on a spot**

(a) A casino licensee may permit a maximum of three people to wager on any one spot of the blackjack switch layout, provided that the first person wagering on that spot consents to additional players wagering on such spot, and provided further that the casino licensee adheres to such procedures and limitations imposed by the Commission as dictated by the particular circumstances.

(b) When more than one player wagers on a spot, the player seated at that spot shall have the exclusive right to call the decisions with regard to the cards dealt to such spot. In the case of no seated player, the person with the highest wager in the spot shall have such right.

(c) The player calling the decisions with respect to any spot shall place his or her wager in those portions of the betting boxes closest to the dealer's side of the table, and all other players wagering on such spot shall place their wagers immediately behind and in a vertical line with the aforementioned wager.

(d) When more than one player is wagering on a spot and the player calling the decisions decides to double down, the other players may also double down their wagers but shall not be required to do so. In any event, only one additional card shall be dealt to a hand that is subject to the double down decision.

(e) When more than one player is wagering on a spot, each player shall have the right to make an insurance bet, regardless of whether the other players on that spot make such a bet.

(f) The Division and its agents shall have the discretion and authority to limit, control, and regulate the implementation of this section as is appropriate under the circumstances which shall include, without limitation, the right to limit the number of tables at which this procedure is permitted, the right to limit the number of spots at each table on which more than one person can wager, and the right to require the casino licensee to establish the ability of its dealers to implement this section.

**13:69F-2A.14 Player wagering on more than one spot**

A player may only wager on one spot at a blackjack switch table unless the casino licensee, in its discretion, permits the player to wager on additional spots.

### **13:69F-2A.15 Irregularities**

(a) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(c) After the initial four cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to that player during such round. If the card is refused by the players and the dealer cannot use the card, the card shall be burned.

(d) If the dealer has a hard total of 17 or a hard or soft 18 point total and draws an additional card for the dealer, such card shall be burned.

(e) If the dealer misses dealing the first or second card to the dealer, the dealer shall continue dealing the first two cards to each player's betting box, and then deal the appropriate number of cards to the dealer.

(f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in N.J.A.C. 13:69F-2A.4, the first card shall be drawn face downwards and burned, and the dealer shall complete the round of play.

(g) If no initial cards are dealt to a player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to a player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(h) If, after a player receives the first two cards, the dealer fails to deal an additional card or cards to a player who has requested such cards, then at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or shall call the player's hand dead and return the player's original wager.

(i) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the rules of the Division.

(j) Any automated card shuffling device shall be removed from a gaming table before any other method of shuffling may be utilized at that table.

(k) If the dealer inserts his or her hole card into a card reader device when the value of his or her first card is not an ace, king, queen, jack, or 10, the dealer, after notification to a casino supervisor, shall:

1. Call all hands dead, collect the cards and return the wagers of each player if the particular card reader device in use provides any player with the opportunity to determine the value of the hole card; or

2. Continue play if the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card.

(l) If a card reader device malfunctions, the dealer may only continue dealing the game at that table by using dealing procedures applicable when a card reader device is not in use.

### **SUBCHAPTER 3. BACCARAT–PUNTO BANCO**

#### **13:69F-3.1 Cards: number of decks; value; point count of hand**

(a) Baccarat-punto banco shall be played with at least six decks of cards and two additional cutting cards. The cutting cards shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The "value" of the cards in each deck shall be as follows:

1. Any card from two to nine shall have its face value;
2. Any 10, jack, queen or king shall have a value of zero;
3. Any ace shall have a value of one.

(c) The "point count" of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of such number shall be discarded having no value and the right digit shall constitute the point count of the hand. Examples of this rule are as follows:

1. A hand composed of an ace, a two and a four has a point count of 7;
2. A hand composed of an ace, a two and a nine has a total of 12 but only a point count of 2 since the digit 1 in the number 12 is discarded.

**13:69F-3.2 Wagers**

(a) The following wagers shall be permitted to be made by a participant at the game of baccarat-punto banco:

1. A wager on the "Banker's Hand" which shall:
  - i. Win if the "Banker's Hand" has a point count higher than that of the "Player's Hand";
  - ii. Lose if the "Banker's Hand" has a point count lower than that of the "Player's Hand"; or
  - iii. Be void if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.
2. A wager on the "Player's Hand" which shall:
  - i. Win if the "Player's Hand" has a point count higher than that of the "Banker's Hand";
  - ii. Lose if the "Player's Hand" has a point count lower than that of the "Banker's Hand"; or
  - iii. Be void if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.
3. A "Tie Bet" which shall win if the point counts of the "Banker's Hand" and the "Player's Hand" are equal and shall lose if such point counts are not equal.
4. At the discretion of the casino licensee, three separate wagers on whether the total number of cards dealt during the round of play

will be four, five, or six, which wagers shall win or lose based upon the actual number of cards required to be dealt.

5. A casino licensee may, in its discretion, offer each player at the table the opportunity to make an optional bonus wager on either or both the Player's Hand and Banker's Hand. The optional bonus wager shall:

- i. Win if the selected hand is a "natural" as defined at N.J.A.C. 13:69F-3.9(a) and the other hand is not a "natural," the selected hand is a "natural" 9 and the other hand is a "natural" 8, or the selected hand is not a "natural" and has a point count that exceeds the point count of the other hand by four or more points;
- ii. Lose if the selected hand is a "natural" 8 and the other hand is a "natural" 9, or the selected hand is not a "natural" and has a point count less than or equal to the point count of the other hand or has a point count that exceeds the point count of the other hand by three or fewer points; or
- iii. Be void if the selected hand is a "natural" and the other hand is a "natural" of equal point count.

6. If a casino licensee offers a no vigorish variation of baccarat-punto banco pursuant to N.J.A.C. 13:69F-3.3(h):

- i. A wager on the "Banker's Hand" shall be void, notwithstanding (a)1 above, if the "Banker's Hand" is a "dragon 7 hand" as defined at N.J.A.C. 13:69F-3.3(h);
- ii. A wager on the dragon 7 shall win if the "Banker's Hand" is a dragon 7 hand, and lose if it is any other hand; and
- iii. The "dragon 7 wager" shall not be offered in conjunction with the optional wagers authorized at (a)4 and 5 above.

(b) Unless otherwise approved by the Division, no casino licensee shall accept any wager at the game of baccarat-punto banco other than those specified in (a) above. It shall be within the discretion of the casino licensee whether a player shall be required to place a regular baccarat wager on either the "Banker's Hand" or "Player's Hand" in order to be able to place an optional bonus wager pursuant to (a)5 above.

(c) All wagers at baccarat-punto banco shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the baccarat-punto banco layout, except that verbal wagers accompanied by cash may be accepted provided they are confirmed by the dealer and casino supervisor at the table and such cash is expeditiously converted into gaming chips or plaques.

(d) No wager at baccarat-punto banco shall be made, increased, or withdrawn after the dealer calling the game has announced "No more bets."

**13:69F-3.3 Payout odds; vigorish**

(a) A winning wager made on the "Player's Hand" shall be paid off by a casino licensee at odds of 1 to 1.

(b) A winning tie bet shall be paid off by a casino licensee at odds of at least 8 to 1.

(c) Except as otherwise provided in (e) and (h) below, a winning wager made on the "Banker's Hand" shall be paid off by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player in an amount equal to, in the casino licensee's discretion, either four or five percent of the amount won.

1. When collecting the vigorish, the casino licensee may round off the amount of a five percent vigorish to 25 cents or the next highest multiple of 25 cents, and the amount of a four percent vigorish to 20 cents or the next highest multiple of 20 cents.
2. A casino licensee may collect the vigorish from a player at the time the winning payout is made or defer the collection until reshuffling the cards or at the end of the patron's play for that session. The amount of any deferred vigorish shall be evidenced by the placing of a coin or marker button containing the amount of the vigorish owed in a rectangular space in front of the dealer

on the layout imprinted with the number of the player owing such vigorish. The coin or marker button shall not be removed from the layout until the vigorish owed is collected or documented on an Uncollected Vigorish form pursuant to N.J.A.C. 13:69D-1.30.

(d) Each casino licensee shall provide notice of any increase in the percentage of vigorish being charged at each baccarat table, in accordance with N.J.A.C. 13:69F-8.3. The percentage of vigorish charged at a baccarat table shall apply to all players at that table.

(e) Notwithstanding (c) and (d) above, a casino licensee may, in its discretion, pay a winning wager made on the "Banker's Hand" at odds of 1 to 1 and not collect any vigorish from the winning player provided that the casino licensee offers one, but not both, of the following options and complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3:

1. Any winning wager on a "Banker's Hand" that has a point count of six shall be paid off by the casino licensee at odds of 1 to 2; or
2. The player has made one or more of the total card wagers authorized by N.J.A.C. 13:69F-3.2(a)4 in a total amount that is equal to or greater than the player's wager on the "Banker's Hand" for that round of play.

(f) If a casino licensee offers the total card wagers authorized by N.J.A.C.

13:69F-3.2(a)4, winning wagers shall be paid by a casino licensee at the following odds:

<b>Total Cards Dealt</b>	<b>Payout</b>
Four	3 to 2
Five	2 to 1
Six	2 to 1

(g) No vigorish shall be charged on a winning optional bonus wager. A casino licensee shall pay an optional bonus wager for hands that are not a "natural" with prescribed winning margins and for "natural" winning hands at not less than the odds listed in one of the following alternative payout schedules:

**PAYTABLE A**

Win by 9 points	30 to 1
Win by 8 points	10 to 1
Win by 7 points	6 to 1
Win by 6 points	4 to 1
Win by 5 points	2 to 1
Win by 4 points	1 to 1
Natural winner	1 to 1

**PAYTABLE B**

Win by 9 points	20 to 1
Win by 8 points	8 to 1
Win by 7 points	7 to 1
Win by 6 points	4 to 1
Win by 5 points	3 to 1
Win by 4 points	1 to 1
Natural winner	1 to 1

**PAYTABLE C**

Win by 9 points	30 to 1
Win by 8 points	10 to 1
Win by 6 or 7 points	4 to 1
Win by 4 or 5 points	2 to 1
Natural winner	1 to 1

(h) A casino licensee may offer a variation of baccarat-punto banco in which the vigorish otherwise required by (c) above shall not be collected; provided, however, that a three-card "Banker's Hand" with a point count of seven that wins (dragon 7 hand) shall be deemed a push.

(i) If a casino licensee offers the variation of baccarat-punto banco in (h) above, a winning dragon 7 wager shall be paid by a casino licensee at odds not less than 40 to 1.

**13:69F-3.4 Opening of table for gaming**

(a) After receiving the six or more decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer calling the game shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face upwards on the table for visual inspection by the first participant or participants to arrive at the table. The cards shall be spread out in columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first participant or participants is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked.

**13:69F-3.5 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is completed, the casino licensee shall require its dealers to perform, at its option, either of the following procedures:

1. One or more of the dealers shall shuffle the cards so that they are randomly intermixed. After the cards have been shuffled, a dealer shall lace approximately one deck of cards so that they are evenly dispersed into the remaining stack.
  - i. After lacing the cards, the casino licensee may, as an additional option, require the dealer calling the game to shuffle some or all of the cards again.
  - ii. A casino licensee shall not initiate or terminate the use of this reshuffling option unless the casino licensee provides its surveillance department and the Division with at least 30 minutes prior written notice; or
2. One or more of the dealers shall "wash" and stack the cards, after which each of the three dealers shall shuffle the stack of cards independently.

(b) Any shuffling or lacing option chosen for use by a casino licensee pursuant to (a) above shall be implemented at all tables within a pit.

(c) After shuffling or lacing the cards and, where applicable, reshuffling them, the dealer calling the game shall offer the stack of cards, with backs facing away from the dealer, to the participants to be cut. The dealer shall begin with the participant seated in the highest number position at the table or, in the case of reshuffle the last curator and working clockwise around the table, shall offer the stack to each participant until a participant accepts the cut. If no participant accepts the cut, the dealer shall cut the cards.

(d) The cards shall be cut by placing the cutting card in the stack at least 10 cards in from either end.

(e) Once the cutting card has been inserted into the stack, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then insert one cutting card in a position at least 14 cards in from the back of the stack and the second cutting card at the end of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. Prior to commencement of play, the dealer shall remove the first card from the shoe and place it, and an additional amount of cards equal to the amount on the first card drawn, in the discard bucket after all cards have been shown to the players. Face cards and 10s count as 10s. Aces count as one.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by

the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) above.

**13:69F-3.6 Dealing shoe; selection of player to deal cards**

(a) All cards used to game at baccarat-punto banco shall be of backs of the same color and design and shall be dealt from a dealing shoe specifically designed for such purpose.

(b) At the commencement of play, the dealer calling the game shall offer the shoe to the participant in seat number one at the table. If such participant rejects the shoe or if there is no one in seat number one, the dealer shall offer the shoe to each of the other participants in turn counterclockwise around the table until one of the participants accepts it.

(c) The participant to accept the shoe (hereinafter called the "curator") shall be responsible for dealing the cards in accordance with these regulations and the instructions of the dealer calling the game.

(d) Notwithstanding (b) and (c) above, the dealer may act as the curator upon either of the following:

1. A participant who accepts the shoe and any other participant to whom the shoe is relinquished pursuant to N.J.A.C. 13:69F-3.11 designates the dealer as the curator; or
2. No participant to whom the shoe is offered accepts the shoe.

**13:69F-3.7 Hands of player and banker; procedure for dealing initial two cards to each hand**

(a) There shall be two hands dealt in the game of baccarat-punto banco, one of which shall be denominated the "Player's Hand" and the other denominated the "Banker's Hand."

(b) At the commencement of each round of play, the dealer calling the game shall announce "No more bets" after which he or she shall instruct the curator to commence dealing the cards by announcing "Cards."

(c) The curator shall deal an initial four cards from the shoe. The first and third card dealt shall constitute the first and second cards of the "Player's Hand." The second and fourth card dealt shall constitute the first and second cards of the "Banker's Hand." After the cards are dealt to each hand, the dealer calling the game shall place them face upwards in front of himself or herself.

(d) In lieu of the procedure in (c) above, the first and third cards dealt shall be placed face down on the area designated for the "Player's Hand" and the second and fourth card dealt shall be placed face down on the area designated for the "Banker's Hand." After all four cards have been dealt, the dealer shall place the "Banker's Hand" underneath the right corner of the dealing shoe until the "Player's Hand" is called in accordance with N.J.A.C. 13:69F-3.8(a).

1. The dealer shall then hand the two cards of the "Player's Hand," face down, to the player with the highest wager on the "Player's Hand." After viewing the "Player's Hand," the player shall return the two cards, face up, to the dealer who shall place the cards

face up on the area of the layout designated for the "Player's Hand" and announce the point count of the "Player's Hand" in accordance with N.J.A.C. 13:69F-3.8(a).

2. The dealer shall then hand the two cards of the "Banker's Hand," face down, to the player with the highest wager on the "Banker's Hand." After viewing the "Banker's Hand," the player shall return the two cards, face up, to the dealer who shall place the cards face up on the areas of the layout designated for the "Banker's Hand" and announce the point count of the "Banker's Hand" in accordance with N.J.A.C. 13:69F-3.8(a).
3. Any third card required to be dealt to the "Player's Hand" shall be placed face down on the area of the layout designated for the "Player's Hand." The dealer shall then hand the card, face down, to the player who was handed and returned the "Player's Hand." After viewing the card, the player shall return the card face up to the dealer who shall place the card face up on the area on the layout designated for the "Player's Hand."
4. Any third card required to be dealt to the "Banker's Hand" shall be placed face down on the area of the layout designated for the "Banker's Hand." The dealer shall then hand the card, face down, to the player who was handed and returned the "Banker's Hand." After viewing the card, the player shall return the card face up to

the dealer who shall place the card face up on the area of the layout designated for the "Banker's Hand."

5. If two or more players offer to wager an equally high amount on the "Player's Hand," the player making such wager who is closest to the dealer moving counterclockwise around the table shall be handed the "Player's Hand" and any third card required to be dealt. If two or more players offer to wager an equally high amount on the "Banker's Hand," the player making such wager who is closest to the dealer moving counterclockwise around the table shall be handed the "Banker's Hand" and any third card required to be dealt pursuant to N.J.A.C. 13:69F-3.9.
6. In the event there are no wagers on the "Player's Hand," any player with a wager on the "Banker's Hand" may be permitted at the discretion of the casino licensee to turn face up the "Player's Hand" and any additional card required to be dealt. In the event there are no wagers on the "Banker's Hand," any player with a wager on the "Player's Hand" may be permitted at the discretion of the casino licensee to turn face up the "Banker's Hand" and any additional card required to be dealt.

**13:69F-3.8 Procedure for dealing of additional cards**

(a) After the initial four cards have been dealt, the dealer calling the game shall announce the Point Count of the "Player's Hand." After the dealer calling the game takes and positions the cards of the "Banker's Hand" in front of him or her, the dealer calling the game shall announce the point count of the "Banker's Hand." When the dealer is acting as curator, the casino licensee, at its discretion and upon the request of a player, may turn the cards of the "Banker's Hand" face up prior to turning the cards of the "Player's Hand" face up.

(b) Following the announcement of the point counts of each hand, the dealer calling the game shall instruct the curator whether to deal a third card to each hand which instructions shall be in conformity with the requirements of N.J.A.C. 13:69F-3.9.

(c) Any third card required to be dealt by the dealer's instructions shall first be dealt face upwards to the "Player's Hand" and then to the "Banker's Hand" by the curator.

(d) In no event shall more than one additional card be dealt to either hand.

(e) Whenever the cutting card appears during play, the cutting card will be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer calling the game shall announce "last hand." At the completion of one more hand, no more cards will be dealt until the reshuffle occurs.



0 (Point Count of Banker's Hand)

1	BANKER'S HAND DRAWS										
2											
3	D	D	D	D	D	D	D	D	D	S	D
4	D	S	S	D	D	D	D	D	D	S	S
5	D	S	S	S	S	D	D	D	D	S	S
6	S	S	S	S	S	S	S	D	D	S	S
7											
8	BANKER'S HAND STAYS										
9											

(d) The first vertical column in Table 2 labeled "Point Count of Banker's Hand" shall refer to the point count of the "Banker's Hand" after the first two cards have been dealt to it.

(e) The first horizontal column at the top of Table 2 labeled "Third Card Drawn by Player's Hand" shall refer to the value of the third card drawn by the "Player's Hand" as distinguished from the point count of the "Player's Hand."

(f) The letter "D" used in Table 2 shall mean that the "Banker's Hand" must draw a third card and the letter "S" used in Table 2 shall mean that the "Banker's Hand" must stay (that is, not draw a third card).

(g) The method of using Table 2 shall be to find the point count of the

"Banker's Hand" in the first vertical column and trace that horizontally across the table until it intersects the third card drawn by the "Player's Hand." The box at which such intersection takes place will show whether the "Banker's Hand" shall draw a third card or stay. For example, if the point count of the "Banker's Hand" after two cards is 5 and the value of the third card drawn by the "Player's Hand" is 4, the table shows that the "Banker's Hand" shall draw a third card.

**13:69F-3.10 Announcement of result of round; payment and collection of wagers**

(a) After each hand has received all the cards to which it is entitled pursuant to N.J.A.C. 13:69F-3.7, 3.8, and 3.9, the dealer shall announce the final point count of each hand indicating which hand has won the round. If the two hands have equal point counts, the dealer shall announce "Tie Hand." If the total card wagers authorized by N.J.A.C. 13:69F-3.2(a)4 are offered, the dealer shall also announce the total number of cards dealt during the round of play. In the no vigorish variation of baccarat-punto banco authorized by N.J.A.C. 13:69F-3.3(h), if a "dragon 7 hand" is dealt, the dealer shall announce "dragon 7."

(b) After the result of the round is announced, the dealer or dealers responsible for the wagers on the table shall first collect each losing wager. Thereafter, except as provided in (b)5 below, the dealer or dealers shall, in accordance with one of the following procedures, pay each winning wager and collect or mark any vigorish or commission owed pursuant to N.J.A.C. 13:69F-3.3.

1. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first pay each winning wager and then, returning to the highest numbered player position at which a winning wager was located and proceeding in like order, mark or collect the vigorish owed by each player.

2. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first mark or collect the vigorish owed by each player and then, returning to the highest numbered player position at which a winning wager is located and proceeding in like order, pay each winning wager.
3. Starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager and immediately thereafter mark or collect the vigorish owed by that player and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until each winning wager is paid and the vigorish owed by each player is either marked or collected.
4. Starting at the highest numbered player position at which a winning wager is located, the dealer shall mark or collect the vigorish owed by that player and immediately thereafter pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by

each player is either marked or collected and each winning wager is paid.

5. If a casino licensee offers a variation of baccarat-punto banco authorized by N.J.A.C. 13:69F-3.3(e) or (h), the dealer or dealers shall pay each winning wager in accordance with one of the procedures set forth in (b)1 through 4 above, but shall not collect or mark any vigorish.

(c) A casino licensee may, in its discretion, elect to use any of the procedures authorized in (b) above at any punto banco table in its establishment; provided, however, that:

1. The same procedure shall be used for all punto banco tables located within the same gaming pit; and
2. The Division and the casino licensee's surveillance department shall be notified, in writing, at least 30 minutes prior to the implementation of or a change in the particular procedure to be used at a table or gaming pit.

**13:69F-3.11 Continuation of curator as such; selection of new curator**

(a) It shall be the option of the curator, after any round of play, either to pass the shoe or remain as curator except that:

1. The curator shall pass the shoe whenever the "Banker's Hand" loses; and
2. The dealer or floorman assigned to the table may order the curator to pass the shoe if the curator unreasonably delays the game, repeatedly makes invalid deals or violates either the Casino Control Act or the rules of the Division.

(b) Whenever a voluntary or compulsory relinquishment of the shoe occurs, the dealer shall offer the shoe to the participant immediately to the right of the previous curator and, if he or she does not accept it or there is no participant in that position, the dealer shall offer the shoe to each of the other participants in turn counterclockwise around the table. The first to accept the shoe when offered shall become the new curator.

### **13:69F-3.12 Irregularities**

(a) A third card dealt to the "Player's Hand" when no third card is authorized by this subchapter shall become the third card of the "Banker's Hand" if the "Banker's Hand" is obliged to draw by Table 2 of N.J.A.C. 13:69F-3.9(c). If, in such circumstances, the "Banker's Hand" is required to stay, the card dealt in error shall become the first card of the next hand except as otherwise provided in (c) below.

(b) A card drawn in error from the shoe shall be used as the first card of the next hand of play except as otherwise provided in (c) below.

(c) If a card dealt in error pursuant to (a) or (b) above is disclosed at the time it is dealt, the dealer shall perform the procedure in (c)1 through 3 below that has been pre-selected by the casino licensee in its rules of the game submission.

1. The disclosed card and an additional number of cards equal to the value of the disclosed card shall be drawn face upwards from the shoe and placed in the discard bucket; provided, however, that if a 10, jack, queen, or king is disclosed in error, the disclosed card and either one or 10 additional cards, as pre-selected by the casino licensee, shall be drawn face upwards from the shoe and placed in the discard bucket.
2. The disclosed card and one additional card drawn face downwards from the shoe shall be placed in the discard bucket without disclosing the additional card.

3. The disclosed card shall be used as the first card of a simulated round of play in which no wagers shall be accepted, the cards shall be dealt in accordance with this subchapter, and the cards shall be discarded upon completion of the dealing procedures.

(d) Any card found face upwards in the shoe shall not be used in the game and shall be placed in the discard bucket, along with an additional number of cards, drawn face upwards, equal to the value of the card found face upwards in the shoe.

(e) If there are insufficient cards remaining in the shoe to complete a round of play, that round shall be void and a new round shall commence after the entire set of cards are reshuffled and placed in the shoe.

## **SUBCHAPTER 4. BACCARAT–CHEMIN DE FER**

### **13:69F-4.1 Cards: number of decks; value; point count of hand**

(a) Baccarat-chemin de fer shall be played with at least six decks of cards having backs of the same color and design and two additional cutting cards. The cutting cards shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The value of the cards in each deck shall be as follows:

1. Any card from two to nine shall have its face value;
2. Any 10, jack, queen, or king shall have a value of zero;
3. Any ace shall have a value of one.

(c) The "point count" of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of such number shall be discarded having no value and the right digit shall constitute the point count of the hand. Examples of this rule are as follows:

1. A hand composed of an ace, a two and a four has a point count of 7; and
2. A hand composed of an ace, a two and a nine has a total of 12 but only a point count of 2 since the digit 1 in the number 12 is discarded.

**13:69F-4.2 (Reserved)**

**13:69F-4.3 Opening of table for gaming**

(a) After receiving the six or more decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer calling the game shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face upwards on the table for visual inspection by the first participants to arrive at the table. The cards shall be spread out in columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first participants are afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked.

**13:69F-4.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is completed, the casino licensee shall require its dealers to perform, at its option, either of the following procedures.

1. One or more of the dealers shall shuffle the cards so that they are randomly intermixed. After the cards have been shuffled, a dealer shall lace approximately one deck of cards so that they are evenly dispersed into the remaining stack.
  - i. After lacing the cards, the casino licensee may, as an additional option, require the dealer calling the game to shuffle some or all of the cards again.
  - ii. A casino licensee shall not initiate or terminate the use of this reshuffling option unless the casino licensee provides its surveillance department and the Division with at least 30 minutes prior written notice.
2. One or more of the dealers shall "wash" and stack the cards, after which each of the three dealers shall shuffle the stack of cards independently.

(b) Any shuffling or lacing option chosen for use by a casino licensee pursuant to (a) above shall be implemented at all tables within a pit.

(c) After shuffling or lacing the cards and, where applicable, reshuffling them, the dealer calling the game shall offer the stack of cards, with backs facing away from the dealer, to the participants to be cut. The dealer shall begin with the participant seated in the highest number position at the table or, in the case of reshuffle the last curator and working clockwise around the table, shall offer the stack to each participant until a participant accepts the cut. If no participant accepts the cut, the dealer shall cut the cards.

(d) The cards shall be cut by placing the cutting card in the stack at least 10 cards in from either end.

(e) Once the cutting card has been inserted into the stack, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then insert one cutting card in a position at least 14 cards in from the back of the stack and the second cutting card at the end of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. Prior to commencement of play, the dealer shall remove the first card from the shoe and place it, and an additional amount of cards equal to the amount on the first card drawn, in the discard bucket after all cards have been shown to the players. Face cards and 10s count as 10s. Aces count as one.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by

the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) above.

**13:69F-4.5 Dealing shoe; selection of banker**

(a) All cards used to game at baccarat-chemin de fer shall be dealt from a dealing shoe specifically designed for such purpose.

(b) After the cards have been shuffled and placed in the shoe, the dealer calling the game shall offer the shoe to the participants to be dealt. The participant offering to wager the highest amount on the first hand shall become the "Banker" and shall be responsible for dealing the cards from the shoe in accordance with this subchapter and the instructions of the dealer calling the game. If two or more participants offer to wager an equal amount on the first hand, the participant making such wager that is closest to the dealer moving counterclockwise around the table shall become the "Banker."

**13:69F-4.6 Wagers placed by banker**

(a) Immediately prior to dealing the cards, the Banker shall place a wager in support of the "Banker's Hand" which shall conform to the requirements of (b) below.

The wager placed by the Banker shall:

1. Win if the "Banker's Hand" has a point count higher than that of the "Player's Hand";
2. Lose if the "Banker's Hand" has a point count lower than that of the "Player's Hand"; or
3. Be void if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.

(b) The wager placed by the Banker immediately after accepting the shoe shall not be less than the amount such participant offered in bidding to become the Banker. The amount of all subsequent wagers placed by the Banker as such shall be at least equal to, but no more than twice, the amount of his or her immediately preceding wager. An example of this rule is as follows: if Participant A becomes the Banker for a high bid of \$1,000, he must place a wager of at least \$1,000 on the first hand dealt. If he continues as the Banker, his wager on the second hand must be at least \$1,000 but not more than \$2,000. Assuming he wagers \$2,000 on the second hand, his wager on the third hand (if he continues as the Banker) must be at least \$2,000 but not more than \$4,000.

(c) Any wager placed by the Banker in cash shall be exchanged immediately by the dealer for gaming chips or plaques in accordance with the regulations governing

the acceptance and conversion of such instruments.

**13:69F-4.7 Wagers made against banker**

(a) After the Banker has placed a wager in support of the "Banker's Hand," the remaining participants at the table shall be given the opportunity of wagering against all or a part of the wager made by the Banker; provided, however, that such wagers shall not exceed, either individually or in the aggregate, the amount wagered by the Banker.

(b) Any participant who equaled and lost the immediately preceding wager of the Banker shall have the first option of making a wager against the Banker in an amount equal to the amount being wagered by the Banker. Said participant shall exercise this option by announcing "banco suivi" or "suivi" and by placing the requisite wager on the appropriate area of the layout. A "stand off" shall not be counted for the purpose of determining the immediately preceding wager under this subsection.

(c) If no qualified participant announces "banco suivi" or "suivi," the next preference shall be given to any participant placing a wager against the Banker equal in amount to that wagered by the Banker. This option shall be exercised by a participant announcing "banco seul" or "banco" and by placing the requisite wager on the appropriate area of the layout. Whenever more than one participant announces "banco seul" or "banco," preference shall be given to the participant making such announcement who is seated nearest to the Banker in a counterclockwise direction around the table.

(d) If the options granted by (b) and (c) above are not exercised, each participant, beginning with one seated to the immediate right of the Banker and moving

counterclockwise around the table, shall have the right to make a wager against a part of the wager made by the Banker. Such wagers shall be accepted until the amount of the partial wagers, taken in the aggregate, equals the amount of the wager made by the Banker or until, the dealer announces "No more bets."

(e) No wager at baccarat-chemin de fer shall be made, increased or withdrawn after the dealer has announced "No more bets" except that the Banker shall withdraw any part of his or her initial wager that was not covered by the wagers of the other participants.

(f) Any wager placed by the participants in cash shall be exchanged immediately by the dealer for gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(g) The wager(s) placed by the participants shall:

1. Win if the "Player's Hand" has a point count higher than that of the "Bankers Hand";
2. Lose if the "Player's Hand" has a point count lower than that of the "Banker's Hand"; or
3. Be void if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.

**13:69F-4.8 Hands of player and banker; persons controlling each hand; procedure for dealing initial two cards to each hand**

(a) There shall be two hands dealt in the game of baccarat-chemin de fer, one of which shall be denominated the "Player's Hand" and the other denominated the "Banker's Hand."

(b) The participant selected as the Banker shall have exclusive control of the "Banker's Hand" and shall make all decisions permitted by this subchapter with respect to such hand.

(c) Exclusive control of the "Player's Hand" and the right to make all decisions permitted by this subchapter with respect to such hand shall reside in the participant who made a wager in accordance with N.J.A.C. 13:69F-7.7(b) or (c). If no such wager has been made, this right shall reside in the participant making the highest wager against the Banker. If two or more equally high wagers have been made, this right shall reside in the participant making such wager that is nearest to the Banker moving counterclockwise around the table. The participant possessing exclusive control of the "Player's Hand" under this subsection shall hereinafter be referred to as the "Dominant Player."

(d) After the dealer announces "Cards," the Banker shall deal an initial four cards from the shoe. The first and third card dealt shall be placed face downwards in front of the Dominant Player and shall constitute the first and second card of the "Player's Hand." The second and fourth card dealt shall be placed face downward in front of the Banker and shall constitute the first and second card of the "Banker's Hand."

**13:69F-4.9 Procedure for dealing of additional cards**

(a) After the initial four cards have been dealt, the Dominant Player shall look at the two cards dealt to the "Player's Hand" without disclosing them to the Banker. If the point count of the "Player's Hand" is:

1. A 0, 1, 2, 3, or 4, the Dominant Player shall request one additional card by announcing "Card";
2. A 5, the Dominant Player shall exercise the option of requesting one additional card by announcing "Card" or not requesting one additional card by announcing "Stay";
3. A 6 or 7, the Dominant Player shall not draw an additional card and shall announce "Stay"; or
4. An 8 or 9, the Dominant Player shall announce "Natural" and all cards in both hands shall be turned immediately face upwards with no additional cards being dealt to either hand.

(b) If the Dominant Player has announced "Card" in accordance with (a) above, an additional card shall not be dealt to the "Player's Hand" until the Banker first looks at the two cards dealt to the "Banker's Hand." If the point count of the "Banker's Hand" is 8 or 9, the Banker shall announce "Natural" and all cards in both hands shall be turned immediately face upwards with no additional cards being dealt to either hand. If the point count of the "Banker's Hand" is less than 8, the Banker shall announce "Under Eight" and shall deal a third card face upwards to the "Player's Hand" in accordance with the request of the Dominant Player.

(c) After the "Player's Hand" stays or receives a third card in accordance with (a) and (b) above, the Banker shall turn the cards in the "Banker's Hand" face upwards on the table and shall deal or not deal a third card to the "Banker's Hand" in accordance with the requirements of Table 3 of this subsection.

TABLE 3

Value of Third Card

Drawn by Player's Hand

If No

3rd Card            0        1        2        3        4        5        6        7        8        9

Card

0 (Point Count of Banker's Hand After First Two Cards)

1 BANKER'S HAND DRAWS

2

3 D                    D    D    D    D    D    D    D    D    D    S    Op.

4 D                    S    S    D    D    D    D    D    D    D    S    S

5 D                    S    S    S    S    Op.    D    D    D    S    S

6 S                    S    S    S    S    S    S    D    D    S    S

7

8 BANKER'S HAND STAYS

9

(d) The first vertical column in Table 3 labeled "Point Count of Banker's

Hand" shall refer to the point count of the "Banker's Hand" after the first two cards have been dealt to it.

(e) The first horizontal column at the top of Table 3 labeled "Third Card Drawn by Player's Hand" shall refer to the value of the third card drawn by the "Player's Hand" as distinguished from the point count of the "Player's Hand."

(f) As used in Table 3, the letter "D" shall mean that the "Banker's Hand" must draw a third card, the letter "S" shall mean that the "Banker's Hand" shall stay (that is, not draw a third card) and the abbreviation "Op." shall mean that the Banker may draw a third card or stay within his discretion.

(g) The method of using Table 3 shall be to find the point count of the "Banker's Hand" in the first vertical column and trace that horizontally across the table until it intersects the third card drawn by the "Player's Hand." The box at which such intersection takes place will show whether the "Banker's Hand" shall draw a third card or stay. For example, if the point count of the "Banker's Hand" after two cards is 3 and the value of the third card drawn by the "Player's Hand" is 9, Table 3 shows that the Banker has the option of drawing a third card or staying.

(h) Any announcement required to be made by the Dominant Player or Banker by this section shall be immediately repeated by the dealer at the table to assure the clarity and understanding of such statements.

**13:69F-4.10 Announcement of result of round; payment and collection of wagers; payout odds; vigorish**

(a) After each hand has received all the cards it is entitled to by this subchapter, the dealer calling the game shall announce the point count of each hand indicating which hand has won the round. If the two hands have equal point counts, the dealer shall announce "Stand Off" or "Tie Hand."

(b) After the result of the round is announced, the dealer or dealers responsible for the wagers at the table shall collect and payoff the wagers made. Winning wagers made against the "Banker's Hand" shall be paid off from the amount wagered by the Banker at odds of 1 to 1. A winning wager made by the Banker shall be paid off at odds of 1 to 1 from the amount(s) wagered by the other participants.

(c) As its fee in housing the game, the casino licensee shall extract a commission known as "vigorish" from the amount won by the Banker on each round of play, in an amount equal to, in the casino licensee's discretion, either four or five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the amount of a five percent vigorish to 25 cents or the next highest multiple of 25 cents, and the amount of a four percent vigorish to 20 cents or the next highest multiple of 20 cents. Such vigorish shall be collected immediately after each round won by the Banker.

(d) Each casino licensee shall provide notice of any increase in the percentage of vigorish being charged at each baccarat-chemin de fer table, in accordance with N.J.A.C. 13:69F-8.3. The percentage of vigorish charged at a baccarat-chemin de fer table shall apply to all players at that table.

**13:69F-4.11 Continuation of banker as such; selection of new banker**

(a) It shall be the option of the Banker, after any round of play, either to pass the shoe or remain as Banker except that:

1. The Banker shall pass the shoe whenever the "Banker's Hand" loses; and
2. The dealer or floorman assigned to the table may order the Banker to pass the shoe if the Banker unreasonably delays the game, repeatedly makes invalid deals or violates either the Casino Control Act or the rules of the Division.

(b) Whenever a mandatory relinquishment of the bank occurs, it shall be offered to the seated participant to the right of the previous Banker and then to each other seated participant, moving counterclockwise around the table, until a participant accepts it and becomes the new Banker.

(c) Whenever a voluntary relinquishment of the bank occurs, each seated participant shall be offered it, beginning with the participant to the right of the previous Banker and moving counterclockwise around the table. The first participant willing to accept the bank and to wager an amount on the next hand equal to, but not more than twice, the amount of the previous Banker's last wager, shall become the next Banker. If no participant offers to meet this condition, the participant offering to wager the highest amount on the next hand shall become the new Banker; provided, however, that the participant who passed the bank shall not be permitted to take part in the first round of such bidding.

(d) When a passed bank is defeated in any hand, it shall be transferred as it would have been in accordance with (b) above had it not been voluntarily passed.

(e) A participant by moving to another seat at the table shall miss a turn to become the Banker in the next seat where such a move would otherwise give that participant promotion in turn to become the Banker.

### **13:69F-4.12 Irregularities**

(a) If the Banker, by taking cards for his or her hand in the wrong order in the initial deal, makes an error which cannot be rectified, the hand shall be annulled and the bank may be transferred counterclockwise to the next participant seated at a numbered place.

(b) If the Banker, during the initial deal, takes more than two cards for his or her hand and the deal cannot be rectified, the point count of his or her hand shall be regarded as 0 and the play shall proceed in accordance with N.J.A.C. 13:69F-4.9.

(c) If the Banker, during the initial deal, gives three cards to the Dominant Player and it is not possible to determine which card has been dealt in excess, the point count of the "Player's Hand" shall be the highest that can be made with two or all three of the cards.

(d) If the Banker, subsequent to the initial Deal, takes two cards for his or her hand instead of one and the deal cannot be rectified, the point count of his or her hand shall be the lowest that can be made with two or the cards.

(e) A card dealt face upwards to the Dominant Player after he or she has said "Stay" shall become the Banker's card in the event the Banker is obliged to draw or would have had the option of drawing a third card in accordance with this subchapter. If the Banker is required to stay, the card dealt in error shall be governed by the provisions of (h) below.

(f) A card dealt face upwards to the Dominant Player after he or she has said "Stay" and the dealer has mistakenly said "Card" shall become the Banker's card only in

the event the Banker is obligated to draw a third card under this subchapter. If the Banker is required to stay or has the option of drawing a third card, the card dealt in error shall be governed by the provisions of (h) below.

(g) There shall be no penalty for a card drawn in error from the shoe if it remains undisclosed. A card so drawn shall be used as the first card of the next hand providing that the cutting card has not been exposed in the shoe or drawn therefrom. In the course of play, cards once drawn from the shoe shall not be replaced. If a card drawn in error is disclosed at the time it is dealt, the card shall be governed by the provisions of (h) below.

(h) If a card dealt in error is disclosed and cannot be used by the Dominant Player or the Banker pursuant to (e), (f), or (g) above, the dealer shall perform the procedure in (h)1 through 3 below that has been pre-selected by the casino licensee in its rules of the game submission.

1. The disclosed card and an additional number of cards equal to the value of the disclosed card shall be drawn face upwards from the shoe and placed in the discard bucket; provided, however, that if a 10, jack, queen, or king is disclosed in error, the disclosed card and either one or 10 additional cards, as pre-selected by the casino licensee, shall be drawn face upwards from the shoe and placed in the discard bucket.

2. The disclosed card and one additional card drawn face downwards from the shoe shall be placed in the discard bucket without disclosing the additional card.
3. The disclosed card shall be used as the first card of a simulated round of play in which no wagers shall be accepted, the cards shall be dealt in accordance with this subchapter and the cards shall be discarded upon completion of the dealing procedures.

(i) If the Banker, subsequent to the initial deal, draws a card from the shoe for his or her hand after the Dominant Player has said "Card" and the dealer has repeated "Card," the Banker must give such card to the Dominant Player and thereafter either draw or not draw a third card for his or her hand as may be required by this subchapter.

(j) Any card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard bucket, along with an additional number of cards, drawn face upwards, equal to the value of the card found face upwards in the shoe. The last hand of a shoe shall be void when a card of that hand is found face upwards in the shoe.

(k) If there are found to be insufficient cards in the shoe to complete a hand when the cutting card is drawn, that hand shall be void.

## **SUBCHAPTER 5. ROULETTE AND BIG SIX WHEELS**

### **13:69F-5.1 Roulette: placement of wagers; permissible and optional wagers**

(a) All wagers at roulette shall be made by placing gaming chips or plaques and if applicable, a match play coupon, on the appropriate areas of the roulette layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and that the cash is expeditiously converted into gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(b) No person at a roulette table shall be issued or permitted to game with non-value chips that are identical in color and design to value chips or to non-value chips being used by another person at that same table. Additionally, no person shall be permitted to wager a value chip with a match play coupon at any roulette table at which match play coupons are being accepted.

(c) Each player shall be responsible for the correct positioning of his or her wager on the roulette layout regardless of whether he or she is assisted by the dealer. Each player shall ensure that any instructions he or she gives to the dealer regarding the placement of a wager are correctly carried out.

(d) Each wager shall be settled strictly in accordance with its position on the layout when the ball falls to rest in a compartment of the wheel.

(e) The permissible wagers in the game of roulette shall be:

1. "Straight" is a wager that the roulette ball will come to rest in the compartment of the roulette wheel that corresponds to a single

number selected by the player. The player shall select a number by placing a wager within the box on the roulette layout that contains the selected number.

i. A casino licensee may, in its discretion, offer to every player at a roulette table the option to make five simultaneous straight wagers by selecting five adjacent numbers on the roulette wheel.

(1) Any casino licensee offering this "five adjacent number" option shall use a roulette table layout that includes a replica of the roulette wheel on the layout.

(2) A player shall make a "five adjacent number" wager by placing five gaming chips or plaques, or a multiple thereof, on the number indicated on the roulette wheel replica that is the center number of the five adjacent numbers being selected. A player making a "five adjacent number" wager shall be deemed to have made a separate "straight" wager of equal value on each of the five numbers selected.

2. "Split" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to either of

two numbers selected by the player. The player shall select the numbers by placing a wager on the line between the two boxes on the roulette layout that contain the two selected numbers, except that a split wager on "0" and "00" may also be placed on the line between the "2nd 12" box and the "3rd 12" box.

3. "Three numbers" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of three numbers in a single row on the roulette layout selected by the player. The player shall select a row of numbers by placing a wager on the outside line of the box on the roulette layout that contains the first number in the selected row.

i. "Three numbers" shall also include a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the three numbers contained in one of the following groups of numbers: "0", "1," and "2"; "0", "2," and "00"; or "00", "2," and "3".

(1) The player shall select one of the "three numbers" wagers identified in (e)3i above by placing a wager on the common corner of the three boxes containing the selected numbers.

4. "Four numbers" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of four numbers in contiguous boxes on the roulette layout selected by the player. The player shall select the four numbers by placing a wager on the common corner of the four boxes containing the selected numbers.
5. "First five numbers" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the numbers "0", "00", "1", "2," or "3". The player shall bet on the "first five numbers" by placing a wager on the common corner of the boxes on the roulette layout that contains the label "1st 12" and the numbers "0" and "1."
6. "Six numbers" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to:
  - i. Any one of six consecutive numbers contained in two contiguous rows of numbers on the roulette layout selected by the player, who shall select the two rows of numbers by placing a wager on the outside common corner of the boxes on the roulette layout that contain the first number in each of the rows being selected; or
  - ii. If the casino licensee, in its discretion, offers the six numbers color wager, the matching color (black, blue,

gold, red, purple or green) on the roulette layout selected by the player, who shall select a color by placing a wager within the area on the roulette layout designated for the color wager being selected.

7. "Seven numbers color wager" is a wager on a single-zero roulette wheel that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to the single-zero compartment or to any one of six numbers contained in a specific section of the roulette wheel of the matching color (black, blue, gold, red, purple, or green) on the roulette layout selected by the player, who shall select a color by placing a wager within the area on the roulette layout designated for the seven numbers color wager being selected.
8. "Eight numbers color wager" is a wager on a double-zero roulette wheel that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to the single-zero compartment, the double-zero compartment or to any one of six numbers contained in a specific section of the roulette wheel of the matching color (black, blue, gold, red, purple, or green) on the roulette layout selected by the player, who shall select a color by placing a wager within the area on the roulette layout designated for the eight numbers color wager being selected.

9. "Column" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 12 numbers contained in a single column on the roulette layout selected by the player. The player shall select a column of 12 numbers by placing a wager in the box on the roulette layout that is at the bottom of the column being selected.
10. "Dozen" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 12 consecutive numbers from "1" through "12," "13" through "24," or "25" through "36" selected by the player. The player shall select the 12 numbers by placing a wager in the box on the roulette layout labeled "1st 12" ("1" through "12"), "2nd 12" ("13" through "24"), or "3rd 12" ("25" through "36").
11. "Red" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to a number with a red background on the roulette wheel. The player shall bet on "red" by placing a wager within the red box on the roulette layout used for such wagers.
12. "Black" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to a number with a black background on the roulette wheel. The player shall

bet on "black" by placing a wager within the black box on the roulette layout used for such wagers.

13. "Odd" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to an odd number. The player shall bet on "odd" by placing a wager within the box on the roulette layout that is labeled "Odd."
14. "Even" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to an even number. The player shall bet on "even" by placing a wager within the box on the roulette layout that is labeled "Even."
15. "1 to 18" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 18 consecutive numbers from "1" through "18." The player shall bet on "1 to 18" by placing a wager within the box on the roulette layout that is labeled "1 to 18."
16. "19 to 36" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 18 consecutive numbers from "19" through "36." The player shall bet on "19 to 36" by placing a wager within the box on the roulette layout that is labeled "19 to 36."

(f) Notwithstanding (e) above, a casino licensee may, in its discretion, offer to every player at a roulette table the option to make a "seven numbers" wager. "Seven

numbers" is a wager that the roulette ball will come to rest in a compartment of the Roulette wheel that corresponds to any one of the numbers "10", "11", "12", "13", "14", "15", or "33." The player shall bet on "seven numbers" by placing a wager within the area on the roulette layout that is designated for such wager.

(g) A casino licensee that offers the six numbers color wager in (e)6ii above, the seven numbers color wager in (e)7 above, or the eight numbers color wager in (e)8 above shall not offer the red and black wagers in (e)11 and 12 above, respectively, at the same roulette table. A casino licensee that offers the seven numbers color wager in (e)7 above or the eight numbers color wager in (e)8 above shall not offer the dozen wager in (e)10 above at the same roulette table. A casino licensee that offers the six numbers color wager in (e)6ii above may offer the dozen wager in (e)10 above at the same roulette table provided that neither the seven numbers color wager in (e)7 above nor the eight numbers color wager in (e)8 above are offered at that roulette table.

**13:69F-5.2 Roulette: payout odds**

(a) No casino licensee, its employees or agents shall pay off winning wagers at the game of roulette at less than the odds listed below:

<u>Bets</u>	<u>Payout Odds</u>
Straight	35 to 1
Split	17 to 1
Three Numbers	11 to 1
Four Numbers	8 to 1
First Five Numbers	6 to 1
Six Numbers	5 to 1
Seven Numbers	4 to 1
Eight Numbers	3 to 1
Column	2 to 1
Dozen	2 to 1
Red	1 to 1
Black	1 to 1
Odd	1 to 1
Even	1 to 1
1 to 18	1 to 1
19 o 36	1 to 1

(b) When roulette is played on a double zero wheel and the roulette ball comes to rest in a compartment marked zero (0) or double zero (00), a player shall lose,

at the casino licensee's option, either one-half of each wager on red, black, odd, even, 1 to 18, and 19 to 36 or the entire wager. If the former option is chosen by a casino licensee, the remaining half of each such wager shall be returned to the player by the dealer. Each casino licensee offering double zero roulette shall provide notice of the option in effect at the table in accordance with the provisions of N.J.A.C. 13:69F-8.3.

(c) When roulette is played on a single zero wheel and the roulette ball comes to rest in a compartment marked zero (0), wagers on red, black, odd, even, 1 to 18, and 19 to 36 shall be lost.

(d) When roulette is played on a double zero wheel being used as a single zero roulette wheel, as provided in N.J.A.C. 13:69E-1.7(c):

1. Notice shall be provided, in accordance with N.J.A.C. 13:69F-8.3;
2. The dealer shall announce "no spin," declare the spin void and respin the wheel if the Roulette ball comes to rest in a compartment marked double zero (00); and
3. Wagers on red, black, odd, even, 1 to 18, and 19 to 36 shall be lost if the roulette ball comes to rest in a compartment marked zero (0).

**13:69F-5.3     Roulette: rotation of wheel and ball**

(a)     The roulette ball shall be spun by the dealer in a direction opposite to the rotation of the wheel and shall complete at least four revolutions around the track of the wheel to constitute a valid spin.

(b)     While the ball is still rotating in the track around the wheel, the dealer shall call "No more bets."

(c)     Upon the ball coming to rest in a compartment, the dealer shall announce the number of such compartment and shall place a point marker to be known as a "crown" or "dolly" on that number on the roulette layout.

(d)     If a casino licensee offers the "five adjacent numbers" wagering option authorized by N.J.A.C. 13:69F-5.1, the dealer shall then move one-fifth of each winning "five adjacent numbers" wager from the roulette wheel replica on the layout to the box on the main roulette layout that contains the single number corresponding to the compartment in which the roulette ball came to rest.

(e)     After placing the crown on the layout and, if applicable, complying with the provisions of (d) above, the dealer shall first collect all losing wagers and then payoff all winning wagers.

**13:69F-5.4     Roulette: irregularities**

(a)     If the ball is spun in the same direction as the wheel, the dealer shall announce "No spin" and shall attempt to remove the roulette ball from the wheel prior to its coming to rest in one of the compartments.

(b)     If the roulette ball does not complete four revolutions around the track of the wheel, the dealer shall announce "No spin" and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

(c)     If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce "No spin" and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

**13:69F-5.5 Big six wheel; payout odds**

(a) No casino licensee, his employees or agents shall pay off winning wagers made at big six at less than the odds listed below:

<u>Bet On</u>	<u>Payout Odds</u>
\$1 Insignia	1 to 1
\$2 Insignia	2 to 1
\$5 Insignia	5 to 1
\$10 Insignia	10 to 1
\$20 Insignia	20 to 1
Joker	45 to 1
Flag	45 to 1

(b) The payout odds for winning big six wagers printed on any big six wheel or layout, or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

**13:69F-5.6 Big six wheel; wagers and rotation of the wheel**

- (a) Prior to the spin of the wheel, the dealer shall call "No more bets."
- (b) The big six wheel shall be spun by the dealer in either direction and shall complete at least three revolutions to constitute a valid spin.
- (c) If the clapper comes to rest between two numbers upon completion of the spin of the big six wheel, the casino licensee has the option to do one of the following:
  - 1. Declare the winning number to be that number previously passed;  
or
  - 2. Declare the spin void and re-spin the wheel.
- (d) Upon a casino licensee choosing one of the options as outlined in (c) above, it shall conspicuously post a sign at each table stating which option is in effect.
- (e) Upon completion of the spin, the dealer shall first collect all losing wagers and then pay off all winning wagers.

## **SUBCHAPTER 6. RED DOG**

### **13:69F-6.1 Cards; number of decks; value of cards; dealing shoe**

(a) Red dog shall be played with at least one deck of cards with backs of the same color and design and two additional cutting cards. The cutting cards shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The "value" (from lowest to highest) of the cards in each deck shall be as follows:

1. Any card from two to 10 shall have its face value;
2. Any jack shall have a value of 11;
3. Any queen shall have a value of 12;
4. Any king shall have a value of 13; and
5. Any ace shall have a value of 14.

(c) All cards used to game at red dog shall be dealt from a dealing shoe specifically designed for such purpose.

**13:69F-6.2 Opening of table for gaming**

(a) After receiving the one or more decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked.

**13:69F-6.3 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is dealt, the dealer shall shuffle the cards so that they are randomly intermixed. A casino licensee may also shuffle the cards at the completion of any round of play.

(b) After the cards have been shuffled, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player at the farthest point to the right of the dealer; provided, however, if the game is just beginning, the cards shall be offered to the first player at the table. If the first player offered the cards refuses the cut, the cards shall be offered to each other player moving clockwise around the table until a player accepts the cut. If no player accepts the cut, the dealer shall cut the cards.

(c) The person making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take all the cards in front of the cutting card and place them on the back of the stack. The dealer shall then insert the cutting card in a position approximately one-quarter of the way from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(d) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by

the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (b) above.

**13:69F-6.4 Procedures for dealing cards**

(a) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face down and place it in the discard rack. Each new dealer who comes to the table shall also discard ("burn") one card as described in this subsection before the new dealer deals any card in a round of play. The burn card shall be disclosed if requested by a player.

(b) The dealer shall remove a card from the shoe with his or her left hand, turn it face up, and then place it on the appropriate area of the layout with his or her right hand.

**13:69F-6.5 Procedures for each round of play; wagers; payouts**

(a) Except as otherwise provided in this section, all wagers shall be made prior to the first card being dealt for each round of play.

(b) All wagers at red dog shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate area of the red dog layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt and such cash is expeditiously converted into gaming chips or plaques.

(c) To begin each round of play, the dealer shall place the first card, face up, on the box farthest to the dealer's left. The dealer shall then place the second card, face up, on the box farthest to the dealer's right.

(d) Once the first card of each round has been removed from the shoe by the dealer, no participant in the game shall handle, remove, or alter any wager until a decision has been rendered and implemented with respect to that wager.

(e) If the initial two cards dealt have values that are consecutive, the dealer shall announce "The cards are consecutive - tie hand," all wagers shall be void and the round of play shall be concluded.

(f) If the initial two cards dealt are of identical value, the dealer shall announce "We have a pair" and shall immediately draw a third card and place it face up in the middle box.

1. If the third card dealt is identical in value to the initial two cards, the dealer shall announce "Three of a kind," the players shall win

and all wagers shall be paid at odds of 11 to one.

2. If the third card dealt is not identical in value to the initial two cards, the dealer shall announce "No three of a kind - tie hand," all wagers shall be void and the round of play shall be concluded.

(g) If the initial two cards dealt are neither consecutive nor a pair, the dealer shall announce the "spread" and place a marker on the corresponding spread on the layout. The spread for each round of play shall be a number from one to 11 inclusive and shall be determined by the number of cards whose value can fall between the values of the initial two cards dealt. Examples of this rule are as follows:

1. If the initial two cards dealt are a four and a seven, then the spread shall be two (that is, two cards, the five and six, have a value that falls between four and seven); and
2. If the initial two cards dealt are a nine and a king, then the spread shall be three (that is, three cards, the 10, jack, and queen, have a value that falls between the nine and king).

(h) If there is a spread after the initial two cards are dealt, a player shall have the option to make a raise wager in support of the player's original wager by placing on the designated raise area of the layout an amount not in excess of the player's original wager. All raise wagers shall be made immediately after the initial two cards have been dealt and prior to the third card being dealt.

(i) After all raise wagers have been made and prior to dealing the third card,

the dealer shall announce "Raises closed." The dealer shall then draw a third card, place it face up on the box between the initial two cards and announce the value of the third card. Thereafter, the dealer shall collect all losing wagers or pay all winning wagers as follows:

1. The player shall win if the value of the third card dealt is between the values of the initial two cards dealt and shall lose if the value of the third card dealt is not between the values of the initial two cards dealt;
2. All winning wagers and raise wagers shall be paid at payout odds determined by the spread for that round of play, as listed below:

<u>Spread</u>	<u>Payout Odds</u>
1	5 to 1
2	4 to 1
3	2 to 1
4 through 11	1 to 1

3. A casino licensee may, in its discretion, offer to all patrons at a red dog table higher payout odds than those listed in (i)2 above, provided that the casino licensee complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to any decrease in the payout odds. In no event may a casino licensee decrease

the payout odds below those required by (i)2 above.

(j) At the conclusion of each round of play, all cards on the layout shall be picked up by the dealer and placed in the discard rack in order and in such a way they can be readily arranged to reconstruct the hand in case of a question or dispute.

(k) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed. The dealer shall then reshuffle the cards in accordance with N.J.A.C. 13:69F-6.3.

**13:69F-6.6 (Reserved)**

**13:69F-6.7 Irregularities**

(a) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(c) If a third card is drawn and exposed to the players prior to the dealer announcing "Raises closed," the card shall be discarded and each player shall be given the option of playing out the round or voiding the round of play. Prior to dealing another third card, the dealer shall return the original wager and any raise wager to each player who has chosen to void the round of play.

**13:69F-6.8 A player wagering on more than one betting area**

A player may only wager on one betting area at a red dog table unless the casino licensee, in its discretion, permits the player to wager on additional betting areas.

**13:69F-6.9 Continuous shuffling shoe or device**

In lieu of the dealing and shuffling requirements set forth in N.J.A.C. 13:69F-6.3 and 6.4, a casino licensee may utilize a dealing shoe or other device designed to automatically reshuffle the cards.

## **SUBCHAPTER 7. MINI-BACCARAT**

### **13:69F-7.1 Cards: number of decks; value; point count of hand**

(a) Mini-baccarat shall be played with at least six decks of cards and two additional cutting cards. The cutting cards shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The "value" of the cards in each deck shall be as follows:

1. Any card from two to 9 shall have its face value;
2. Any 10, jack, queen, or king shall have a value of zero; and
3. Any ace shall have a value of one.

(c) The "point count" of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of such number shall be discarded having no value and the right digit shall constitute the point count of the hand. Examples of this rule are as follows:

1. A hand composed of an ace, a two and a four has a point count of 7; and
2. A hand composed of an ace, a two and a nine has a total of 12 but only a point count of 2 since the digit 1 in the number 12 is discarded.

(d) If an automated card shuffling device is utilized, mini-baccarat shall be played with at least 12 decks of cards in accordance with the following requirements:

1. Each deck of cards shall meet the requirements of N.J.A.C. 13:69E-

1.17;

2. The cards shall be separated into two batches, with an equal number of decks included in each batch;
3. The backs of the cards in each batch shall be of the same color and design, but of a different color than the cards included in the other batch;
4. One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being dealt or used to play the game;
5. Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe; and
6. The cards from only one batch shall be placed in the discard rack at any given time.

**13:69F-7.2 Wagers**

(a) The following wagers shall be permitted to be made by a participant at the game of mini-baccarat:

1. A wager on the "Banker's Hand" which shall:
  - i. Win if the "Banker's Hand" has a point count higher than that of the "Player's Hand";
  - ii. Lose if the "Banker's Hand" has a point count lower than that of the "Player's Hand"; and
  - iii. Either be void or, if the licensee charges vigorish in accordance with the provisions of N.J.A.C. 13:69F-7.3(d), be charged a vigorish equal to 25 percent of the wager, if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.
2. A wager on the "Player's Hand" which shall:
  - i. Win if the "Player's Hand" has a point count higher than that of the "Banker's Hand";
  - ii. Lose if the "Player's Hand" has a point count lower than that of the "Banker's Hand"; and
  - iii. Be void if the point counts of the "Banker's Hand" and the "Player's Hand" are equal.
3. A "Tie Bet" which shall win if the point counts of the "Banker's Hand" and the "Player's Hand" are equal and shall lose if such point counts are not equal.

4. At the discretion of the casino licensee, three separate wagers on whether the total number of cards dealt during the round of play will be four, five, or six, which wagers shall win or lose based upon the actual number of cards required to be dealt.
5. A casino licensee may, in its discretion, offer each player at the table the opportunity to make an optional bonus wager on either or both the "Player's Hand" and "Banker's Hand." The optional bonus wager shall:
  - i. Win if the selected hand is a "natural" as defined at N.J.A.C. 13:69F-7.9(a) and the other hand is not a "natural," the selected hand is a "natural" 9 and the other hand is a "natural" 8, or the selected hand is not a "natural" and has a point count that exceeds the point count of the other hand by four or more points;
  - ii. Lose if the selected hand is a "natural" 8 and the other hand is a "natural" 9, or the selected hand is not a "natural" and has a point count less than or equal to the point count of the other hand or has a point count that exceeds the point count of the other hand by three or fewer points; and
  - iii. Be void if the selected hand is a "natural" and the other hand is a "natural" of equal point count.

6. If a casino licensee offers a no vigorish variation of mini-baccarat pursuant to N.J.A.C. 13:69F-7.3(i):

- i. A wager on the "Banker's Hand" shall be void if the "Banker's Hand" is a "dragon 7 Hand" as defined at N.J.A.C. 13:69F-7.3(i) notwithstanding (a)1 above;
- ii. A wager on the "dragon 7" shall win if the "Banker's Hand" is a "dragon 7 hand," and lose if it is any other hand; and
- iii. The "dragon 7 wager" shall not be offered in conjunction with the optional wagers authorized at (a)4 and 5 above.

(b) Unless otherwise approved by the Division, no casino licensee shall accept any wager at the game of mini-baccarat other than those specified in (a) above. It shall be within the discretion of the casino licensee whether a player shall be required to place a regular mini-baccarat wager on either the "Banker's Hand" or "Player's Hand" in order to be able to place an optional bonus wager pursuant to (a)5 above.

(c) All wagers at mini-baccarat shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the mini-baccarat layout except that verbal wagers accompanied by cash may be accepted provided they are confirmed by the dealer and casino supervisor at the table, and such cash is expeditiously converted into gaming chips or plaques.

(d) No wager at mini-baccarat shall be made, increased or withdrawn after the dealer has announced "No more bets."

(e) Once the first card of any hand has been removed from the shoe by the dealer, no participant shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

**13:69F-7.3 Payout odds; vigorish**

(a) A winning wager made on the "Player's Hand" shall be paid off by a casino licensee at odds of 1 to 1.

(b) A winning tie bet shall be paid off by a casino licensee at odds of at least 8 to 1.

(c) Except as otherwise provided in (e) and (h) below, a winning wager made on the "Banker's Hand" shall be paid off by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player in an amount equal to, in the casino licensee's discretion, either four or five percent of the amount won.

1. When collecting the vigorish, the casino licensee may round off the amount of a five percent vigorish to 25 cents or the next highest multiple of 25 cents, and the amount of a four percent vigorish to 20 cents or the next highest multiple of 20 cents.
2. A casino licensee may collect the vigorish from a player at the time the winning payout is made or defer the collection until reshuffling the cards or at the end of the patron's play for that session. The amount of any deferred vigorish shall be evidenced by the placing of a coin or marker button containing the amount of the vigorish owed in a rectangular space in front of the dealer

on the layout imprinted with the number of the player owing such vigorish. The coin or marker button shall not be removed from the layout until the vigorish owed is collected or documented on an Uncollected Vigorish form pursuant to N.J.A.C. 13:69D-1.30.

(d) Each casino licensee shall provide notice of any increase in the percentage of vigorish being charged at each baccarat table, in accordance with N.J.A.C. 13:69F-8.3. The percentage of vigorish charged at a baccarat table shall apply to all players at that table.

(e) Notwithstanding (c) and (d) above, a casino licensee may, in its discretion, pay a winning wager made on the "Banker's Hand" at odds of 1 to 1 and not collect any vigorish from the winning player provided that the casino licensee offers one, but not both, of the following options and complies with the notice requirements set forth in N.J.A.C. 13:69F-8.3:

1. Any winning wager on a "Banker's Hand" that has a point count of six shall be paid off by the casino licensee at odds of 1 to 2; or
2. The player has made one or more of the total card wagers authorized by N.J.A.C. 13:69F-3.2(a)4 in a total amount that is equal to or greater than the player's wager on the "Banker's Hand" for that round of play.

(f) If a casino licensee offers the total card wagers authorized by N.J.A.C.

13:69F-3.2(a)4, winning wagers shall be paid by a casino licensee at the following odds:

<b>Total Cards Dealt</b>	<b>Payout</b>
Four	3 to 2
Five	2 to 1
Six	2 to 1

(g) No vigorish shall be charged on a winning optional bonus wager. A casino licensee shall pay an optional bonus wager for hands that are not a "natural" with prescribed winning margins and for "natural" winning hands at not less than the odds listed in one of the following alternative payout schedules:

**PAYTABLE A**

Win by 9 points	30 to 1
Win by 8 points	10 to 1
Win by 7 points	6 to 1
Win by 6 points	4 to 1
Win by 5 points	2 to 1
Win by 4 points	1 to 1
Natural winner	1 to 1

**PAYTABLE B**

Win by 9 points	20 to 1
Win by 8 points	8 to 1
Win by 7 points	7 to 1
Win by 6 points	4 to 1
Win by 5 points	3 to 1
Win by 4 points	1 to 1
Natural winner	1 to 1

**PAYTABLE C**

Win by 9 points	30 to 1
Win by 8 points	10 to 1
Win by 6 or 7 points	4 to 1
Win by 4 or 5 points	2 to 1
Natural winner	1 to 1

(h) A casino licensee may offer a variation of baccarat-punto banco in which the vigorish otherwise required by (c) above shall not be collected; provided, however, that a three-card "Banker's Hand" with a point count of seven that wins (dragon 7 hand) shall be deemed a push.

(i) If a casino licensee offers the variation of baccarat-punto banco in (h) above, a winning dragon 7 wager shall be paid by a casino licensee at odds not less than 40 to 1.

**13:69F-7.4 Opening of table for gaming**

(a) After receiving the six or more decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer calling the game shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face upwards on the table for visual inspection by the first participant or participants to arrive at the table. The cards shall be spread out in horizontal rows by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first participant or participants are afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked.

(d) If an automated shuffling device is utilized, all the decks in one batch of cards shall be spread for inspection on the table separate from the decks in the other batch of cards. After the player or players is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face downward on the table and stacked.

**13:69F-7.5 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is completed, the dealer shall shuffle the cards so that they are randomly intermixed.

(b) After the cards have been shuffled, the casino licensee shall require the dealer, at its option, to either:

1. Leave the entire stack of cards intermixed but not entirely squared off ("feathered") so that the floorperson can verify that the shuffle did not result in any uneven distribution of cards; or
2. Lace approximately one deck of cards so that they are evenly dispersed into the remaining stack.
  - i. After lacing the cards, the casino licensee may, as an additional option, require the dealer to shuffle some or all of the cards again.
  - ii. A casino licensee shall not initiate or terminate the use of this reshuffling option unless the casino licensee provides its surveillance department and the Division with at least 30 minutes prior written notice.

(c) Any shuffling or lacing option chosen for use by a casino licensee pursuant to (b) above shall be implemented at all tables within a pit.

(d) After shuffling or lacing the cards and, where applicable, reshuffling them, the dealer shall offer the stack of cards, with backs facing away from the dealer, to the participants to be cut. The dealer shall begin with the participant seated in the highest number position at the table and, working clockwise around the table, shall offer the stack to each participant until a participant accepts the cut. If no participant accepts the cut, the dealer shall cut the cards.

(e) The cards shall be cut by placing the cutting card in the stack at least 10 cards in from either end.

(f) Once the cutting card has been inserted into the stack, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then insert one cutting card in a position at least 14 cards in from the back of the stack, and the second cutting card at the end of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. Prior to commencement of play, the dealer shall remove the first card from the shoe and place it, and an additional amount of cards equal to the amount on the first card drawn, in the discard rack after all cards have been shown to the participants. Face cards and 10s count as 10s. Aces count as one.

(g) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by

the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (d) above.

(h) If there is no gaming activity at a mini-baccarat table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack, and spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table.

1. If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing or chemmy shuffle of the cards, stacked, then shuffled and cut in accordance with this section.
2. If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player so requests, the batch of cards removed from the shuffler need not be spread for inspection and reshuffled prior to being dealt, if:
  - i. The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner in accordance with the casino licensee's internal control procedures; and

- ii. The shuffled cards have been secured, released and prepared for play in accordance with the casino licensee's internal control procedures.

**13:69F-7.6 Dealing shoe**

All cards used to game at mini-baccarat shall be of backs of the same color and design and shall be dealt from a dealing shoe specifically designed for such purpose.

**13:69F-7.7 Hands of player and banker; procedure for dealing initial two cards to each hand**

(a) There shall be two hands dealt in the game of mini-baccarat, one of which shall be denominated the "Player's Hand" and the other denominated the "Banker's Hand."

(b) At the commencement of each round of play, the dealer calling the game shall announce "No more bets."

(c) The dealer shall deal an initial four cards from the shoe. The first and third cards dealt shall constitute the first and second cards of the "Player's Hand." The second and fourth cards dealt shall constitute the first and second cards of the "Banker's Hand." The casino licensee may deal the initial four cards in accordance with one of the following options:

1. The dealer shall remove cards from the shoe with his or her left hand, turn them face up and then place them on the appropriate area of the layout with his or her right hand. The first and third cards dealt shall be placed on the area designated for the "Player's Hand" and the second and fourth cards dealt shall be placed on the area designated for the "Banker's Hand";
2. The first and third cards dealt shall be placed face down on the area designated for the "Player's Hand" and the second and fourth cards dealt shall be placed face down underneath the right corner of the dealing shoe until the "Player's Hand" is called as provided for in N.J.A.C. 13:69F-7.8(a), at which time the second

and fourth cards shall be turned face up and placed on the area designated for the "Banker's Hand"; or

3. The first and third cards dealt shall be placed face down on the area designated for the "Player's Hand" and the second and fourth cards dealt shall be placed face down on the area designated for the "Banker's Hand." After all four cards have been dealt, the dealer shall place the "Banker's Hand" underneath the right corner of the dealing shoe until the "Player's Hand" is called, as provided for in N.J.A.C. 13:69F-7.8(a).

(d) The dealer shall then hand the two cards of the "Player's Hand," face down, to the player with the highest wager on the "Player's Hand." After viewing the "Player's Hand," the player shall return the two cards, face up, to the dealer, who shall place the cards face up on the area designated for the "Player's Hand" and announce the point count of the "Player's Hand" in accordance with N.J.A.C. 13:69F-7.8(a).

(e) The dealer shall then hand the two cards of the "Banker's Hand," face down, to the player with the highest wager on the "Banker's Hand." After viewing the "Banker's Hand," the player shall return the two cards, face up, to the dealer, who shall place the cards face up on the area designated for the "Banker's Hand" and announce the point count of the "Banker's Hand" in accordance with N.J.A.C. 13:69F-7.8(a).

(f) Any third card required to be dealt to the "Player's Hand" shall be placed face down on the area designated for the "Player's Hand." The dealer shall then hand the card, face down, to the player who was handed and returned the "Player's Hand."

After viewing the card, the player shall return the card face up to the dealer, who shall place the card face up on the area designated for the "Player's Hand."

(g) Any third card required to be dealt to the "Banker's Hand" shall be placed face down on the area designated for the "Banker's Hand." The dealer shall then hand the card, face down, to the player who was handed and returned the "Banker's Hand." After viewing the card, the player shall return the card face up to the dealer, who shall place the card face up on the area designated for the "Banker's Hand."

(h) If two or more players offer to wager an equally high amount on the "Player's Hand," the player making such wager who is closest to the dealer moving counterclockwise around the table shall be handed the "Player's Hand" and any third card required to be dealt. If two or more players offer to wager an equally high amount on the "Banker's Hand," the player making such wager who is closest to the dealer moving counterclockwise around the table shall be handed the "Banker's Hand" and any third card required to be dealt pursuant to N.J.A.C. 13:69F-7.9.

(i) In the event there are no wagers on the "Player's Hand," any player with a wager on the "Banker's Hand" may be permitted at the discretion of the casino licensee to turn face up the "Player's Hand" and any additional card required to be dealt. In the event there are no wagers on the "Banker's Hand," any player with a wager on the "Player's Hand" may be permitted at the discretion of the casino licensee to turn face up the "Banker's Hand" and any additional card required to be dealt.

**13:69F-7.8 Procedure for dealing of additional cards**

(a) After the dealer positions the cards in accordance with either N.J.A.C. 13:69F-7.7(c)1 or 2, the dealer shall announce the point count of the "Player's Hand" and then the "Banker's Hand." If the dealer positions the cards in accordance with N.J.A.C. 13:69F-7.7(c)3, the point counts of the "Player's Hand" and "Banker's Hand" shall be announced as provided therein. Notwithstanding the above and the procedures set forth at N.J.A.C. 13:69F-7.7(c)2 and 3, if the initial two cards of the "Player's Hand" and the "Banker's Hand" are dealt face down, the casino licensee, at its discretion and upon request of a player, may turn the cards of the "Banker's Hand" face up prior to turning the cards of the "Player's Hand" face up.

(b) Following the announcement of the point counts of each hand, the dealer shall determine whether to deal a third card to each hand which instructions shall be in conformity with the requirements of N.J.A.C. 13:69F-7.9.

(c) If the dealer positions the cards in accordance with N.J.A.C. 13:69F-7.7(c)1 or 2, any third card required to be dealt shall first be dealt face upwards to the "Player's Hand" and then to the "Banker's Hand" by the dealer. If the dealer positions the cards in accordance with N.J.A.C. 13:69F-7.7(c)3, any third cards required to be dealt shall be dealt as provided therein.

(d) In no event shall more than one additional card be dealt to either hand.

(e) Whenever the cutting card appears during play, the cutting card will be removed and placed to the side and the hand will be completed. Upon completion of

that hand, the dealer calling the game shall announce "Last hand." At the completion of one more hand, no more cards will be dealt until the reshuffle occurs.



\*0

\*1

BANKER'S HAND DRAWS

\*2

*3	D	D	D	D	D	D	D	D	D	S	D
----	---	---	---	---	---	---	---	---	---	---	---

*4	D	S	S	D	D	D	D	D	D	S	S
----	---	---	---	---	---	---	---	---	---	---	---

*5	D	S	S	S	S	D	D	D	D	S	S
----	---	---	---	---	---	---	---	---	---	---	---

*6	S	S	S	S	S	S	S	D	D	S	S
----	---	---	---	---	---	---	---	---	---	---	---

\*7

\*8

BANKER'S HAND STAYS

\*9

\*(Point count of Banker's Hand)

(e) The first horizontal column at the top of Table 2 labeled "Third Card Drawn by Player's Hand" shall refer to the value of the third card drawn by the "Player's Hand" as distinguished from the point count of the "Player's Hand."

(f) The letter "D" used in Table 2 shall mean that the "Banker's Hand" must draw a third card and the letter "S" used in Table 2 shall mean that the "Banker's Hand" must stay (that is, not draw a third card).

(g) The method of using Table 2 shall be to find the Point Count of the "Banker's Hand" in the first vertical column and trace that horizontally across the table until it intersects the third card drawn by the "Player's Hand." The box at which such intersection takes place will show whether the "Banker's Hand" shall draw a third card

or stay. For example, if the point count of the "Banker's Hand" after two cards is 5 and the value of the third card drawn by the "Player's Hand is 4, the table shows that the "Banker's Hand" shall draw a third card.

**13:69F-7.10 Announcement of result of round; payment and collection of wagers**

(a) After each hand has received all the cards to which it is entitled pursuant to N.J.A.C. 13:69F-7.7, 7.8, and 7.9, the dealer shall announce the final point count of each hand indicating which hand has won the round. If two hands have equal point counts, the dealer shall announce "Tie Hand." If the total card wagers authorized by N.J.A.C. 13:69F-7.2(a)4 are offered, the dealer shall also announce the total number of cards dealt during the round of play. In the no vigorish variation of mini-baccarat authorized by N.J.A.C. 13:69F-7.3(i), if a "dragon 7 hand" is dealt, the dealer shall announce "dragon 7."

(b) After the result of the round is announced, the dealer responsible for the wagers on the table shall first collect each losing wager. Thereafter, except as provided in (b)5 below, the dealer shall, in accordance with one of the following procedures, pay each winning wager and collect or mark any vigorish or commission owed pursuant to N.J.A.C. 13:69F-7.3.

1. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first pay each winning wager and then, returning to the highest numbered player position at which a winning wager was located and proceeding in like order, mark or collect the vigorish owed by each player.

2. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first mark or collect the vigorish owed by each player and then, returning to the highest numbered player position at which a winning wager is located and proceeding in like order, pay each winning wager.
3. Starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager and immediately thereafter mark or collect the vigorish owed by that player and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until each winning wager is paid and the vigorish owed by each player is either marked or collected.
4. Starting at the highest numbered player position at which a winning wager is located, the dealer shall mark or collect the vigorish owed by that player and immediately thereafter pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by

each player is either marked or collected and each winning wager is paid.

5. If a casino licensee offers a variation of mini-baccarat authorized by N.J.A.C. 13:69F-7.3(e) or (i), the dealer or dealers shall pay each winning wager in accordance with one of the procedures set forth in (b)1 through 4 above, but shall not collect or mark any vigorish.

(c) A casino licensee may, in its discretion, elect to use any of the procedures authorized in (b) above at any mini-baccarat table in its establishment; provided, however, that:

1. The same procedure shall be used for all mini-baccarat tables located within the same gaming pit;
2. Any mini-baccarat table located in a gaming pit that also contains a punto banco table shall use the same procedure that is to be used at the punto banco table pursuant to N.J.A.C. 13:69F-3.10(c);  
and
3. The Division and the casino licensee's surveillance department shall be notified, in writing, at least 30 minutes prior to the implementation of or a change in the particular procedure to be used at a table or gaming pit.

(d) At the conclusion of a round of play, all cards on the layout shall be picked up by the dealer and placed in the discard rack, in order and in such a way that

they can be readily arranged to indicate the "Player's Hand" and the "Banker's Hand" in case of question or dispute.

(e) No participant or spectator shall handle, remove or alter any cards used to game at mini-baccarat and no dealer or other casino employee or casino key employee shall permit a participant or spectator to engage in such activity.

### **13:69F-7.11 Irregularities**

(a) A third card dealt to the "Player's Hand," when no third card is authorized by these regulations, shall become the third card of the "Banker's Hand" if the "Banker's Hand" is obliged to draw by Table 2 of N.J.A.C. 13:69F-7.9. If, in such circumstances, the "Banker's Hand" is required to stay, the card dealt in error shall become the first card of the next hand except as otherwise provided in (c) below.

(b) A card drawn in error from the shoe shall be used as the first card of the next hand of play except as otherwise provided in (c) below.

(c) If a card dealt in error pursuant to (a) or (b) above is disclosed at the time it is dealt, the dealer shall perform the procedure in (c)1 through 3 below that has been pre-selected by the casino licensee in its rules of the game submission.

1. The disclosed card and an additional number of cards equal to the value of the disclosed card shall be drawn face upwards from the shoe and placed in the discard rack; provided, however, that if a 10, jack, queen, or king is disclosed in error, the disclosed card and either one or 10 additional cards, as pre-selected by the casino licensee, shall be drawn face upwards from the shoe and placed in the discard rack.
2. The disclosed card and one additional card drawn face downwards from the shoe shall be placed in the discard rack without disclosing the additional card.

3. The disclosed card shall be used as the first card of a simulated round of play in which no wagers shall be accepted, the cards shall be dealt in accordance with this subchapter and the cards shall be discarded upon completion of the dealing procedures.

(d) Any card found face upwards in the shoe shall not be used in the game and shall be placed in the discard rack, along with an additional number of cards, drawn face upwards, equal to the value of the card found face upwards in the shoe.

(e) If there are insufficient cards remaining in the shoe to complete a round of play, that round shall be void and a new round shall commence after the entire set of cards are reshuffled and placed in the shoe.

(f) The dealer or floorperson assigned to the table may require any player to relinquish the right to turn over the cards pursuant to N.J.A.C. 13:69F-7.7(c)3, if the player unreasonably delays the game or violates either the Casino Control Act or the rules of the Division. Whenever the voluntary or compulsory relinquishment of that right occurs, the dealer shall offer it to the player immediately to the right of the previous player, and, if he or she does not accept it or there is no player in that position, the dealer shall offer it to each of the other players in turn counterclockwise around the table for the remainder of that round of play. If no player accepts the cards, the dealer shall turn the cards over and place them on the designated areas of the layout.

**13:69F-7.12 Continuous shuffling shoe or device**

In lieu of the dealing and shuffling requirements set forth in N.J.A.C. 13:69F-7.5 and 7.6, a casino licensee may utilize a dealing shoe or other device designed to automatically reshuffle the cards.

## **SUBCHAPTER 8. REGULATIONS CONCERNING ALL GAMES**

### **13:69F-8.1 Electronic, electrical and mechanical devices prohibited**

Except as specifically permitted by the Division, no person shall possess with the intent to use, or actually use, at any table game, either by himself or herself or in concert with others, any calculator, computer, or other electronic, electrical or mechanical device to assist in projecting an outcome at any table game or in keeping track of or analyzing the cards having been dealt, the changing probabilities of any table game, or the playing strategies to be utilized.

**13:69F-8.2 Minimum and maximum wagers; additional wagering requirements**

(a) Except as otherwise specifically provided in this chapter, the minimum and maximum wagers permitted at any authorized table game in a casino or casino simulcasting facility shall be established by the casino licensee; provided, however, that any required minimum wager of \$100.00 or less which has corresponding payout odds of 5 to 1 or less shall be required to have a maximum wager which is least 10 times the amount of the minimum wager.

(b) A casino licensee may offer:

1. Different maximum wagers at one gaming table for each permissible wager in an authorized game; and
2. Different maximum wagers at different gaming tables for each permissible wager in an authorized game.

(c) A casino licensee shall provide notice of the minimum and maximum wagers in effect at each gaming table, and any changes thereto, in accordance with N.J.A.C. 13:69F-8.3.

(d) Notwithstanding (c) above, a casino licensee may, in its discretion, permit a player to wager below the established minimum wager or above the established maximum wager at a gaming table.

(e) Any wager accepted by a dealer shall be paid or lost in its entirety in accordance with the rules of the game, notwithstanding that the wager exceeded the current table maximum or was lower than the current table minimum.

(f) Nothing in this subchapter shall preclude a casino licensee from establishing additional wagering requirements that are consistent with the rules of the game, such as a requirement that wagers be made in specified increments, provided that the casino licensee satisfies the notice requirements of N.J.A.C. 13:69F-8.3(c).

**13:69F-8.3 Rules of the games; notice**

(a) Whenever a casino licensee is required by regulation to provide notice of the rules pursuant to which a particular table game will be operated, the casino licensee shall post a sign at the gaming table advising patrons of the rules in effect at that table.

(b) Except as provided in (c) below, no casino licensee shall change the rules pursuant to which a particular table game is being operated unless, at least one-half hour in advance of such change, the casino licensee:

1. Posts a sign at the gaming table advising patrons of the rule change and the time that it will go into effect;
2. Announces the rule change to patrons who are at the table; and
3. Notifies the Division of the rule change, the gaming table where it will be implemented and the time that it will become effective.

(c) Notwithstanding (b) above, a casino licensee may at any time change the permissible minimum or maximum wager at a table game or add, change or delete any additional wagering requirement permitted by N.J.A.C. 13:69F-8.2(f), without notifying the Division of such change, addition or deletion, upon posting a sign at the gaming table advising patrons of the new permissible minimum or maximum wager or additional wagering requirement, and announcing the change to patrons who are at the table.

(d) The location, size and language of each sign required by this section shall be submitted to the Division prior to its use.

**13:69F-8.4 New games; requirements and procedures for application, declaratory ruling, test, or experiment, and final approval of new authorized game**

(a) Interested persons such as casino licensees, casino service industries, and owners, licensees, lessees or franchisees of the rights to a proposed new game, may petition the Division for approval of the game.

(b) A petition for approval of a proposed new game must include as a petitioner at least one casino licensee who has agreed in writing to participate in a test or experiment of the game in its casino. All petitioners shall be jointly and severally liable for payment of all regulatory review costs and other related expenses incurred by the Division of Gaming Enforcement in the review, testing and approval of the game.

(c) A proposed new game may be a variation of an authorized game, a composite of authorized games, or any other game compatible with the public interest and suitable for casino use, pursuant to N.J.S.A. 5:12-5.

(d) A petition for a proposed new game shall be in writing, signed by the petitioners, and addressed to the Division of Gaming Enforcement's Intake Unit. The petition shall include the following information:

1. The names and addresses of petitioners;
2. Whether the game is a variation of an authorized game, a composite of authorized games, or another game which is compatible with the public interest and is suitable for casino use;

3. A complete and detailed description of the game for which approval is sought, including:
  - i. A summary of the game, including the objectives of the game, the method of play and the wagers offered;
  - ii. The draft of proposed rules describing the equipment used to play the game, and the proposed rules of the game, drafted in a format similar to that found in this chapter and in accordance with the N.J.A.C. 1:30, Rules for Agency Rulemaking;
  - iii. The true odds, the payout odds, and the house advantage for each wager;
  - iv. A sketch or picture of the game layout, if any; and
  - v. sketches or pictures of the equipment used to play the game;
4. Whether the game, its name, or any of the equipment used to play it is covered by any copyrights, trademarks or patents, either issued or pending;
5. An agreement, satisfactory in form and content to the Division, releasing and indemnifying the Division and the State of New

Jersey from all copyright, trademark, patent or other claims of petitioners and any other persons;

6. A request for a declaratory ruling that the proposed new game is a variation of an authorized game, a composite of authorized games or is compatible with the public interest, as required by N.J.S.A. 5:12-5;
7. A request for a test or experiment of the game, if approved, under N.J.S.A. 5:12-5 and 69e; and
8. Any other pertinent information or material requested of specific petitioners by the Division of Gaming Enforcement.

(e) In making a determination whether a proposed new game is an acceptable variation of an authorized game or a composite of authorized games, or is compatible with the public interest, the Division may consider rules and method of play; true and payout odds; wagers offered; layout; equipment used to play the game; personnel requirements; game security and integrity; similarity to other authorized games or other games of chance; and other variations or composites of the game previously approved as authorized games; as well as any other relevant factors. Any such determination shall be subject to a condition that the game must undergo a successful test for suitability of casino use under N.J.S.A. 5:12-5 and 69e, as provided in (f) and (g) below.

(f) If the proposed new game is preliminarily approved by the Division in accordance with (e) above, petitioners shall submit the following in connection with any proposed test of the game pursuant to N.J.S.A. 5:12-5 and 69e:

1. For any petitioner that is not a casino licensee or a casino service industry (CSI) licensee:
  - i. A completed application for the appropriate type of CSI license, together with the applicable nonrefundable license application fee; and
  - ii. An application for a transactional waiver, pursuant to the Act and rules of the Division, if required; and
2. A test submission, which shall include, at a minimum:
  - i. The names of the casinos where the test of the proposed new game will take place;
  - ii. The dates and times when the test will take place, and the gaming tables or other gaming equipment that will be involved;
  - iii. The proposed signage to be posted at the entrances to the casinos where the test is to be conducted;

- iv. The criteria proposed for use in determining the success of the test, and the methods proposed for documenting it, including any necessary forms; and
- v. any other materials or information requested of specific petitioners by the Division of Gaming Enforcement.

(g) A test of the new game pursuant to N.J.S.A. 5:12-5 and 69e shall take place at such times and places, and under such conditions as the Division may require. The rules of the game and the test may be modified at any time during the test period if the Division deems it necessary to do so. No final approval of a new game shall be granted until:

1. The Division has determined that the game is suitable for casino use pursuant to N.J.S.A. 5:12-5 and 69e;
2. Any necessary regulatory amendments have been adopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and have become effective;
3. All necessary CSI license applications have been filed, and all necessary transactional waivers have been issued; and
4. All regulatory review costs and other related expenses incurred by the Division of Gaming Enforcement in the review, testing and approval of the game, have been paid in full.

(h) Nothing in this section shall:

1. Restrict or limit the Division in any way from proposing new games or game variations on its own initiative, at any time; or
2. Require the promulgation by the Division of rules for any new game or wager in order for the Division to approve an electronic table game provided that the electronic table game display fully discloses such rules to the patron.

**13:69F-8.5 Patron access to the rules of the games; gaming guides**

(a) Each casino licensee shall maintain at its security podium a printed copy of the complete text of the rules of all authorized games and all other information required to be made available to the public pursuant to N.J.S.A. 5:12-100f. This information shall be made available to the public for inspection upon request.

(b) Each casino licensee shall make available to patrons upon request an abridged version of the information required to be made available by N.J.S.A. 5:12-100f. Each such version, to be known as a "gaming guide," may be produced in a printed, video or other format.

(c) No gaming guide shall be issued, displayed or distributed by a casino licensee unless and until a sample thereof has been submitted to the Division.

(d) Each casino licensee may display a gaming guide at any location in its establishment. Such display shall not be considered to constitute advertising, nor does such display constitute the contract with or the use or employment of a barker for purposes of N.J.S.A. 5:12-100l.

**13:69F-8.6 Gaming tournaments**

(a) A casino licensee may conduct a gaming tournament for any game approved by the Division pursuant to N.J.S.A. 5:12-5.

(b) No gaming tournament shall be conducted unless the casino licensee files a written notice with the Division at the Division's Regulatory Enforcement Bureau office in the establishment, at least five business days prior to the commencement of such tournament, which notice shall include, at a minimum, the following information:

1. The date(s), time(s), and location(s) of the scheduled gaming tournament;
2. A listing of the equipment expected to be used;
3. The number of participants expected to participate;
4. A description of security and surveillance measures that will be implemented for the gaming tournament;
5. A certification from the supervisors of the casino licensee's security, casino gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;
6. A certification from the casino controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting; and

7. A certification from a holder of casino key employee license that the tournament will be conducted in accordance with the internal controls required by (e) below.

(c) The Division may at any time require the licensee to immediately cease any gaming tournament conducted if the gaming tournament is in any material manner different from the description contained in the applicable internal controls or in any way compromises the security or integrity of gaming operations or the collection of gross revenue.

(d) Gaming tournaments involving games where the outcome depends on the skill of the participant are authorized provided that some element of chance is also part of the game.

(e) All funds collected by a casino licensee to fund the prize pool (for example, buy-in, re-buy, or add-on) shall be disbursed to the participants as a prize pool, except that a casino licensee may withhold dealer tips in an authorized tournament upon notification to the participants.

(f) Each casino licensee shall have on file internal controls associated with each tournament. The internal controls shall, at a minimum, address:

1. The game type;
2. Rules concerning tournament play and participation;
3. The prize structure;

4. Dealer tips, if applicable;
5. Participant registration procedures;
6. The methodology for determining winner(s);
7. The equipment to be used (for example, cards, chips, and slot machines); and
8. Forms utilized in conjunction with the tournament.

(g) A casino licensee shall make available to the public the information required by (f)1 through 6 above.

## **SUBCHAPTER 9. SIC BO**

### **13:69F-9.1 Dice; number of dice; sic bo shaker**

Sic bo shall be played with three dice, which shall be sealed inside a sic bo shaker pursuant to N.J.A.C. 13:69E-1.16. The sic bo shaker while at the table shall be the responsibility of the dealer at all times. No dice that have been placed in a sic bo shaker for use in gaming shall remain on a table for more than 24 hours.

**13:69F-9.2 Permissible wagers**

(a) The following shall constitute the definitions of permissible wagers at the game of sic bo:

1. "Three of a kind" shall mean a wager which shall win if the same number is showing on all three dice and the player selected that number to appear on all three dice.
2. "Two of a kind" shall mean a wager which shall win if the same number is showing on two of the three dice and the player selected that number to appear on two out of the three dice.
3. "Any three of a kind" shall mean a wager which shall win if the numeric value on all three dice is the same and the player wagered that any of the number 1 through 6 would appear on all of the three dice.
4. "Total value bet" shall mean a wager which shall win if the numeric total of all three dice equals the total of the number wagered.
5. "Two dice combination" shall mean a wager which shall win when the player wagered that a combination of two specific but different numeric values would appear on at least two of the dice and the two numeric values chosen are showing.
6. "Small bet" shall mean a wager which shall win if the numeric total of all three dice equals any one of the following totals: 4, 5,

6, 7, 8, 9, or 10 and shall lose if any other numeric total is shown or it three of a kind appears.

7. "Big bet" shall mean a wager which shall win if the numeric total of all three dice equals any one of the following totals: 11, 12, 13, 14, 15, 16, or 17 and shall lose if any numeric total is shown or if three of a kind appears.
8. "One of a kind" shall mean a wager which shall win if one or more of the three dice shows a numeric value equal to the number wagered.

**13:69F-9.3 Wagers**

(a) All wagers at sic bo shall be made by placing gaming chips or plaques on the appropriate areas of the sic bo layout. No verbal wagers accompanied by cash may be accepted at the game of sic bo.

(b) Each player shall be responsible for the correct positioning of his wagers on the sic bo layout regardless of whether the player is assisted by the dealer. Each player shall ensure that any instructions given to the dealer regarding the placement of wagers are correctly carried out.

(c) Each wager shall be settled strictly in accordance with its position on the layout when the dice come to rest and the numeric value showing on each die has been entered into the electrical device and illuminated at the table.

**13:69F-9.4 Payout odds**

(a) Payout odds on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win" and no odds shall be stated through the use of the word "for."

(b) Each casino licensee shall pay off winning wagers at the game of sic bo at no less than the odds listed below:

<u>Wager</u>	<u>Payout Odds</u>
Three of a Kind	150 to 1
Two of a Kind	8 to 1
Any Three of a Kind	24 to 1
Total value of 4	50 to 1
Total value of 5	18 to 1
Total value of 6	14 to 1
Total value of 7	12 to 1
Total value of 8	8 to 1
Total value of 9	6 to 1
Total value of 10	6 to 1
Total value of 11	6 to 1
Total value of 12	6 to 1
Total value of 13	8 to 1
Total value of 14	12 to 1
Total value of 15	14 to 1

Total value of 16	18 to 1
Total value of 17	50 to 1
Any two dice combination	5 to 1
Small bet	1 to 1
Big bet	1 to 1
One of a kind	1 to 10

(c) "One of a kind" shall be paid at 2 to 1, if two of the dice show the same numeric value, and at 3 to 1, if all three dice show the same numeric value.

**13:69F-9.5 Procedures for opening and dealing the game**

(a) Prior to opening the sic bo table for gaming activity, the floorperson assigned to the sic bo table shall inspect the following items to insure that each is in proper working order:

1. The electrical device; at a minimum, the inspection shall be completed by entering three numeric values into the electrical device and verifying that all winning combinations are properly illuminated; and
2. The automated dice shaker, if one is in use; at a minimum, the inspection shall be completed by operating the device three times and verifying that the dice are being properly tossed.

(b) At the beginning of each shift, the casino supervisor assigned to the sic bo table shall also inspect the automated dice shaker, if one is in use, to insure that it is in proper working order; at a minimum, the inspection shall be completed by operating the device three times and verifying that the dice are being properly tossed.

(c) Prior to shaking the manual sic bo shaker or activating the automated dice shaker, the dealer shall announce "No more bets."

(d) Once "No more bets" has been announced, the dealer shall either:

1. Place the cover on the manual sic bo shaker, and shake the sic bo shaker at least three times so as to cause a random mixture of the

dice; or

2. Activate the automated dice shaker to permit and cause a random mixture of the dice.

(e) The dealer shall then remove the cover from the manual sic bo shaker, announce the numeric value of each die and enter the numeric value of each die into the electrical device on the table. The electrical device shall then cause the winning combinations to be illuminated on the sic bo layout.

(f) After the winning combinations have been illuminated, the dealer shall first collect all losing wagers and then pay off all winning wagers at the odds currently being offered in accordance with N.J.A.C. 13:69F-9.4. A manual sic bo shaker shall remain uncovered until all winning wagers have been paid; an automated sic bo dice shaker shall remain uncovered at all times.

(g) After all losing wagers have been collected and all winning wagers paid, the dealer shall clear the previously illuminated winning combinations from the table.

**13:69F-9.6 Irregularities**

(a) If all three dice do not land flat on the bottom of the sic bo shaker after being tossed, the dealer shall call a "No roll."

(b) If the electrical device malfunctions after the manual sic bo shaker has been uncovered or the automated sic bo dice shaker has tossed the dice, the dealer shall, in the presence of the casino supervisor, collect all losing wagers and pay all winning wagers. Once the wagers on the layout have been settled, all gaming at sic bo shall cease until the electrical device has been fixed.

(c) If the automated sic bo shaker fails to operate or malfunctions when activated, the round of play shall be void.

(d) An automated sic bo shaker shall be removed from a gaming table before a manual sic bo shaker may be utilized at that table.

## **SUBCHAPTER 10. PAI GOW**

### **13:69F-10.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise.

"Bank" shall mean the player who elects to have the other players and dealer play against him or her and accepts the responsibility to pay all winning wagers.

"Co-banking" is defined in N.J.A.C. 13:69F-10.8.

"Copy hand" shall mean either a high hand or low hand of a player which is identical in pair rank or point value and contains the same highest ranking tile as the corresponding high hand or low hand of the dealer or bank.

"Dead hand" is defined in N.J.A.C. 13:69E-1.13C.

"Dice bonus wager" shall mean a wager that wins if the numeric value for all three dice is the same (triple) in one round of play, in two consecutive rounds, or three consecutive rounds of play in the dragon's eye variation of pai gow, provided that each triple may be comprised of dice with a numeric value different from any other triple.

"Double wager" shall mean a wager that wins if the numeric value on the two same colored dice is the same in the dragon's eye variation of pai gow.

"Dragon's eye die" means the one die used in the dragon's eye variation of pai gow that is of a color different from the other two dice.

"Even wager" shall mean a wager that wins if the numeric value on the dragon's eye die is even in value (that is, 2, 4, or 6) in the dragon's eye variation of pai gow.

"Gongs" is defined in N.J.A.C. 13:69F-10.2.

"High hand" shall mean the two tile hand formed with two of the four tiles dealt at the game of pai gow so as to rank higher than the hand formed from the remaining two tiles.

"Marker" shall mean an object or objects used to designate the bank and the co-bank.

"Match wager" is a wager that wins when the position number of a player matches the numeric value of one or more of the three dice in the dragon's eye variation of pai gow.

"Matched pairs" is defined in N.J.A.C. 13:69F-10.2.

"Mixed or unmatched pairs" is defined in N.J.A.C. 13:69F-10.2.

"Odd wager" shall mean a wager that wins if the numeric value on the dragon's eye die is odd in value (that is, 1, 3, or 5) in the dragon's eye variation of pai gow.

"Push" is a tie as defined in N.J.A.C. 13:69F-10.7(i).

"Rank or ranking" shall mean the relative position of a pai gow hand as set forth in N.J.A.C. 13:69F-10.2.

"Second highest" or "low hand" shall mean the two tile hand formed with two of the four tiles dealt at the game of pai gow so as to rank lower than the hand formed from the remaining two tiles.

"Setting the hands" shall mean the process of forming a high hand and a low hand from the four dealt tiles.

"Supreme pair" shall mean the pair of tiles that form the highest ranking hand in the game of pai gow and shall be formed with the six (2-4) tile and the three (1-2) tile.

"Triple wager" shall mean a wager that wins if the numeric value on all three dice is the same in the dragon's eye variation of pai gow.

"Value" shall mean the numerical point value assigned to a pair of tiles in accordance with the provisions of N.J.A.C. 13:69F-10.2.

"Washing" is defined in N.J.A.C. 13:69F-10.4.

"Wongs" is defined in N.J.A.C. 13:69F-10.2.

**13:69F-10.2 Pai gow tiles; ranking of hands, pairs and tiles; value of the hand**

(a) Pai gow shall be played with one set of 32 tiles which shall meet the requirements of N.J.A.C. 13:69E-1.19A.

(b) When comparing high hands or low hands to determine the higher ranking hand, the determination shall first be based upon the rank of any permissible pair of tiles which are contained in the hands. A hand with any permissible pair of tiles shall rank higher than a hand which does not contain any permissible pair. The permissible pairs of tiles in pai gow and their rank, with the "supreme pair" being the highest or "first" ranking pair, are as follows:

Ranking

Pairing

Supreme Pair

First Six (2-4) and Three (1-2)

Matched Pairs

Second Twelve (6-6) and Twelve (6-6)

Third Two (1-1) and Two (1-1)

Fourth Eight (4-4) and Eight (4-4)

Fifth Four (1-3) and Four (1-3)

Sixth Ten (5-5) and Ten (5-5)

Seventh Six (3-3) and Six (3-3)

Eighth Four (2-2) and Four (2-2)

Ninth	Eleven (5-6) and Eleven (5-6)
Tenth	Ten (4-6) and Ten (4-6)
Eleventh	Seven (1-6) and Seven (1-6)
Twelfth	Six (1-5) and Six (1-5)

Mixed or Unmatched Pairs

Thirteenth	Mixed Nines (3-6 and 4-5)
Fourteenth	Mixed Eights (3-5 and 2-6)
Fifteenth	Mixed Sevens (3-4 and 2-5)
Sixteenth	Mixed Fives (1-4 and 2-3)

Wongs

Seventeenth	Twelve (6-6) and Nine (4-5)
	Twelve (6-6) and Nine (3-6)
Eighteenth	Two (1-1) and Nine (4-5)
	Two (1-1) and Nine (3-6)

Gongs

Nineteenth	Twelve (6-6) and Eight (2-6)
	Twelve (6-6) and Eight (3-5)
	Twelve (6-6) and Eight (4-4)
Twentieth	Two (1-1) and Eight (2-6)

Two (1-1) and Eight (3-5)

Two (1-1) and Eight (4-4)

(c) When comparing high hands or low hands which are of identical permissible pair rank, the dealer or, if applicable, the bank shall win that hand (copy hand).

(d) When comparing the rank of high hands or low hands which do not contain any of the pairs listed in (b) above, the higher ranking hand shall be determined on the basis of the "value" of the hands. The value of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by adding the total number of spots which are contained on the two tiles which form the hand. If the numeric total of the spots is a two digit number, the left digit of such number shall be discarded and the right digit shall constitute the value of the hand. Examples of this rule are as follows:

1. A hand composed of a two (1-1) and a six (3-3) has a value of 8;  
and
2. A hand composed of an eleven (5-6) and a seven (1-6) has a numeric total of 18, but a value of only 8, since the left digit ("1") in the number 18 is discarded.

(e) Notwithstanding the provisions of (d) above, if the tiles which form the supreme pair are used separately, the numeric total of the three (1-2) may be counted as a 6 and the numeric total of the six (2-4) may be counted as a 3. When the three (1-2) is counted as 6, its individual ranking pursuant to (g) below shall be fifteenth instead

of seventeenth and when the six (2-4) is counted as 3, its individual ranking shall be seventeenth instead of fifteenth.

(f) When comparing high hands or low hands which are of identical value, the hand with the highest ranking individual tile shall be considered the higher ranking hand.

(g) The individual ranking for each tile, with "first" representing the highest ranking, is as follows:

<u>Ranking</u>	<u>Tile</u>	<u>Number of Tiles In Set</u>
First	Twelve (6-6)	2
Second	Two (1-1)	2
Third	Eight (4-4)	2
Fourth	Four (1-3)	2
Fifth	Ten (5-5)	2
Sixth	Six (3-3)	2
Seventh	Four (2-2)	2
Eighth	Eleven (5-6)	2
Ninth	Ten (4-6)	2
Tenth	Seven (1-6)	2
Eleventh	Six (1-5)	2
Twelfth	Nine (3-6)	1
Twelfth	Nine (4-5)	1
Thirteenth	Eight (2-6)	1

Thirteenth	Eight (3-5)	1
Fourteenth	Seven (2-5)	1
Fourteenth	Seven (3-4)	1
Fifteenth	Six (2-4)	1
Sixteenth	Five (1-4)	1
Sixteenth	Five (2-3)	1
Seventeenth	Three (1-2)	1

(h) If the highest ranking tile in each hand being compared is of identical rank after the application of (f) above, the hand shall be considered a copy hand, and the hand of the dealer or bank, as applicable, shall be considered the higher ranking hand.

**13:69F-10.3 Dice; number of dice; pai gow shaker**

(a) Pai gow shall be played with three dice which shall be maintained at all times inside a pai gow shaker while at the table. The dice used to play pai gow shall meet the requirements of [N.J.A.C. 13:69E-1.15](#) and the pai gow shaker shall meet the requirements of [N.J.A.C. 13:69E-1.13B](#).

(b) The pai gow shaker and the dice contained therein shall be the responsibility of the dealer and shall never be left unattended while at the table.

(c) No dice that have been placed in a pai gow shaker for use in gaming shall remain on a table for more than 24 hours.

(d) If a casino licensee offers the dragon's eye variation of pai gow, one of the three dice shall be a dragon's eye die and the other two dice shall each be of the same color, but readily distinguishable from the color of the dragon's eye die.

#### **13:69F-10.4 Opening of the table for gaming; shuffling procedures**

(a) After receiving one set of tiles at the table in accordance with N.J.A.C. 13:69E-1.19B, the dealer shall sort and inspect the tiles and the floorperson assigned to the table shall verify the inspection. Nothing in this section shall preclude a casino licensee from cleaning the tiles prior to the inspection required in this section. The inspection of tiles at the gaming table shall require the following:

1. Each set shall be sorted into pairs in order to assure that the supreme pair and all 15 matched and unmatched pairs as identified in N.J.A.C. 13:69F-10.2(b) are in the set.
2. Each tile shall be placed side by side in order to determine that all tiles are the same size and shading.
3. The back and sides of each tile shall be examined to assure that it is not flawed, scratched or marked in any way.
  - i. If, after checking the tiles, the dealer finds that certain tiles are unsuitable for use, a casino supervisor shall bring a substitute set of tiles to the table from the reserve in the pit stand.
  - ii. The unsuitable set of tiles shall be placed in a sealed envelope or container, identified by table number, date and time and shall be signed by the dealer and casino supervisor.

(b) Following the inspection of the tiles and the verification by the floorperson assigned to the table, the tiles shall be turned face up, then placed into 16 pairs and arranged according to rank starting with the supreme pair. The tiles shall be left in pairs for visual inspection by the first player to arrive at the table.

(c) After the first player is afforded an opportunity to visually inspect the tiles, the tiles shall be turned face downward on the table, mixed thoroughly by a "washing" of the tiles and stacked.

(d) The "washing" of the tiles shall be performed by the dealer and be known as the shuffle and shall be performed with the heels of the palms of the hands. The dealer shall shuffle the tiles in a circular motion with one hand moving clockwise and the other hand moving counterclockwise. Each hand shall complete at least eight circular motions in order to provide a random shuffle. The dealer shall then randomly pick up four tiles with each hand and place them side by side in stacks in front of the table inventory container, forming eight stacks of four tiles.

(e) If during the stacking process described in (d) above, a tile is turned over and exposed to the players, the entire set of tiles shall be reshuffled.

(f) After each round of play has been completed, the dealer shall turn all of the tiles face down and shuffle the tiles in accordance with (d) above.

(g) If there is no gaming activity at the pai gow table, the tiles shall be turned face up and placed into 16 pairs according to rank starting with the supreme pair. Once a player arrives at the table, the procedures in (c) and (d) above shall be followed.

### **13:69F-10.5 Wagers**

(a) All wagers at pai gow shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting area of the pai gow layout. A verbal wager accompanied by cash shall not be accepted at the game of pai gow.

(b) Only players who are seated at the pai gow table may place a wager at the game. Once a player has placed a wager and received tiles, that player shall remain seated until the completion of the round of play.

(c) All wagers at pai gow shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures set forth in [N.J.A.C. 13:69F-10.6](#). No wager at pai gow shall be made, increased or withdrawn after the dealer has announced "No more bets."

(d) If a casino licensee offers the dragon's eye variation of pai gow, a player shall have the option to place one or more of the following wagers on the designated betting area of the layout: an odd wager, an even wager, a double wager, a match wager, and a triple wager. In addition, a player may place a dice bonus wager, which wager shall be moved by the dealer to the designated area corresponding to the player's betting position immediately to the left of the dealer's inventory container. At the discretion of the casino licensee, a player may place one or more of these wagers without having to place a pai gow wager. The casino licensee shall pay each winning wager authorized pursuant to this subsection in accordance with the payout odds set forth in [N.J.A.C. 13:69F-10.11](#).

**13:69F-10.6 Procedures for dealing the tiles**

(a) Once the dealer has completed shuffling the tiles, the dealer shall announce "No more bets" prior to shaking the pai gow shaker. The dealer shall then shake the pai gow shaker at least three times so as to cause a random mixture of the dice.

(b) The dealer shall then remove the lid covering the pai gow shaker, total the dice and announce the total. The total of the dice shall determine which player receives the first stack of tiles.

(c) To determine the starting position for dealing the tiles, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one and continuing around the table with each betting position, regardless of whether there is a wager at the position, and the dead hand counted in order until the count matches the total of the three dice. Examples are as follows:

1. If the dice total 9, the dealer would receive the first stack of four tiles; or
2. If the dice total 15, the sixth wagering position would receive the first stack of four tiles.

(d) The dealer shall deal the first stack of four tiles, starting from the right side of the eight stacks, to the starting position as determined in (c) above and, moving counterclockwise around the table, deal all other positions including the dead hand and the dealer a stack of tiles, regardless of whether there is a wager at the position. The dealer shall place a marker on top of his or her stack of tiles immediately after they are

dealt.

(e) After all the stacks of tiles have been dealt, the dealer shall, without exposing the tiles, collect any stacks dealt to a position where there is no wager and place the stacks with the dead hand on the layout to the left of the dealer in front of the table inventory container.

(f) Once all tiles have been dealt and any tiles dealt to positions with no wagers have been collected, the dealer shall place the cover on the pai gow shaker and shake the shaker once. The pai gow shaker shall then be placed to the right of the dealer.

**13:69F-10.6A Dragon's eye variation; supplemental dealing procedure**

(a) Upon shaking the pai gow shaker, but prior to dealing the tiles in accordance with this subchapter, the dealer shall remove the lid covering the pai gow shaker and examine the number showing on the dragon's eye die. The dealer shall announce the number on the dragon's eye die, and whether one or more of the supplemental wagers in the dragon's eye variation have won. The dealer shall then place a marker or button (dragon's eye button) visually distinguishable from that being used for designating the bank at the player position represented by the number on the dragon's eye die.

(b) Following the placement of the dragon's eye button, the dealer shall from his or her right to left collect all losing supplemental wagers in the dragon's eye variation and pay all such winning wagers in accordance with the odds set forth at [N.J.A.C. 13:69F-10.11](#). The pai gow shaker shall remain uncovered until all winning wagers have been paid.

(c) If the dice shake results in all three dice having the same numeric value (triple), then the player who received the dragon's eye button in accordance with (a) above shall be the shaker of the dice for the next round of play, upon which the outcome of dice bonus wagers are determined, provided that the player has placed a dice bonus wager. If the player has not placed a dice bonus wager, the dealer shall be responsible for the shaking of the dice for the next round of play. Following each triple rolled, the dealer shall place a second button adjacent to the dice wager spot to left of

the dealer's inventory container that corresponds to the number of triples rolled (1, 2, or 3).

(d) Except for any pending dice bonus wagers, after all the supplemental wagers in the dragon's eye variation have been settled and the shaker of the dice for the ensuing round of play has been determined, the dealer shall then distribute the pai gow tiles first to the player having the dragon's eye button at his or her location and proceed to deal the game in accordance with the dealing procedures provided in this subchapter. In lieu of the procedures for determining the starting position for dealing the tiles set forth in this subsection, a casino licensee may elect to determine the starting position for dealing the tiles in accordance with the procedures set forth in [N.J.A.C. 13:69F-10.6](#).

(e) The dealer shall shake the dice five times and, if the player identified in (a) above has a pending dice bonus wager, pass the shaker to the player. The player shall shake the dice in the shaker and pass the shaker back to the dealer who shall remove the lid. If there is no player at that player position or if there is a player at that player position who has not placed a dice bonus wager, the dealer shall retain the dice.

(f) Any player who gains the opportunity to shake the dice may choose to have the dealer shake the dice for that player.

**13:69F-10.7 Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish**

(a) After the dealing of the tiles has been completed, each player shall set his or her hands by arranging the tiles into a high hand and low hand. After setting the hands, the tiles shall be placed face down on the layout immediately behind that player's betting area and separated into two distinct hands.

(b) Each player at the table shall be responsible for setting his or her own hands and no other person except the dealer may touch the tiles of that player.

Notwithstanding the foregoing, if a player requests assistance in the setting of his or her hands, the dealer may inform the requesting player of the manner in which the casino licensee requires the hands of the dealer to be set in its Rules of the Games Submission. Each player shall be required to keep the four tiles in full view of the dealer at all times. Once each player has set a high hand and low hand and placed the two hands face down on the layout, the player shall not touch the tiles again.

(c) After all players have set their hands and placed the tiles on the table, the four tiles of the dealer shall be turned over and the dealer shall set his or her hands by arranging the tiles into a high and low hand. The high hand shall be placed on the layout face up to his or her right and the low hand shall be placed on the layout face up to his or her left. If banking or co-banking is in effect pursuant to [N.J.A.C. 13:69F-10.8](#), after all players have set their hands and placed the tiles on the table, the player banking the game shall turn over his or her four tiles and shall set the two hands by arranging the tiles in a high and low hand on the appropriate area of the layout.

(d) Except as provided in (e) below, the dealer shall be required to comply with the following rules when setting the hands of the dealer:

1. If the dealer has the supreme pair, it shall be played as such;
2. If possible, the dealer shall always play a pair, wong or gong as set forth in [N.J.A.C. 13:69F-10.2](#);
3. If the dealer does not have any combinations described in (d)1 or 2 above, the dealer shall play any two tiles together which have a value equal to nine, eight, or seven; and
4. If the dealer does not have a combination listed in (d)1 through 3 above, the dealer shall play the highest ranking tile with the lowest ranking tile.

(e) Each casino licensee shall submit to the Division in its Rules of the Games Submission the manner in which it proposes to require the hands of the dealer to be set, and shall specifically note any exceptions it proposes to the rules listed in (d) above.

(f) A player may surrender his or her wager after the hands of the dealer have been set. The player must announce his or her intention to surrender prior to the dealer exposing either of the two hands of that player pursuant to (g) below. Once the player has announced his or her intention to surrender, the dealer shall:

1. Immediately collect the wager from that player; and
2. Collect the four tiles dealt to that player and stack them face down on the right side of the table in front of the table inventory container without exposing the tiles to anyone at the table.

(g) Once the dealer has set a high and low hand, the dealer shall expose both hands of each player, starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall always compare the high hand of the player to the high hand of the dealer and the low hand of the player to the low hand of the dealer and shall announce if the wager of that player shall win, lose or be considered a tie ("push").

(h) All losing wagers shall be collected immediately by the dealer and put in the table inventory container. All losing hands shall also be collected. A wager made by a player shall lose if the high hand of the player is identical in rank or lower in rank than the high hand of the dealer, and the low hand of the player is identical in rank or lower in rank than the low hand of the dealer or has a value of zero.

(i) If a wager is a push, the dealer shall not collect or pay the wager, but shall immediately collect the tiles of that player. A wager made by a player shall be a push if:

1. The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer (copy hand), lower in rank than the low hand of the dealer or has a value of zero; or
2. The high hand of the player is identical in rank to the high hand of the dealer (copy hand) or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer.

(j) All winning hands shall remain face up on the layout. Winning wagers shall be paid after all hands have been exposed. The dealer shall pay winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. A wager made by a player shall win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer.

(k) A winning pai gow wager shall be paid off by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player in an amount equal to five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the vigorish to 25 cents or the next highest multiple of 25 cents. A casino licensee shall collect the vigorish from a player at the time the winning payout is made. After a winning wager has been paid and the vigorish collected, the dealer shall then collect the tiles from that player.

(l) If a casino licensee offers the dragon's eye variation of pai gow, it shall extract vigorish by one of following two alternative methods:

1. Five percent on the amount won on the tiles phase of the game, provided, however, that any roll of triples during the dice phase of the game shall result in losing odd and even wagers; or
2. No vigorish shall be extracted during the tiles phase of the game, provided, however, that any roll of triples during the dice phase of the game shall result in losing odd, even, and pai gow wagers.

(m) All tiles collected by the dealer shall be picked up in order and in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute and shall be placed face up to the right of the dealer in front of the table inventory container.

**13:69F-10.8 Player bank; co-banking; selection of bank; procedures for dealing**

(a) A casino licensee may, in its discretion, offer to all players at a pai gow table the opportunity to bank the game. If the casino licensee elects this option, all the other provisions of this subchapter shall apply except to the extent that they conflict with the provisions of this section, in which case the provisions of this section shall control for any round of play in which a player is the bank.

(b) A player may not be the bank at the start of the game. For the purposes of this section, the start of the game shall mean the first round of play after the dealer is required to restack and shuffle the tiles in accordance with the procedures set forth in N.J.A.C. 13:69F-10.4(b) or (g).

(c) After the first round of play pursuant to (b) above, each player at the table shall have the option to either be the bank or pass the bank to the next player. The dealer shall, starting with the player farthest to the right of the dealer, offer the bank to each player in a counterclockwise rotation around the table until a player accepts the bank. The dealer shall place a marker designating the bank in front of the player who accepts the bank. If the first player offered the bank accepts, the player seated to the right of that player shall first be offered the bank on the next round of play. The initial offer to be the bank shall rotate counterclockwise around the table until it returns to the dealer. In no event may any player bank two consecutive rounds of play. If no player wishes to be the bank, the round of play shall proceed in accordance with the rules of play provided in this subchapter.

(d) Before a player may be permitted to bank a round of play, the dealer

shall determine that:

1. The player placed a wager against the dealer during the last round of play in which there was no player banking the game; and
2. The player has sufficient gaming chips on the table to cover all of the wagers placed by other players at the table for that round of play.

(e) A casino licensee may, in its discretion, offer the bank the option of having the casino cover 50 percent of the wagers made during a round of play. If the casino licensee offers this option, it shall make it available to all players at the table. If the bank wishes to use this option, the bank must specifically request the dealer to accept responsibility for the payment of one-half of all winning wagers. When the bank covers 50 percent and the casino covers 50 percent of the winning wagers, it shall be known as "co-banking" and the dealer shall place a marker designating the co-bank in front of that player. When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in the manner submitted to the Division pursuant to N.J.A.C. 13:69F-10.7. When co-banking is in effect, the dealer may not place a wager against the bank.

(f) If a player is the bank, the player may only wager on one betting area.

(g) Once the tiles have been shuffled and formed into stacks pursuant to N.J.A.C. 13:69F-10.4(d), the bank shall have the option to cut the tiles one time. If the bank does not wish to cut the tiles, there shall be no cut. Upon direction from the bank, the dealer may move:

1. One or more adjacent stacks of four tiles to the right or left end of the original eight stacks of tiles; or
2. Two or more adjacent stacks of four tiles, of which at least one stack is moved to one end and the other stacks are moved to the opposite end of the original eight stacks of tiles.

(h) Once the dealer has determined that a player may be the bank pursuant to (d) above and the tiles have been shuffled and, if applicable, cut, the dealer shall, unless co-banking is in effect, remove gaming chips from the table inventory container in an amount equal to the last wager made by that player against the dealer or in an amount, the calculation of which has been approved by the Division. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer places no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container. Immediately upon receipt of the four tiles dealt to the dealer pursuant to (k) below, the dealer shall place his or her wager on top of these tiles, instead of the marker otherwise required by N.J.A.C. 13:69F-10.6, before dealing the remaining tiles. If co-banking is in effect, the dealer shall not remove any gaming chips from the table inventory container pursuant to this subsection.

(i) Once the dealer has announced "No more bets," the bank may, by issuing a verbal instruction to the dealer, choose to have the dealer deliver the stacks of tiles using any one of the 10 styles of delivery described in (k) below. If the bank does not choose a style of delivery, the dealer shall use house way from the right. After the style

of delivery has been determined, the dealer shall indicate in order the style of delivery to be used by verbally repeating the selected style of delivery, taking such other action, in accordance with the casino licensee's internal control procedures, that identifies the selected delivery style to the casino licensee's surveillance department, and moving certain stacks of tiles or individual tiles slightly forward, backward or diagonally in the manner described in (k)1 through 10 below. After the dealer has indicated the style of delivery, the bank shall shake the pai gow shaker. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow shaker, the dealer shall remove the lid covering the pai gow shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow shaker to be covered and reshaken by the bank.

(j) To determine the starting position for dealing the tiles, the dealer shall count counterclockwise around the table, with the position of the bank considered number one and continuing around the table with each betting position, including the dealer, regardless of whether there is a wager at the position, and the dead hand counted in order until the count matches the total of the three dice.

(k) The dealer shall deal the first four tiles, in accordance with the selected style of delivery described in (k)1 through 10 below, to the starting position as determined in (j) above and, moving counterclockwise around the table, deal all other positions including the dead hand and the dealer four tiles, regardless of whether there

is a wager at the position. The dealer shall place his or her wager or marker, as applicable, on top of his or her stack of tiles immediately after they are dealt. Each casino licensee shall set forth in its Rules of the Games Submission the delivery styles offered to the bank. The 10 styles of delivery that may be used to deal the pai gow tiles are as follows:

1. House way from the right: The dealer shall indicate the use of house way from the right by pushing forward the first stack of tiles on the dealer's right. The dealer shall deliver the stack pushed forward to the starting position. The remaining stacks of tiles shall be delivered from the dealer's right to left.
2. House way from the left: The dealer shall indicate the use of house way from the left by pushing forward the first stack of tiles on the dealer's left. The dealer shall deliver the stack pushed forward to the starting position. The remaining stacks of tiles shall be delivered from the dealer's left to right.
3. Cup say (pick four) from the right: The dealer shall indicate the use of cup say from the right by pushing forward the first two stacks of tiles on the dealer's right. The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks of tiles shall be delivered from the dealer's right to left in the same

manner as the first two stacks.

4. Cup say (pick four) from the left: The dealer shall indicate the use of cup say from the left by pushing forward the first two stacks of tiles on the dealer's left. The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks of tiles shall be delivered from the dealer's left to right in the same manner as the first two stacks.
5. Jung quat (take the heart): The dealer shall indicate the use of jung quat by pushing forward the fourth stack of tiles from the dealer's right and the fourth stack of tiles from the dealer's left (the two center stacks of the eight). The dealer shall deliver the top two tiles from each of the two stacks pushed forward to the starting position. The four remaining tiles pushed forward shall be delivered to the next position. The remaining stacks shall be pushed together and the two new center stacks shall be pushed forward and delivered in the same manner as the first two stacks. This procedure shall be repeated until all eight stacks of tiles have been delivered.
6. Chee yee (chop the ears): The dealer shall indicate the use of chee yee by pushing forward the first stack of tiles on the dealer's

right and the first stack of tiles on the dealer's left. To deliver the tiles, the dealer shall center the two stacks pushed forward in front of the remaining stacks. The dealer shall deliver the top two tiles from each of the two centered stacks to the starting position. The four remaining tiles from the two centered stacks shall be delivered to the next position. The dealer shall then center and deliver the first stack remaining on the dealer's right and the first stack remaining on the dealer's left in the same manner. This procedure shall be repeated until all eight stacks of tiles have been delivered.

7. Pin say (slice four) from the right: The dealer shall indicate the use of pin say from the right by removing the top tile of the first stack of tiles on the dealer's right and placing it diagonally across the top of the second, third and fourth stacks of tiles from the dealer's right. The dealer shall deliver the top tile from each of the first four stacks on the dealer's right to the starting position (the diagonal tile plus the three tiles it covers). The top tile from each of the first four stacks on the dealer's left shall be delivered to the next position. The top tile remaining on each of the first four stacks on the dealer's right shall be delivered to the third position and the top tile remaining on each of the first four stacks on the dealer's left shall be delivered to the fourth position. This

procedure shall be repeated until four tiles have been delivered to all eight positions.

8. Pin say (slice four) from the left: The dealer shall indicate the use of pin say from the left by removing the top tile of the first stack of tiles on the dealer's left and placing it diagonally across the top of the second, third and fourth stacks of tiles from the dealer's left. The dealer shall deliver the top tile from each of the first four stacks on the dealer's left to the starting position (the diagonal tile plus the three tiles it covers). The top tile from each of the first four stacks on the dealer's right shall be delivered to the next position. The top tile remaining on each of the first four stacks on the dealer's left shall be delivered to the third position and the top tile remaining on each of the first four stacks on the dealer's right shall be delivered to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.
9. Dragon head and phoenix tail from the right: The dealer shall indicate the use of dragon head and phoenix tail from the right by placing all four tiles in the first and second stacks from the dealer's right directly on top of the four tiles in the third and fourth stacks from the dealer's right and then pushing forward the top two tiles in each of the eight tile stacks that are created

(forming the "dragon head"). The dealer shall deliver the four tiles pushed forward to the starting position. The top tile from each of the four stacks of four tiles to the dealer's left (the "phoenix tail") shall be delivered to the next position. The dealer shall deliver the top two tiles from each of the two stacks on the dealer's right to the third position and the top tile from each of the four stacks on the dealer's left to the fourth position. This procedure shall be repeated until four tiles have been delivered to all eight positions.

10. Dragon head and phoenix tail from the left: The dealer shall indicate the use of dragon head and phoenix tail from the left by placing all four tiles in the first and second stacks from the dealer's left directly on top of the four tiles in the third and fourth stacks from the dealer's left and then pushing forward the top two tiles in each of the eight tile stacks that are created (forming the "dragon head"). The dealer shall deliver the four tiles pushed forward to the starting position. The top tile from each of the four stacks of four tiles to the dealer's right (the "phoenix tail") shall be delivered to the next position. The dealer shall deliver the top two tiles from each of the two stacks on the dealer's left to the third position and the top tile from each of the four stacks on the dealer's right to the fourth position. This procedure shall

be repeated until four tiles have been delivered to all eight positions.

(l) After all the stacks of tiles have been dealt, the dealer shall, without exposing the tiles, collect any stacks dealt to a position where there is no wager and place the stacks with the dead hand on the layout to the left of the dealer in front of the table inventory container.

(m) Once all tiles have been dealt and any tiles dealt to positions with no wagers have been collected, the dealer shall place the cover on the pai gow shaker and shake the shaker once. The pai gow shaker shall then be placed to the right of the dealer.

(n) If the tiles dealt to the dealer have not been previously collected, after each player has set his or her two hands and placed them on the layout, the two hands of the dealer shall then be set. Once the dealer has formed a high and low hand, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank. If the dealer wins, the tiles of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top. If the dealer pushes, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container. If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.

(o) If banking is in effect, once the dealer has determined the outcome of the

wager of the dealer against the bank, if any, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose or be considered a push against the bank. All losing wagers shall be immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers, including the dealer's wager, shall be paid by the dealer with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the bank an amount equal to the remaining winning wagers and place that amount in the center of the layout. The remaining winning wagers shall be paid from the amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount shall be charged a five percent vigorish in accordance with N.J.A.C. 13:69F-10.7. Once the vigorish has been paid, the remaining amount shall be given to the bank.

(p) If co-banking is in effect, once the dealer has set the co-bank hand pursuant to (e) above, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose or be considered a push against the bank. All losing wagers shall be immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers shall be

paid by the dealer with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the co-bank, an amount equal to one-half of the remaining winning wagers and place that amount in the center of the layout. The dealer shall remove an amount equal to one-half of the remaining winning wagers from the table inventory container and place that amount in the center of the layout. The remaining winning wagers shall be paid from the total amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount will be counted and the dealer shall place one-half of this amount into the table inventory container. The dealer shall collect a five percent vigorish in accordance with N.J.A.C. 13:69F-10.7 on the remaining amount and place the vigorish amount in the table inventory container. The remaining amount shall then be given to the co-bank.

(q) Immediately after a winning wager of the dealer is paid, this amount and the original wager shall be returned to the table inventory container.

(r) Each player who has a winning wager against the bank shall pay a five percent vigorish on the amount won to the dealer, in accordance with N.J.A.C. 13:69F-10.7.

**13:69F-10.9 Irregularities; invalid roll of the dice**

(a) If the dealer uncovers the pai gow shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a "No roll" and reshake the dice.

(b) If the dealer uncovers the pai gow shaker and a die or dice fall out of the shaker, the dealer shall call a "No roll" and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the tiles to the wrong positions, all hands shall be void and the dealer shall reshuffle the tiles.

(d) If the dealer exposes any of the tiles dealt to a player, the player has the option of voiding the hand. Without looking at the unexposed tiles, the player shall make the decision either to play out the hand or to void the hand.

(e) If a tile dealt to the dealer, bank, the dead hand or any position where there is no wager is exposed, all hands shall be void and the tiles shall be reshuffled.

(f) If the dealer does not set his or her hands in the manner submitted to the Division pursuant to N.J.A.C. 13:69F-10.7, the hands must be reset in accordance with such submission and the round of play completed.

**13:69F-10.10 A player wagering on more than one betting area**

(a) Except as provided in N.J.A.C. 13:69F-10.8(f), a casino licensee may, in its discretion, permit a player to wager on no more than two betting areas at a pai gow table, which areas must be adjacent to each other.

(b) If a casino licensee permits a player to wager on two adjacent betting areas, the tiles dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall be required to rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked and set and placed face down on the layout, the hand may not be changed.

**13:69F-10.11 Wagers for dragon's eye variation; payout odds**

(a) A "match wager" shall win for the player position number that corresponds to the numeric value on each die. A player who places a match wager shall be paid 1 to 1 for each die with a numeric value that matches the player's player position at the table.

1. Example A: If the numeric values of the dice rolled are 1, 2, and 3, then the players in player positions 1, 2, and 3 shall each be paid 1 to 1.
2. Example B: If the numeric values are 3, 3, and 4, then the player at player position 3 shall be paid 2 to 1 (1 to 1 for each die) and the player at player position 4 shall be paid 1 to 1.
3. Example C: If the numeric values are 5, 5, and 5, then the player at player position 5 shall be paid 3 to 1 (1 to 1 for each die).

(b) An "even wager" shall win if the numeric value of the dragon's eye die is an even number (that is, 2, 4, or 6), provided that the numeric value on each of the three dice is not the same. A winning even wager shall be paid 1 to 1.

(c) An "odd wager" shall win if the numeric value of the dragon's eye die is an odd number (that is, 1, 3, or 5), provided that the numeric value on each of the three dice is not the same. A winning odd wager shall be paid 1 to 1.

(d) A "double wager" shall win if the numeric values on both dice other than the dragon's eye die are the same (double). A winning double wager shall be paid 4 to 1.

(e) A "triple wager" shall win if the numeric values on all three dice are the same (triple). A winning triple wager shall be paid 30 to 1.

(f) A "dice bonus wager" shall win if the numeric values on all three dice are the same for a round of play. A winning dice bonus wager for the first triple shall be paid 30 to 1 for the player shaking the dice and 25 to 1 for players other than the shaker. A winning dice bonus wager for two consecutive triples shall be 500 to 1 for the player shaking the dice and 50 to 1 for players other than the shaker who retained their bonus bets on the table. A winning dice bonus wager for three consecutive triples shall be 10,000 to 1 for the player shaking the dice and 1,000 to 1 for players other than the shaker who retained their bonus bets on the table. In the event the dealer is responsible for shaking the dice pursuant to [N.J.A.C. 13:69F-10.6A\(c\)](#), players remain eligible to win the payouts for non-shakers as set forth in this subsection. Players shall only remain eligible for payouts for consecutive triples by retaining their dice bonus wagers in the designated area of the layout. Players who did not place a dice bonus wager before any triple will be ineligible to place a dice bonus wager on the subsequent round of play.

## **SUBCHAPTER 11. PAI GOW POKER**

### **13:69F-11.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise.

"Bank" shall mean the player who elects to have the other players and dealer play against him or her and accepts the responsibility to pay all winning wagers.

"Banker hand bonus" shall mean a payout made to a player who placed an imperial pai gow bonus wager pursuant to N.J.A.C. 13:69F-11.19 if the bank's seven cards form one of the qualifying hands enumerated at N.J.A.C. 13:69F-11.20(b), except that the banker hand bonus for a player banking a round of play shall be determined by the dealer's seven cards.

"Bonus wager" shall mean an optional wager that the player's seven cards will form a qualifying poker hand, regardless of the manner in which the player set the high hand and the low hand. All bonus wagers shall be banked by the house.

"Co-banking" is defined in N.J.A.C. 13:69F-11.10.

"Copy hand" shall mean either a two-card hand or a five-card hand of a player which is identical in rank to the corresponding two-card hand or five-card hand of the dealer or bank.

"Dealer queen's dragon" shall mean, for purposes of the EZ pai gow variation, the seven-card hand of the dealer or player bank that is a queen-high hand.

"Dealer queen's dragon wager" shall mean, for purposes of the EZ pai gow variation, an optional wager authorized by N.J.A.C. 13:69F-11.20 that the dealer or player bank's hand will form a dealer queen's dragon.

"Dice bonus wager" shall mean a wager that wins if the numeric value for all three dice is the same (triple) in one round of play, in two consecutive rounds, or three consecutive rounds of play in the dragon's eye variation of pai gow poker, provided that each triple may be comprised of dice with a numeric value different from any other triple.

"Double wager" shall mean a wager that wins if the numeric value on the two same colored dice is the same in the dragon's eye variation of pai gow poker.

"Dragon's eye die" means the one die used in the dragon's eye variation of pai gow poker that is of a color different from the other two dice.

"Dynasty bonus wager" shall mean, for purposes of the EZ pai gow variation, an optional wager authorized by N.J.A.C. 13:69F-11.20 that the player's seven card hand will form a five-card hand or seven-card hand combination that qualifies for a payout pursuant to N.J.A.C. 13:69F-11.19.

"Envy bonus" shall mean an additional fixed sum payoff made to a player who placed a bonus wager of at least \$ 5.00 when another player at the pai gow poker table is the holder of a premium qualifying poker hand. A player is entitled to multiple envy bonuses if more than one other player is the holder of a premium qualifying poker hand; provided, however, that a player is not entitled to an envy bonus for his or her own cards or the cards of the dealer.

"Even wager" shall mean a wager that wins if the numeric value on the dragon's eye die is even in value (that is, 2, 4, or 6) in the dragon's eye variation of pai gow poker.

"EZ pai gow" shall mean a variation of pai gow poker in which players do not pay vigorish on winning pai gow poker wagers.

"High hand" shall mean the five-card hand which is formed from the seven cards dealt at the game of pai gow poker so as to rank equal to or higher than the two-card low hand.

"Marker" shall mean an object or objects used to designate the bank and the co-bank.

"Match wager" is a wager that wins when the position number of a player matches the numeric value of one or more of the three dice in the dragon's eye variation of pai gow poker.

"Odd wager" shall mean a wager that wins if the numeric value on the dragon's eye die is odd in value (that is, 1, 3, or 5) in the dragon's eye variation of pai gow poker.

"Pai gow insurance wager" shall mean an optional wager as authorized by N.J.A.C. 13:69F-11.15, that the player's seven cards will form a seven-card hand with a rank of ace or lower (a "pai gow"), for which a payout will be awarded pursuant to N.J.A.C. 13:69F-11.16(c), regardless of the manner in which the player sets the high hand and the low hand and regardless of the outcome of the player's pai gow poker wager.

"Player hand bonus" shall mean a payout made to a player who placed an imperial pai gow bonus wager pursuant to N.J.A.C. 13:69F-11.19 if a five-card hand,

formed from the player's seven cards, is one of the qualifying hands enumerated at N.J.A.C. 13:69F-11.20(a).

"Premium qualifying poker hand" shall mean a five-card or seven-card poker hand with a rank of four-of-a-kind or higher formed from the seven cards dealt to a player.

"Protection wager" shall mean, for purposes of the EZ pai gow variation, an optional wager authorized by N.J.A.C. 13:69F-11.19 that the player's seven cards will form a seven-card hand with a rank of ace or lower (a "pai gow"), which qualifies for a payout pursuant to N.J.A.C. 13:69F-11.20.

"Push" is a tie as defined in N.J.A.C. 13:69F-11.9(h).

"Qualifying poker hand" shall mean a five-card or seven-card poker hand with a rank of straight or higher formed from the seven cards dealt to a player.

"Rank or ranking" shall mean the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-11.3.

"Red/black wager" shall mean, for purposes of the EZ pai gow variation, an optional wager authorized by N.J.A.C. 13:69F-11.19 that the player's seven-card hand will contain at least four cards of the chosen color, which qualifies for a payout pursuant to N.J.A.C. 13:69F-11.19.

"Second highest" or "low hand" shall mean the two-card hand which is formed from the seven cards dealt at the game of Pai Gow Poker so as to rank equal to or lower than the five-card high hand.

"Set or setting the hands" shall mean the process of forming a high hand and low hand from the seven cards dealt.

"Seven-card bonus wager" shall mean an optional wager, as authorized by N.J.A.C. 13:69F-11.17, that the player's seven card hand will form a five-card poker hand (best five cards out of seven cards) for which a payout is awarded pursuant to N.J.A.C. 13:69F-11.18, regardless of the manner in which the player sets the high hand and the low hand and regardless of the outcome of the player's pai gow poker wager.

"Suit" shall mean one of the four categories of cards, that is, diamond, spade, club, or heart.

"Three-card bonus wager" shall mean an optional wager, as authorized by N.J.A.C. 13:69F-11.17, that the player's first three cards will form a three-card poker hand that contains a straight flush with no joker, three-of-a-kind, a straight flush, a straight, a flush, or one pair.

"Triple wager" shall mean a wager that wins if the numeric value on all three dice is the same in the dragon's eye variation of pai gow poker.

**13:69F-11.2 Cards; number of decks**

(a) Except as provided in (b) below, pai gow poker shall be played with one deck of cards with backs of the same color and design, on additional cutting card and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-11.6. The cutting card and cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards used to play pai gow poker shall meet the requirements of N.J.A.C. 13:69E-1.17 and shall include one joker. Nothing in this section shall prohibit a casino licensee from using decks which are manufactured with two jokers provided that only one joker is used for gaming at pai gow poker.

(b) If an automated card shuffling device is used for pai gow poker, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from one deck only shall be placed in the discard rack at any given time.

### **13:69F-11.3 Pai gow poker rankings; cards; poker hands**

(a) The rank of the cards used in pai gow poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two, three, four, and five. Except as otherwise provided in (c) below, the joker shall be used and ranked as an ace.

(b) The permissible poker hands at the game of pai gow poker, in order of highest to lowest rank, shall be:

1. "Five aces" is a high hand consisting of four aces and a joker;
2. "Royal flush" is a high hand consisting of an ace, king, queen, jack, and 10 of the same suit; however, for purposes of the progressive payout wager, a "natural royal flush" is a royal flush which does not use a joker;
3. "Straight flush" is a high hand consisting of five cards of the same suit in consecutive ranking, with ace, two, three, four, and five being the highest ranking straight flush; king, queen, jack, 10, and nine being the second highest ranking straight flush, and six, five, four, three, and two being the lowest ranking straight flush;
4. "Four-of-a-kind" is a high hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;

5. "Full house" is a high hand consisting of a "three-of-a-kind" and a "pair," with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
6. "Flush" is a high hand consisting of five cards of the same suit. When comparing two flushes, the provisions of (e) below shall be applied;
7. "Straight" is a high hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack, and 10 being the highest ranking straight; an ace, two, three, four, and five being the second highest ranking straight; and a six, five, four, three, and two being the lowest ranking straight;
8. "Three-of-a-kind" is a high hand containing three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
9. "Two pairs" is a high hand containing two "pairs," with two aces and two kings being the highest ranking two pair hand and two threes and two twos being the lowest ranking two pair hand; and
10. "Pair" is either a high hand or a low hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) For purposes of setting the hands, a joker may be used as any card to complete a "straight," a "flush," a "straight flush," or a "royal flush."

(d) Notwithstanding the provisions of (b) above, a casino licensee may, in its discretion, determine that a straight flush formed with an ace, two, three, four, and five of the same suit shall be the lowest ranking straight flush and that a straight formed with an ace, two, three, four, and five, regardless of suit, shall be the lowest ranking straight. If a casino licensee chooses to exercise this option, it shall so indicate in its Rules of the Games Submission.

(e) When comparing two high hands or two low hands which are of identical poker hand rank pursuant to the provisions of this section, or which contain none of the poker hands authorized herein, the hand which contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this subsection, the hands shall be considered a copy hand.

(f) If a casino licensee offers the optional bonus wager authorized by [N.J.A.C. 13:69F-11.15](#), the following seven-card hands, each of which shall have a rank higher than a five-card poker hand of five aces, shall be used to determine the amount of the bonus wager payout or envy bonus payment to which a winning patron is entitled pursuant to [N.J.A.C. 13:69F-11.16](#):

1. "Seven-card straight flush with no joker" is a seven-card hand consisting of seven cards of the same suit in consecutive ranking, with no joker being used to complete the straight flush;

2. "Royal flush plus royal match" is a seven-card hand consisting of an ace, a king, a queen, a jack, and a 10 of the same suit, with or without a joker, with one of the following pre-selected by the casino licensee:
  - i. An additional king and queen of a same suit; or
  - ii. An additional ace and king of the same suit, without a joker (natural); and
3. "Seven-card straight flush with joker" is a seven-card hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the straight flush.

(g) For purposes of pay table "B" for the seven-card bonus wager at [N.J.A.C. 13:69F-11.18\(c\)](#), a "straight flush with joker" is a hand consisting of five cards of the same suit in consecutive ranking, one of which is the joker, and a "straight flush without joker" is a hand consisting of five cards of the same suit in consecutive ranking, none of which is the joker.

(h) If a casino licensee offers the insurance wager authorized by [N.J.A.C. 13:69F-11.15](#), a joker is ranked as an ace for purposes of determining this wager.

(i) If a casino licensee offers the EZ pai gow variation authorized by [N.J.A.C. 13:69F-11.20](#), the following seven-card hands, each of which has a rank higher than a five-card poker hand of five aces, shall be used to determine the amount of the dynasty bonus wager and envy bonus payouts pursuant to [N.J.A.C. 13:69F-11.21](#):

1. "Ace to 5 natural straight flush with suited ace and queen" is a seven card hand formed with an ace, 2, 3, 4, and 5 of the same suit (none of which is the joker) with an additional ace and queen of the same suit (neither of which is the joker);
2. "Seven-card natural straight flush" is a seven card hand consisting of seven cards of the same suit in consecutive ranking, with no joker being used to complete the hand;
3. "Royal flush with suited ace and queen" is a seven card hand consisting of an ace, king, queen, jack, and 10 of the same suit (with or without a joker), with an additional ace and queen of the same suit (neither of which is the joker); and
4. "Seven-card wild straight flush" is a seven card hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the hand.

**13:69F-11.4 Pai gow poker shaker and dice; computerized random number generator; button**

(a) Unless a casino licensee offers the optional bonus wagers authorized by [N.J.A.C. 13:69F-11.17](#) and follows the dealing procedures set forth therein, the starting position for the deal or delivery of cards in pai gow poker shall be determined by using one of the following methods:

1. Three dice and a pai gow poker shaker, which shall meet the requirements of [N.J.A.C. 13:69E-1.15](#) and [1.13B\(e\)](#), respectively, and be used in accordance with [N.J.A.C. 13:69E-1.13B\(e\)](#) and [11.8B\(b\)](#).
  - i. The three dice shall be maintained at all times within the pai gow poker shaker.
  - ii. The pai gow poker shaker and the dice contained therein shall be the responsibility of the dealer and shall never be left unattended while at the table.
  - iii. No dice that have been placed in a pai gow poker shaker for use in gaming shall remain on a table for more than 24 hours.
2. A computerized random number generator that, in accordance with [N.J.A.C. 13:69E-1.13B\(f\)](#) and [11.8C\(c\)](#), shall automatically select and display a number from 1 through 7 inclusive.
3. If an automated card shuffling device and dealing shoe is used pursuant to [N.J.A.C. 13:69F-11.8B](#) and [11.8C\(d\)](#), a button that is moved by the dealer clockwise around the table as each round of play is

completed.

(b) If a casino licensee offers the dragon's eye variation of pai gow poker, one of the three dice shall be a dragon's eye die and the other two dice shall each be of the same color, but readily distinguishable from the color of the dragon's eye die.

**13:69F-11.5 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) If the deck of cards used by the casino licensee contains two jokers, the dealer and a casino supervisor shall ensure that only one joker is utilized and that the other joker is torn in half and discarded. Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence and shall include one joker.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-11.6.

(d) If a casino licensee uses an automated card shuffling device to play the game of pai gow poker and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 11.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above immediately prior to the commencement of play.

**13:69F-11.6 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards either manually or by use of an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing herein shall be deemed to prohibit an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the cards directly into an automated or manual dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-11.8, 11.8A, or 11.8B; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) through (e) below.

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of the cover card. Thereafter, the dealer shall offer the stack of cards to be cut, with the backs facing up and faces facing the layout, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning;

2. The player who accepts the bank pursuant to N.J.A.C. 13:69F-11.10; provided, however, if the bank refuses the cut, the cards shall be offered to each player moving counterclockwise around the table from the bank until a player accepts the cut; or
3. The player at the farthest position to the right of the dealer, if there is no bank during a round of play; provided, however, if there are two or more consecutive rounds of play where there is no bank, the offer to cut the cards shall rotate in a counterclockwise manner after the player to the far right of the dealer has been offered the cut.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. The dealer shall then remove the cover card and place it on the bottom of the stack. Thereafter, the dealer shall remove the cutting card and, at the discretion of the casino licensee, either place it in the discard rack or use it as an additional cutting card to be inserted four cards from the bottom of the deck. The dealer shall then deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-11.8, 11.8A, or 11.8B.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the

game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) Whenever there is no gaming activity at a pai gow poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-11.5(c) shall be completed.

### **13:69F-11.7 Wagers**

(a) All wagers at pai gow poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting area of the pai gow poker layout. A verbal wager accompanied by cash shall not be accepted at the game of pai gow poker.

(b) Only players who are seated at the pai gow poker table may place a wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play.

(c) All wagers at pai gow poker shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures set forth in [N.J.A.C. 13:69F-11.8, 11.8A, or 11.8B](#). No wager at pai gow poker shall be made, increased or withdrawn after the dealer has announced "No more bets."

(d) Upon placing a pai gow poker wager, a player may, if a progressive payout wager is offered by the casino licensee pursuant to the provisions of [N.J.A.C. 13:69F-11.14](#), place a progressive payout wager by depositing a gaming chip into the acceptor device designated for that player or by redeeming a progressive payout wager coupon. Each player shall be responsible for verifying that the acceptor light for his or her betting position has been properly illuminated upon placement of the progressive payout wager.

(e) If a casino licensee offers the optional bonus wagers authorized by [N.J.A.C. 13:69F-11.17](#), upon placing a pai gow poker wager and prior to any cards being dealt for

the round of play, a player may place a three-card bonus wager and/or a seven-card bonus wager.

(f) If a casino licensee offers the optional bonus wager authorized by [N.J.A.C. 13:69F-11.19](#), Imperial pai gow bonus wager, upon placing a pai gow poker wager and prior to any cards being dealt for the round of play, a player may place an imperial pai gow bonus wager.

(g) If a casino licensee offers the dragon's eye variation of pai gow, a player shall have the option to place one or more of the following wagers on the designated betting area of the layout: an odd wager, an even wager, a double wager, a match wager, a triple wager, and a dice bonus wager. At the discretion of the casino licensee, a player may place one or more of these wagers without having to place a pai gow poker wager. The casino licensee shall pay each winning wager authorized pursuant to this subsection in accordance with the payout odds set forth in [N.J.A.C. 13:69F-11.19](#).

(h) If a casino licensee offers the optional wagers authorized for the EZ pai gow variation pursuant to [N.J.A.C. 13:69F-11.20](#), upon placing a pai gow wager and prior to any cards being dealt for the round of play, a player may also place one or more of following wagers:

1. A dynasty bonus wager;
2. A protection wager;
3. A red/black wager; and
4. A queen's dragon wager.

**13:69F-11.8 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-11.6 have been completed, the cards shall be placed in the manual dealing shoe and the dealer shall announce "No more bets."

(b) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-11.8C, determine the starting position for dealing the cards. If the casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-11.13, all such additional wagers shall be determined and paid and the procedures in N.J.A.C. 13:69F-11.13 shall be completed, before any card is dealt to any player at the table.

(c) After the starting position for dealing the cards has been determined, each card shall be removed from the dealing shoe with the left hand of the dealer and placed face down on the appropriate area of the layout with the right hand of the dealer. The dealer shall deal the first card to the starting position as determined in (b) above and, moving clockwise around the table, deal a card to all other positions, including the dealer, regardless of whether there is a wager at the position. The dealer shall then return to the starting position and deal a second card in a clockwise rotation and shall continue dealing until each position, including the dealer, has seven cards.

(d) After seven cards have been dealt to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left.

1. If four cards remain, the four cards shall not be exposed to

anyone and shall be placed in the discard rack. The dealer shall then collect any cards dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a player or the dealer has more or less than seven cards, all hands shall be void pursuant to N.J.A.C. 13:69F-11.11. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C.

13:69E-1.18.

**13:69F-11.8A Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play pai gow poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-11.6 have been completed, the dealer shall place the deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
2. The dealer shall then announce "No more bets" prior to dealing seven stacks of seven cards each to the area in front of the table inventory container. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall deal the first seven cards moving from left to right and the second seven cards moving from right to left and shall continue alternating in this manner until there are seven stacks of seven cards.

(d) After seven stacks of seven cards have been dealt, the dealer shall determine whether exactly four cards are left by spreading them face down on the layout.

1. If four cards remain, the cards shall not be exposed to anyone at the table and shall be placed in the discard rack.
2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void and the cards reshuffled. If the cards have not been misdealt, the round of play shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C.

13:69E-1.18.

(e) Once the dealer has completed dealing the seven stacks and placed the four remaining cards in the discard rack, the dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-11.8C, determine the starting position for delivering the stacks of cards. If the casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-11.13, all such additional wagers shall be determined and paid and the procedures in N.J.A.C. 13:69F-11.13 shall be completed, before any stack of cards is dealt to any player at the table.

(f) After the starting position for delivering the stacks of cards has been determined, the dealer shall deliver the first stack to the starting position as determined

in (e) above and, moving clockwise around the table, deliver the remaining stacks in order to all other positions, including the dealer, regardless of whether there is a wager at the position. In delivering the stacks, the stack farthest to the left of the dealer shall be considered the first stack, and the stack farthest to the right of the dealer shall be considered the seventh stack. The dealer shall deliver each stack face down.

(g) After the seven stacks have been delivered to each position, including the dealer, the dealer shall collect any stacks dealt to a player position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-11.8B Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play pai gow poker dealt from an automated dealing shoe which dispenses cards in stacks of seven cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-11.6 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-11.8C, determine the starting position for delivering the stacks of cards. If the casino licensee offers the additional wager authorized by N.J.A.C. 13:69F-11.13, all such additional wagers shall be determined and paid and the procedures in N.J.A.C. 13:69F-11.13 shall be completed, before any stack of cards is dealt to any player at the table.

(d) Once the starting position has been determined in accordance with (c) above, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall deliver a stack in turn to each of the other

positions, including the dealer, moving clockwise around the table, whether or not there is a wager at the position. The dealer shall deliver each stack face down.

(e) After the seven stacks of seven cards have been dispensed and delivered to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left by spreading them face down on the layout.

1. If four cards remain, the cards shall not be exposed to anyone at the table and shall be placed in the discard rack.
2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void and the cards reshuffled. If the cards have not been misdealt, the round of play shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C.

13:69E-1.18.

(f) If the dealer determines the cards were dealt properly, the dealer shall then collect any stacks dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-11.8C Procedure for determining the starting position for dealing cards or delivering stacks of cards**

(a) In order to determine the starting position for the dealing of cards or the delivery of stacks of cards for the game of pai gow poker, a casino licensee may, in its discretion, use the procedure authorized in (b), (c), or (d) below.

(b) The dealer shall shake the pai gow poker shaker and dice described in N.J.A.C. 13:69F-11.4 at least three times so as to cause a random mixture of the dice.

1. The dealer shall then remove the lid covering the pai gow poker shaker, total the dice and announce the total.
2. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the total of the three dice.
3. Examples are as follows:
  - i. If the dice total eight, the dealer would receive the first card or stack of cards; or
  - ii. If the dice total 14, the sixth betting position would receive the first card or stack of cards.
4. After the dealing or delivery of the cards has been completed in accordance with the procedures set forth in N.J.A.C. 13:69F-11.8, 11.8A, or 11.8B, the dealer shall place the cover on the pai gow

poker shaker and shake the shaker once. The pai gow poker shaker shall then be placed to the right of the dealer.

(c) The dealer may use a computerized random number generator approved by the Division to select and display a number from 1 through 7 inclusive, and verbally announce the number. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the number displayed by the random number generator.

(d) If an automated card shuffling device and dealing shoe is used pursuant to N.J.A.C. 13:69F-11.8B, the dealer may use a flat disk button to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(e) After the starting position for a round of play has been determined, a casino licensee may, in its discretion, mark that position by the use of an additional cut card or similar object.

**13:69F-11.8D Dragon's eye variation; supplemental dealing procedure**

(a) Upon shaking the pai gow shaker, but prior to dealing the cards in accordance with this subchapter, the dealer shall remove the lid covering the pai gow shaker and examine the number showing on the dragon's eye die. The dealer shall announce the number on the dragon's eye die, and whether one or more of the supplemental wagers in the dragon's eye variation have won. The dealer shall then place a marker or button (dragon's eye button) visually distinguishable from that being used for designating the bank at the player position represented by the number on the dragon's eye die.

(b) Following the placement of the dragon's eye button, the dealer shall from his or her right to left collect all losing supplemental wagers in the dragon's eye variation and pay all such winning wagers in accordance with the odds set forth at [N.J.A.C. 13:69F-11.19](#). The pai gow shaker shall remain uncovered until all winning wagers have been paid.

(c) If the dice shake results in all three dice having the same numeric value (triple), then the player who received the dragon's eye button in accordance with (a) above shall be the shaker of the dice for the next round of play, upon which the outcome of any dice bonus wagers are determined, provided that the player has placed a dice bonus wager. If the player has not placed a dice bonus wager, the dealer shall be responsible for the shaking of the dice for the next round of play. Following each triple rolled, the dealer shall place a second button adjacent to the dragon's eye button that corresponds to the number of triples rolled (1, 2, or 3).

(d) Except for any pending dice bonus wagers, after all the supplemental wagers in the dragon's eye variation have been settled and the shaker of the dice for the ensuing round of play has been determined, the dealer shall then distribute the pai gow poker cards first to the player having the dragon's eye button at his or her location and proceed to deal the game in accordance with the dealing procedures provided in this subchapter. In lieu of the procedures for determining the starting position for dealing the cards as set forth in this subsection, a casino licensee may elect to determine the starting position for dealing the cards in accordance with the procedures set forth in [N.J.A.C. 13:69F-11.10](#).

(e) The dealer shall shake the dice five times and, if the player identified in (a) above has a pending dice bonus wager, pass the shaker to the player. The player shall shake the dice in the shaker and pass the shaker back to the dealer who shall remove the lid. If there is no player at that player position or if there is a player at that player position who has not placed a dice bonus wager, the dealer shall retain the dice.

(f) Any player who gains the opportunity to shake the dice may choose to have the dealer shake the dice for that player.

**13:69F-11.9 Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds; vigorish**

(a) After the dealing of the cards has been completed, each player shall set his or her hands by arranging the cards into a high hand and low hand. When setting the two hands, the five-card high hand must be equal to or higher in rank than the two-card low hand. For example, if the two-card hand contains a pair of sevens, the five-card hand must contain at least a pair of sevens and the three remaining cards.

(b) Each player at the table shall be responsible for setting his or her own hands and no other person except the dealer may touch the cards of that player. Notwithstanding the foregoing, if a player requests assistance in the setting of his or her hands, the dealer may inform the requesting player of the manner in which the casino licensee requires the hands of the dealer to be set in its Rules of the Games Submission. Each player shall be required to keep the seven cards in full view of the dealer at all times. Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player shall not touch the cards again.

(c) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his or her hands by arranging the cards into a high and low hand. The dealer shall then place the two hands face up on the appropriate area of the layout. If banking or co-banking is in effect pursuant to [N.J.A.C. 13:69F-11.10](#), after all players have set their hands and placed the cards on the table, the player banking the game shall turn over his or her seven cards and shall set the two hands by arranging the cards in a high and low hand on the appropriate area of the layout.

(d) Each casino licensee shall submit to the Division in its Rules of the Games Submission the manner in which it will require the hands of the dealer to be set.

(e) Unless a player has placed a progressive payout wager pursuant to [N.J.A.C. 13:69F-11.14](#), a seven-card bonus wager pursuant to [N.J.A.C. 13:69F-11.17](#), or one of the optional wagers authorized for the EZ pai gow variation pursuant to [N.J.A.C. 13:69F-11.20](#), a player may announce that he or she wishes to surrender his or her wager prior to the dealer exposing either of the two hands of that player pursuant to (f) below. Once the player has announced his or her intention to surrender, the dealer shall:

1. Immediately collect the wager from that player; and
2. Collect the seven cards dealt to that player without exposing the cards to anyone at the table. The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(f) Once the dealer has set a high hand and a low hand, the dealer shall expose both hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the pai gow poker wager of that player shall win, lose, or be considered a tie (push). The dealer shall also examine the seven cards of the player and announce whether any of the following wagers shall win or lose:

1. A progressive payout wager pursuant to [N.J.A.C. 13:69F-11.14](#);
2. A seven-card bonus wager pursuant to [N.J.A.C. 13:69F-11.17](#);

3. An imperial pai gow bonus wager pursuant to [N.J.A.C. 13:69F-11.19](#);  
and
4. Any optional wager for the EZ pai gow variation pursuant to  
[N.J.A.C. 13:69F-11.20](#).

(g) All losing pai gow poker wagers, imperial pai gow bonus wager, seven-card bonus wagers, progressive payout wagers, and optional wagers for the EZ pai gow variation shall be immediately collected by the dealer and put in the table inventory container. Unless the player has a winning progressive payout wager, winning seven-card bonus wager, or optional wager(s) for the EZ pai gow variation, all losing pai gow poker hands shall also be collected. A pai gow poker wager made by a player shall lose if:

1. The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer;
2. The high hand of the player is identical in rank to the high hand of the dealer or the low hand of the player is identical in rank to the low hand of the dealer (a "copy hand") and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer;
3. The high hand of the player was not set so as to rank equal to or higher than the low hand of that player; or

4. The two hands of the player were not otherwise set correctly in accordance with the rules of the game (for example, a player forms a three-card low hand and a four-card high hand).

(h) If a pai gow poker wager is a push, the dealer shall not collect or pay the wager, but shall return the pai gow poker wager to the player. Unless the player has a winning progressive payout wager, a winning seven-card bonus wager, or a winning optional wager(s) for the EZ pai gow variation, the dealer shall then immediately collect the cards of that player. A pai gow poker wager made by a player shall be a push if:

1. The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer (copy hand) or lower in rank than the low hand of the dealer;
2. The high hand of the player is identical in rank to the high hand of the dealer (copy hand) or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer; and
3. The EZ pai gow variation is offered, the dealer/playerbank hand is a dealer's queen dragon hand.

(i) All hands that resulted in a winning pai gow poker wager, winning seven-card bonus wager, winning imperial pai gow bonus wager, winning progressive payout wager, or a winning optional wager(s) for the EZ pai gow variation shall remain face up on the layout. Winning wagers shall be paid after all hands are exposed. The dealer shall

pay winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. A pai gow poker wager made by a player shall win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer, except in the EZ pai gow variation if the dealer's hand is a dealer's queen dragon hand. If a player has a winning pai gow poker wager and a winning progressive payout wager, winning imperial pai gow bonus wager, a winning seven-card bonus wager, or a winning optional wager(s) for the EZ pai gow variation, the pai gow poker wager shall be paid first.

(j) A winning pai gow poker wager shall be paid by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player at the time the winning payout is made in an amount equal to five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the vigorish to 25 cents or the next highest multiple of 25 cents. Notwithstanding the foregoing, if a casino licensee offers the EZ pai gow variation, a winning pai gow poker wager shall be paid without extraction of a commission. After a winning pai gow poker wager has been paid and the vigorish, if applicable, collected, the dealer shall then pay the winning progressive payout wager, winning imperial pai gow bonus wager, the winning seven-card bonus wager of that player, or the winning optional bonus wager(s) for the EZ pai gow variation. Before paying a winning progressive payout wager, winning imperial pai gow bonus wager, winning seven-card bonus wager, or a winning optional bonus wager(s) for the EZ pai

gow variation, the dealer shall, if necessary, reset the player's high hand and low hand to form the hand type yielding the highest progressive wager payout or seven-card bonus payout to which the player is entitled. Except as otherwise required pursuant to (m) below, the dealer shall then collect the cards from that player.

(k) If a casino licensee offers the dragon's eye variation of pai gow poker, it shall extract vigorish by one of following two alternative methods:

1. Five percent on the amount won on the poker phase of the game, provided, however, that any roll of triples during the dice phase of the game shall result in losing odd and even wagers; or
2. No vigorish shall be extracted during the poker phase of the game, provided, however, that any roll of triples during the dice phase of the game shall result in losing odd, even and pai gow poker wagers.

(l) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

(m) If a player has won a progressive payout wager that is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed.

**13:69F-11.10 Player bank; co-banking; selection of bank; procedures for dealing**

(a) A casino licensee may, in its discretion, offer to all players at a pai gow poker table the opportunity to bank the game. If the casino licensee elects this option, all the other provisions of this subchapter shall apply except to the extent that they conflict with the provisions of this section, in which case the provisions of this section shall control for any round of play in which a player is the bank.

(b) A player may not be the bank at the start of the game. For the purposes of this section, the start of the game shall mean the first round of play after the dealer is required to shuffle the cards in accordance with the procedures set forth in [N.J.A.C. 13:69F-11.5\(c\)](#).

(c) After the first round of play pursuant to (b) above, each player at the table shall have the option to either be the bank or pass the bank to the next player. The dealer shall, starting with the player farthest to the right of the dealer, offer the bank to each player in a counterclockwise rotation around the table until a player accepts the bank. The dealer shall place a marker designating the bank in front of the player who accepts the bank. If the first player offered the bank accepts, the player seated to the right of that player shall first be offered the bank on the next round of play. The initial offer to be the bank shall rotate counterclockwise around the table until it returns to the dealer. In no event may any player bank two consecutive rounds of play. If no player wishes to be the bank, the round of play shall proceed in accordance with the rules of play provided in this subchapter.

(d) Before a player may be permitted to bank a round of play, the dealer shall determine that:

1. The player placed a wager against the dealer during the last round of play in which there was no player banking the game; and
2. The player has sufficient gaming chips on the table to cover all of the wagers placed by other players at the table for that round of play.

(e) A casino licensee may, in its discretion, offer the bank the option of having the casino cover 50 percent of the wagers made during a round of play. If the casino licensee offers this option, it shall make it available to all players at the table. If the bank wishes to use this option, the bank must specifically request the dealer to accept responsibility for the payment of one-half of all winning wagers. When the bank covers 50 percent and the casino covers 50 percent of the winning wagers, it shall be known as "co-banking" and the dealer shall place a marker designating the co-bank in front of that player. When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in the manner submitted to the Division pursuant to [N.J.A.C. 13:69F-11.9](#). When co-banking is in effect, the dealer may not place a wager against the bank.

(f) If a player is the bank, the player may only wager on one betting area.

(g) Once the dealer has determined that a player may be the bank pursuant to (d) above and after the cards have been shuffled, the dealer shall remove gaming chips from the table inventory container in an amount equal to the last wager made by

that player against the dealer or in an amount, the calculation of which has been approved by the Division. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer place no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container.

(h) If the cards are to be dealt from a manual dealing shoe, the procedures set forth in [N.J.A.C. 13:69F-11.8](#) and [11.8C](#) shall apply, except as follows:

1. If a pai gow poker shaker and dice are being used to determine the starting position for the dealing of the cards, the bank shall shake the pai gow poker shaker three times pursuant to [N.J.A.C. 13:69F-11.8C\(b\)](#) instead of the dealer. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow poker shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow poker shaker, the dealer shall remove the lid covering the pai gow poker shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow poker shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow poker shaker to be covered and reshaken by the bank.
2. If a computerized random number generator is used to determine the starting position for the dealing of the cards, the device shall

be operated in accordance with the casino licensee's internal control procedures.

3. When counting the betting positions, including the dealer, to determine the starting position for dealing the cards, the position of the banker, instead of the dealer, shall be considered number one.
  - i. If the cards are to be dealt from the hand, the procedures set forth in [N.J.A.C. 13:69F-11.8A](#) and [11.8C](#) shall apply, except as follows:
    - (1) Once the dealer has completed dealing the seven stacks and placed the four remaining cards in the discard rack pursuant to [N.J.A.C. 13:69F-11.8A](#), the bank shall select the first stack to be delivered by the dealer. This stack shall be designated as the first stack by the dealer moving it toward the players.
    - (2) If a pai gow poker shaker and dice are being used to determine the starting position for the delivery of the first stack, the bank shall shake the pai gow poker shaker three times pursuant to [N.J.A.C. 13:69F-11.8C\(b\)](#) instead of the dealer. It shall be the responsibility of

the dealer to ensure that the bank shakes the pai gow poker shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow poker shaker, the dealer shall remove the lid covering the pai gow poker shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow poker shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow poker shaker to be covered and reshaken by the bank.

- (3) If a computerized random number generator is used to determine the starting position for the delivery of the first stack, the device shall be operated in accordance with the casino licensee's internal control procedures.
- (4) When counting the betting positions, including the dealer, to determine the starting position for delivering the seven

stacks of cards, the position of the bank, instead of the dealer, shall be considered number one.

5. The dealer shall deliver the first stack as determined in (i)1 above to the starting position as determined in [N.J.A.C. 13:69F-11.8C](#) and (i)2 through 4 above. Thereafter, the dealer shall deliver the remaining stacks in a clockwise rotation beginning with the stack closest to the right of the first stack and proceeding until all stacks to the right of the first stack have been dealt and then moving to the stack farthest to the left of the dealer and proceeding left to right. If there are no stacks to the right of the first stack, the dealer will begin with the stack farthest to the left and proceed to the right. The dealer shall deliver each stack face down to each position, including the dealer, regardless of whether there is a wager at the position.

(j) If the cards are to be dealt from an automated dealing shoe, the procedures set forth in [N.J.A.C. 13:69F-11.8B](#) and [11.8C](#) shall apply, except as follows:

1. If a pai gow poker shaker and dice are being used to determine the starting position for the delivery of the first stack of cards dispensed by the automated dealing shoe, the bank shall shake the pai gow poker shaker three times pursuant to [N.J.A.C. 13:69F-11.8C\(b\)](#) instead of the dealer. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow poker shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow poker shaker, the dealer shall remove the lid covering the pai gow poker shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow poker shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow poker shaker to be covered and reshaken by the bank.
2. If a computerized random number generator is used to determine the starting position, the device shall be operated in accordance with the casino licensee's internal control procedures.
3. When counting the betting positions, including the dealer, to determine the starting position for delivering the stacks of cards as they are dispensed by the shoe, the position of the bank, instead of the dealer shall be considered number one.

(k) If the cards dealt to the dealer have not been previously collected, after each player has set his or her two hands and placed them on the appropriate area of the layout, the two hands of the dealer shall then be set. Once the dealer has formed a high and low hand, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank. If the dealer wins, the cards of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top. If the dealer pushes, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container. If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.

1. If banking is in effect during a round of play of the EZ pai gow variation, after the dealer has formed a high and low hand, the dealer shall expose the hands of the bank and determine if the bank's hand is a dealer queen's dragon hand. If the bank's hand is a dealer queen's dragon hand, all players' and dealer's wagers against the bank shall be deemed a push.

(l) If banking is in effect, once the dealer has determined the outcome of the wager of the dealer against the bank, if any, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose, or be considered a push against the bank. All losing wagers shall be

immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers, including the dealer's wager, shall be paid by the dealer with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the bank, an amount equal to the remaining winning wagers and place that amount in the center of the layout. The remaining winning wagers shall be paid from the amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount shall be charged a five percent vigorish in accordance with [N.J.A.C. 13:69F-11.9](#). Once the vigorish has been paid, the remaining amount shall be given to the bank.

1. If banking is in effect during a round of play of the EZ pai gow variation, after the dealer has verified that the bank's hand is not a dealer queen's dragon hand and once the dealer has determined the outcome of the wager of the dealer against the bank, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table.

(m) If co-banking is in effect, once the dealer has set the co-bank hand pursuant to (e) above, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose, or be considered a

push against the bank. All losing wagers shall be immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers shall be paid by the dealer with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the co-bank, an amount equal to one-half of the remaining winning wagers and place that amount in the center of the layout. The dealer shall remove an amount equal to one-half of the remaining winning wagers from the table inventory container and place that amount in the center of the layout. The remaining winning wagers shall be paid from the total amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount will be counted and the dealer shall place half of this amount into the table inventory container. The dealer shall collect a five percent vigorish in accordance with [N.J.A.C. 13:69F-11.9](#) on the remaining amount and place the vigorish amount in the table inventory container. The remaining amount shall then be given to the co-bank.

1. If co-banking is in effect during a round of play of the EZ pai gow variation, once the dealer has set the co-bank hand pursuant to (e) above, the dealer shall determine if the hand of the bank is a dealer queen's dragon hand. If the bank's hand is a dealer queen's dragon hand, the pai gow wagers of all players shall be deemed a push. If the bank's hand is not a dealer queen's dragon hand, the dealer shall expose the hands of each player starting with the

player farthest to the right of the dealer and proceeding counterclockwise around the table.

(n) Immediately after a winning wager of the dealer is paid, this amount and the original wager shall be returned to the table inventory container.

(o) Each player who has a winning pai gow wager against the bank shall pay a five percent vigorish on the amount won to the dealer; provided, however, that if a casino licensee offers the EZ pai gow variation, each player who has a winning pai gow wager against the bank shall not pay any vigorish on the amount won to the dealer.

(p) If a casino licensee offers the progressive payout wager pursuant to [N.J.A.C. 13:69F-11.14](#), the imperial pai gow bonus wager pursuant to [N.J.A.C. 13:69F-11.19](#), or the optional bonus wagers pursuant to [N.J.A.C. 13:69F-11.17](#), the processing and resolution of such wagers shall be governed by the rules applicable to such wagers throughout this subchapter.

### **13:69F-11.11 Irregularities; invalid roll of dice**

(a) If the dealer uncovers the pai gow poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a "No roll" and reshake the dice.

(b) If the dealer uncovers the pai gow poker shaker and a die or dice fall out of the shaker, the dealer shall call a "No roll" and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card or delivers the first stack to the wrong position, all hands shall be called dead and the dealer shall reshuffle the cards.

(d) If the dealer exposes any of the cards dealt to a player, the player has the option of voiding the hand. Without looking at the unexposed cards, the player shall make the decision either to play out the hand or to void the hand.

(e) If a card or cards in the hand of the dealer or bank is exposed, all hands shall be void and the cards shall be reshuffled.

(f) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found turned face up in the shoe, all hands shall be void and the cards shall be reshuffled.

(g) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe.

(h) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(i) If the dealer does not set his or her hands in the manner submitted to the

Division pursuant to N.J.A.C. 13:69F-11.9, the hands must be reset in accordance with this submission and the round of play completed.

(j) If the bank does not set his or her own hands correctly, the wager shall not be lost pursuant to N.J.A.C. 13:69F-11.9, and the dealer shall be required to reset the bank's hands in the manner submitted to the Division pursuant to N.J.A.C. 13:69F-11.9 so that the round of play may be completed.

(k) If a card is exposed while the dealer is dealing the seven stacks in accordance with N.J.A.C. 13:69F-11.8A, the cards shall be reshuffled.

(l) If cards are being dealt from the hand and the dealer fails to deal the seven stacks in accordance with N.J.A.C. 13:69F-11.8A(c), the cards shall be reshuffled.

(m) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(n) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void, and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(o) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-11.12 A player wagering on more than one betting area**

(a) Except as provided in N.J.A.C. 13:69F-11.10(f), a casino licensee may, in its discretion, permit a player to wager on no more than two betting areas at a pai gow poker table, which areas must be adjacent to each other.

(b) If a casino licensee permits a player to wager on two adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall be required to rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked and set and placed face down on the appropriate area of the layout, the hand may not be changed.

### **13:69F-11.13 Permissible additional wager**

(a) If a casino licensee, pursuant to N.J.A.C. 13:69F-11.8C, uses a random number generator to determine the starting position for the dealing of cards or the delivery of stacks of cards, the casino licensee may in its discretion offer to every player at the pai gow poker table the option to make an additional wager as to which one of the numbers 1 through 7 will be selected and displayed by the random number generator at the beginning of a round of play.

(b) The following procedures shall be observed by any casino licensee offering the additional wager authorized by this section:

1. Prior to the activation of the random number generator at the beginning of a round of play, any player who has made a pai gow poker wager pursuant to N.J.A.C. 13:69F-11.7 may, at the same time, make the additional wager authorized by this section. A player may make an additional wager on more than one number during each round of play.
2. A player shall make an additional wager by placing gaming chips, and if permitted by the casino licensee, a match play coupon, on the number selected by the player in the area designated for additional wagers on the pai gow poker table layout. No verbal additional wagers or cash additional wagers shall be permitted.
3. An additional wager shall win if the number selected by the player in (b)2 above is the same number selected and displayed by the

random number generator as the first player position to receive cards during that round of pai gow poker. All other additional wagers shall lose.

4. After the dealer announces "No more bets" and the random number generator selects and displays the position number for that round of play, any losing additional wagers shall be immediately collected by the dealer.
5. Any winning additional wagers shall be paid immediately after collection of any losing additional wagers, and prior to any card being dealt to any player at the table.
6. A casino licensee shall pay off winning additional wagers at odds of no less than 5 1/2 to 1 and no more than 6 to 1, and in accordance with the payout odds imprinted on the pai gow poker table layout; provided, however, that payouts for any additional winning wagers shall be rounded down to the nearest whole dollar.

(c) Any additional wager made pursuant to this section shall have no bearing upon any other wager made by a player at the game of pai gow poker.

**13:69F-11.14 Progressive payout wager**

(a) A casino licensee may, in its discretion, offer to every player at a pai gow poker table who has placed a pai gow poker wager the option to make a progressive payout wager on whether the player will be dealt a hand type as set forth in (d) below. The progressive payout wager shall, in the discretion of the casino licensee, be either a \$1.00 or \$5.00 wager.

(b) Prior to the first card or stack of cards of a round being dealt and once all wagers including progressive payout wagers have been placed, the dealer shall announce “No more bets” and press the lock-out button on the table controller panel. The dealer shall then remove any wagers placed on the progressive payout from the table inventory return device, verify, on the layout in front of the table inventory container, that the that the number of gaming chips wagered equals the number of lights illuminated on the acceptor devices and place the gaming chips into the table inventory container.

(c) A winning progressive payout wager shall be paid in accordance with the payout table listed in (d) below. A winning progressive payout wager shall be paid irrespective of the outcome of the player’s pai gow poker wager. Prior to paying a winning progressive payout wager, the dealer shall:

1. Verify that the light on the correct acceptor device has been illuminated;
2. Verify that the hand is a winning hand; and
3. Require a casino supervisor to validate any payouts to be

deducted from the progressive meter pursuant to (e) below and the casino licensee's internal control procedures.

(d) A casino licensee shall pay winning \$1.00 and \$5.00 progressive payout wagers at no less than the amounts listed below:

\$1.00 PROGRESSIVE WAGER

<u>Hand Type</u>	<u>Payout</u>
Natural Royal Flush and Pair	100 percent of meter
Five Aces and Pair	100 percent of meter
Natural Royal Flush	10 percent of meter
Five Aces	10 percent of meter
Royal Flush and Pair	\$200.00
Royal Flush	\$100.00
Straight Flush and Pair	\$50.00
Straight Flush	\$25.00
Four-of-a-Kind and Pair	\$40.00
Four-of-a-Kind	\$20.00
Full House and Pair	\$10.00
Full House	\$5.00
Flush and Pair	\$6.00
Flush	\$3.00
Straight and Pair	\$4.00

Straight	\$2.00
Three-of-a-Kind	\$2.00

\$5.00 PROGRESSIVE WAGER

<u>Hand Type</u>	<u>Payout</u>
Natural Royal Flush and Pair	100 percent of meter
Five Aces and Pair	100 percent of meter
Natural Royal Flush	10 percent of meter
Five Aces	10 percent of meter
Royal Flush and Pair	\$1,000
Royal Flush	\$500.00
Straight Flush and Pair	\$250.00
Straight Flush	\$125.00
Four-of-a-Kind and Pair	\$200.00
Four-of-a-Kind	\$100.00
Full House and Pair	\$50.00
Full House	\$25.00
Flush and Pair	\$30.00
Flush	\$15.00
Straight and Pair	\$20.00
Straight	\$10.00
Three-of-a-Kind	\$10.00

(e) The rate of progression of the progressive meter used to determine the progressive payouts required by (d) above shall be no less than 21 percent of the amount wagered for the \$1.00 progressive wager and 27 percent of the amount wagered for the \$5.00 progressive wager. Any progressive wager payout of \$50.00 or more or for a straight flush for a \$1.00 progressive wager, and any progressive wager payout of \$250.00 or more or for a straight flush for a \$5.00 progressive wager, shall be deducted from the progressive meter.

(f) The initial and reset amounts for the progressive meter shall be established by each casino licensee pursuant to the rules of the Division. In no instance shall the initial or reset amount on the progressive meter that is funded by the casino licensee be less than \$10,000.

(g) Any payout determined by the amount on the progressive meter shall be based upon the amount that is on the meter at the time the player's progressive payout wager is paid, irrespective of the amount that was on the meter when the player placed the wager or when the dealer dealt the player's cards.

**13:69F-11.15 Pai gow insurance wager; optional bonus wager; payment of envy bonus**

(a) A casino licensee may, in its discretion, offer to each player at a pai gow poker table the opportunity to make a pai gow insurance wager and/or a bonus wager and receive an envy bonus payment in accordance with the provisions of this section. The optional bonus wager authorized by this section may not be offered by a casino licensee on any pai gow poker table which offers the optional three-card bonus wager, the imperial pai gow bonus wager authorized by N.J.A.C. 13:69F-11.19 or the seven-card bonus wager authorized by N.J.A.C. 13:69F-11.17.

(b) Any player who has made a pai gow poker wager pursuant to N.J.A.C. 13:69F-11.7 may, at the same time, make a pai gow insurance wager and/or a bonus wager by placing gaming chips in the area designated for a bonus wager at his or her betting position. A bonus wager shall be no less than \$1.00.

(c) Any player who makes a bonus wager of at least \$5.00 shall qualify to receive an envy bonus payment. The dealer shall place an envy bonus marker immediately in front any bonus wager of \$5.00 or more.

(d) If a pai gow insurance wager and/or a bonus wager has been made by one or more players, the dealer shall observe the procedures set forth in N.J.A.C. 13:69F-11.9 but with the following modifications.

1. The dealer shall, starting from the dealer's right and moving counterclockwise around the table, settle the pai gow poker

wager of each player and collect any vigorish that is due;

provided, however, that:

- i. The cards of any player who has placed a bonus wager shall remain on the layout regardless of the outcome of his or her pai gow poker wager until removed in accordance with the provisions of (d)2 or 3 below; and
  - ii. If any player has placed a pai gow insurance wager or a bonus wager of at least \$5.00, the cards of each player shall remain on the layout regardless of the outcome of his or her pai gow poker wager until removed in accordance with the provisions of (d)2 or 3 below.
2. After settling the pai gow poker wager of a player who has placed a pai gow insurance wager or a bonus wager, the dealer shall rearrange the seven cards of the player to form the best possible hand and shall be ultimately responsible for creating such hand for purposes of the pai gow insurance wager and the bonus wager. Except for the pai gow insurance wager, a joker may be used as any card to complete any straight, flush, straight flush, or royal flush other than a seven-card straight flush with no joker. If any player at the table has placed a bonus wager of at least \$5.00, the dealer shall rearrange the cards of each player at the table regardless whether that player has placed a bonus wager.

- i. If the player does not have a qualifying poker hand or a pai gow, the dealer shall collect the bonus wager and/or pai gow insurance wager, if applicable, and place the cards of the player in the discard rack.
    - ii. If the player has a qualifying poker hand or a pai gow, the dealer shall, if and as applicable, pay the winning bonus wager in accordance with N.J.A.C. 13:69F-11.16(a) and/or the winning pai gow insurance wager in accordance with N.J.A.C. 13:69F-11.16(c) and place the cards of the player in the discard rack.
    - iii. If the player has a premium qualifying poker hand, the dealer shall verbally acknowledge the premium qualifying poker hand and leave the bonus wager, if applicable, and the cards of the player face up on the table.
3. After all other bonus wagers and pai gow insurance wagers have been settled, the dealer shall, starting from the dealer's right and moving counterclockwise around the table, settle with each player who has an envy bonus marker at his or her betting position or who has a bonus wager and a premium qualifying poker hand.
  - i. If the player has an envy bonus marker, the dealer shall pay the player the appropriate envy bonus payment set

forth at N.J.A.C. 13:69F-11.16(b) and collect the envy  
bonus marker.

- ii. If the player has a bonus wager and a premium qualifying poker hand, the dealer shall pay the winning bonus wager in accordance with N.J.A.C. 13:69F-11.16(a) and place the cards of the player in the discard rack.
- iii. After all envy bonuses and premium qualifying poker hands are paid, the dealer shall collect the cards of any player who had a premium qualifying poker hand but did not place a bonus wager and place the cards of the player in the discard rack.

**13:69F-11.16 Payout odds for bonus wagers; envy bonus payments; pai gow insurance wagers**

(a) Bonus wagers shall be paid pursuant to the following schedule:

<u>Hand</u>	<u>Payout</u>
Seven-Card Straight Flush with No Joker	8,000 to 1
Royal Flush Plus Royal Match	2,000 to 1
Seven-Card Straight Flush with Joker	1,000 to 1
Five Aces	400 to 1
Royal Flush	150 to 1
Straight Flush	50 to 1
Four-of-a-Kind	25 to 1
Full House	5 to 1
Flush	4 to 1
Three-of-a-Kind	3 to 1
Straight	2 to 1

(b) Envy bonus payments shall be paid pursuant to the following schedule:

<u>Hand</u>	<u>Bonus</u>
Seven-Card Straight Flush with No Joker	\$5,000
Royal Flush Plus Royal Match	\$1,000
Seven-Card Straight Flush with Joker	\$500.00
Five Aces	\$250.00
Royal Flush	\$50.00

Straight Flush	\$20.00
Four-of-a-Kind	\$5.00

(c) Pai gow insurance wagers shall be paid pursuant to the payout odds set forth in one of the following pay tables pre-selected by the casino licensee:

<u>Hand</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Nine high	400 to 1	250 to 1	100 to 1	100 to 1
10 high	40 to 1	75 to 1	50 to 1	25 to 1
Jack high	20 to 1	25 to 1	25 to 1	15 to 1
Queen high	5 to 1	5 to 1	10 to 1	6 to 1
King high	3 to 1	3 to 1	5 to 1	5 to 1
Ace high	2 to 1	2 to 1	1 to 1	3 to 1

<u>Hand</u>	<u>E</u>
Nine high	100 to 1
10 high	25 to 1
Jack high	15 to 1
Queen high	7 to 1
King high	5 to 1
Ace high	3 to 1

(d) Notwithstanding the minimum payout odds required in (a) and (c) above and the fixed bonus amount required in (b) above, a casino licensee may establish a maximum payout amount as approved by the Division that is payable to a player for one round of play, which amount shall be at least \$40,000 or the maximum amount that one player could win per round when betting the minimum permissible wagers, whichever is greater. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3. Any maximum payout limit established by a casino licensee shall apply only to payouts of pai gow poker bonus wagers and pai gow insurance wagers placed pursuant to N.J.A.C. 13:69F-11.15.

**13:69F-11.17 Dealing procedures for three-card bonus wager and seven-card bonus wager**

(a) A casino licensee may, in its discretion, offer to each player at a pai gow poker table the opportunity to place an optional three-card bonus wager and/or a seven-card bonus wager and to receive payouts on such winning wagers as set forth in N.J.A.C. 13:69F-11.18. The bonus wagers authorized by this section may not be offered by a casino licensee on any pai gow poker table which offers the optional bonus wager authorized by N.J.A.C. 13:69F-11.15 or the imperial pai gow bonus wager authorized by N.J.A.C. 13:69F-11.19. The three-card bonus wager and the seven-card bonus wager shall have no bearing on any other wager made by a player at the game of pai gow poker.

(b) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, the dealing procedures set forth in this section shall apply to any pai gow poker game that offers the optional bonus wagers authorized by this section. The first three cards dealt to each player shall be dealt from an automated dealing shoe which dispenses cards in stacks of three cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(c) Once the procedures required by N.J.A.C. 13:69F-11.5 and 11.6 have been completed, the cards shall be placed in the automated dealing shoe. The dealer shall then announce "No more bets."

(d) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player at the starting position. The starting position shall be the player position farthest to the left of the dealer at which a pai gow

poker wager has been placed in accordance with N.J.A.C. 13:69F-11.7.

(e) As the remaining stacks of three cards are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a pai gow poker wager. The dealer shall then deliver a stack of three cards face down to the area designated for the dealer's hand.

(f) Each player who has placed a three-card bonus wager shall, after examining his or her cards, determine whether the three-card hand qualifies for a three-card bonus wager payout as defined in N.J.A.C. 13:69F-11.18 and as displayed on the sign required by N.J.A.C. 13:69E-1.13B(c). Each player who has placed a three-card bonus wager and who has a winning hand shall place his or her cards face up on the layout. The dealer shall collect all three-card bonus wagers from players with losing three-card hands and then pay all winning three-card bonus wagers in accordance with the payouts set forth at N.J.A.C. 13:69F-11.18.

(g) After each stack of three cards has been dispensed and delivered and each three-card bonus wager has been resolved in accordance with this section, the dealer shall complete the dealing of the cards by observing one of the following procedures.

1. The dealer shall remove the stub from the automated dealing shoe, place the stub on top of a cover card and, following the relevant dealing procedures in N.J.A.C. 13:69F-11.8A(b), deal from his or hand four additional cards face down to each player and the

dealer. The dealer shall deal the first four consecutive cards to the player farthest to his or her left who has placed a pai gow poker wager in accordance with N.J.A.C. 13:69F-11.7 and, moving clockwise around the table, continue to deal four consecutive cards to each player who has placed a pai gow poker wager. The dealer shall then deal four consecutive cards to the area designated for the dealer's hand. After each player who has placed a pai gow poker wager and the dealer have been dealt a total of seven cards, the dealer shall place the stub in the discard rack without exposing the cards and the round of play shall proceed in accordance with the procedures set forth in N.J.A.C. 13:69F-11.9 and 11.18.

2. The dealer shall deliver the first stack of four additional cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a pai gow poker wager in accordance with N.J.A.C. 13:69F-11.7. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack of four cards face down to each player who has placed a pai gow poker wager. The dealer shall then deliver a stack of four additional cards face down to the area designated for the dealer's hand. The round of play shall then proceed in accordance with

the procedures set forth in N.J.A.C. 13:69F-11.9 and 11.18.

(h) The dealer shall be required to count the stub at least once every five rounds of play in order to determine whether the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.
2. If the count of the stub indicates that the number of the cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than seven cards) but 53 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-11.11(h). If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(i) Notwithstanding the provisions of (h) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards, plus the joker, are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-11.18 Payout odds for optional three-card bonus wager and seven-card bonus wager**

(a) The payout odds for winning the optional bonus wagers authorized by N.J.A.C. 13:69F-1.17 when printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) A casino licensee shall pay off winning three-card bonus wagers at no less than the following odds:

<u>Hand</u>	<u>Payout Odds</u>
Three-Card Straight Flush, with No Joker	40 to 1
Three-of-a-Kind	25 to 1
Three-Card Straight Flush	5 to 1
Three-Card Straight	4 to 1
Three-Card Flush	3 to 1
One Pair	1 to 1

(c) A casino licensee shall pay winning seven-card bonus wagers at no less than the odds in accordance with one of the following payout tables:

Table A

<u>Hand</u>	<u>Payout Odds</u>
Five Aces	500 to 1
Royal Flush	250 to 1
Straight Flush	50 to 1

Four-of-a-Kind	25 to 1
Full House	5 to 1
Flush	4 to 1
Three-of-a-Kind	3 to 1
Straight	2 to 1

Table B

<u>Hand</u>	<u>Payout Odds</u>
Five Aces	500 to 1
Royal Flush	200 to 1
Straight Flush without Joker	50 to 1
Straight Flush with Joker	30 to 1
Four-of-a-Kind	25 to 1
Full House	5 to 1
Flush	4 to 1
Three-of-a-Kind	3 to 1
Straight	2 to 1

(d) Notwithstanding the minimum payout odds required in (c) above, a casino licensee may establish a maximum payout amount as approved by the Division that is payable to a player for one round of play, which amount shall be at least \$50,000 or the maximum amount that one player could win per round when betting the minimum permissible wager, whichever is greater. If the established payout limit is not

included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3. Any maximum payout limit established by a casino licensee shall apply only to payouts of the seven-card bonus wager placed pursuant to N.J.A.C. 13:69F-11.17.

**13:69F-11.19 Imperial pai gow bonus wager**

(a) A casino licensee may, in its discretion, offer to each player at a pai gow poker table the opportunity to make an imperial pai gow bonus wager and receive bonus payouts in accordance with the provisions of N.J.A.C. 13:69F-11.20. The optional bonus wager authorized by this section may not be offered by a casino licensee on any pai gow poker table which offers the pai gow insurance wager, optional bonus wager and envy bonus authorized by N.J.A.C. 13:69F-11.15 or the optional three-card bonus wager and the seven-card bonus wager authorized by N.J.A.C. 13:69F-11.17. The imperial pai gow bonus wager shall have no bearing on any other permitted wager made by a player at the game of pai gow poker.

(b) Any player who has made a pai gow poker wager pursuant to N.J.A.C. 13:69F-11.7 may, at the same time, make a bonus wager by placing gaming chips in the area designated for the imperial pai gow bonus wager at his or her betting position. Minimum and maximum imperial pai gow bonus wagers shall be established by the casino licensee.

(c) If an imperial pai gow bonus wager has been made by one or more players, the dealer shall observe the procedures set forth in N.J.A.C. 13:69F-11.9 but with the following modifications:

1. After settling the pai gow poker wager of a player who has placed an imperial pai gow bonus wager, the dealer shall rearrange the seven cards of the player to form the best possible hand and determine if the player's hand qualifies for the player hand bonus

payout. The dealer shall be ultimately responsible for creating such hand for purposes of the player's hand bonus. A joker may be used as any card to complete any straight, flush, straight flush or five aces. The dealer shall pay any player hand bonus in accordance with the payout odds set forth at N.J.A.C. 13:69F-11.20(b).

2. After the dealer determines whether a player's hand qualifies for a player hand bonus and settles such bonus, the dealer shall determine whether the dealer's hand qualifies for a banker hand bonus. If a player is banking a round of play, the banker hand bonus for all other players shall be determined by the bank's hand and the banker hand bonus for the bank shall be determined by the dealer's hand. The dealer shall pay any banker hand bonus in accordance with the payout odds set forth at N.J.A.C. 13:69F-11.20(c). Payout odds for imperial pai gow wager bonus wager.

**13:69F-11.20 Imperial pai gow bonus wager payout odds**

(a) The payout odds for winning the imperial pai gow bonus wager authorized by N.J.A.C. 13:69F-1.19 when printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) A casino licensee shall pay a player hand bonus for the highest qualifying hand type at the following odds:

<u>Hand</u>	<u>Payout Odds</u>
Five Aces	1000 to 1
Royal Flush	200 to 1
Straight Flush	50 to 1
Four-of-a-Kind	25 to 1
Full House	5 to 1
Flush	4 to 1
Straight	2 to 1
Three-of-a-Kind	2 to 1

(c) A casino licensee shall pay a banker hand bonus for the highest qualifying hand type at the following odds:

<u>Hand</u>	<u>Payout Odds</u>
Nine high	100 to 1
10 high	20 to 1
Jack high	5 to 1

(e) Notwithstanding the payout odds required in (b) and (c) above, a casino licensee may establish a maximum payout amount as approved by the Division that is payable to a player for one round of play, which amount shall be at least \$40,000 or the maximum amount that one player could win per round when betting the minimum permissible wager, whichever is greater. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3. Any maximum payout limit established by a casino licensee shall apply only to aggregate player hand bonus and banker hand bonus payouts for imperial pay go bonus wagers placed pursuant to N.J.A.C. 13:69F-11.19.

**13:69F-11.21 Wagers for dragon's eye variation; payout odds**

(a) A "match wager" shall win for the player position number that corresponds to the numeric value on each die. A player who places a match wager shall be paid 1 to 1 for each die with a numeric value that matches the player's player position at the table.

1. Example A: If the numeric values of the dice rolled are 1, 2, and 3, then the players in player positions 1, 2, and 3 shall each be paid 1 to 1.
2. Example B: If the numeric values are 3, 3, and 4, then the player at player position 3 shall be paid 2 to 1 (1 to 1 for each die) and the player at player position 4 shall be 1 to 1.
3. Example C: If the numeric values are 5, 5, and 5, then the player at player position 5 shall be paid 3 to 1 (1 to 1 for each die).

(b) An "even wager" shall win if the numeric value of the dragon's eye die is an even number (that is, 2, 4, or 6), provided that the numeric value on each of the three dice is not the same. A winning even wager shall be paid 1 to 1.

(c) An "odd wager" shall win if the numeric value of the dragon's eye die is an odd number (that is, 1, 3, or 5), provided that the numeric value on each of the three dice is not the same. A winning odd wager shall be paid 1 to 1.

(d) A "double wager" shall win if the numeric values on both dice other than the dragon's eye die are the same (double). A winning double wager shall be paid 4 to 1.

(e) A "triple wager" shall win if the numeric values on all three dice are the same (triple). A winning triple wager shall be paid 30 to 1.

(f) A "dice bonus wager" shall win if the numeric values on all three dice are the same for a round of play. A winning dice bonus wager for the first triple shall be paid 30 to 1 for the player shaking the dice and 25 to 1 for players other than the shaker. A winning dice bonus wager for two consecutive triples shall be 500 to 1 for the player shaking the dice and 50 to 1 for players other than the shaker who retained their bonus bets on the table. A winning dice bonus wager for three consecutive triples shall be 10,000 to 1 for the player shaking the dice and 1,000 to 1 for players other than the shaker who retained their bonus bets on the table. In the event the dealer is responsible for shaking the dice pursuant to [N.J.A.C. 13:69F-11.19\(c\)](#) above, players remain eligible to win the payouts for non-shakers as set forth in this subsection. Players shall only remain eligible for payouts for consecutive triples by retaining their dice bonus wagers in the designated area of the layout. Players who did not place a dice bonus wager before any triple will be ineligible to place a dice bonus wager on the subsequent round of play.

**13:69F-11.22 EZ Pai gow dynasty bonus wager; protection wager; red/black wager; queen's dragon wager; payment of envy bonus**

(a) A casino licensee may, in its discretion, offer to each player at a pai gow table the opportunity to place one or more of the following optional wagers:

1. A dynasty bonus wager;
2. A protection wager;
3. A red/black wager; and
4. A queen's dragon wager.

(b) Any player who has made a pai gow wager pursuant to [N.J.A.C. 13:69F-11.7](#) may, at the same time, make any of the optional wagers set forth in (a) above by placing gaming chips in the area designated for each optional wager at his or her betting position. An optional wager shall be no less than \$ 1.00.

(c) Any player who makes a dynasty bonus wager of at least \$ 5.00 shall qualify to receive an envy bonus payment. The dealer shall place an envy bonus marker immediately in front of any dynasty bonus wager of \$ 5.00 or more.

(d) If any of the optional wagers set forth in (a) above has been made by one or more players, the dealer shall observe the procedures set forth in [N.J.A.C. 13:69F-11.9](#), but with the following modifications.

1. The dealer shall, starting from the dealer's right and moving counterclockwise around the table, settle the pai gow wager of each player; provided, however, that:
  - i. The cards of any player who has placed an optional wager set forth in (a) above shall remain on the layout regardless

of the outcome of his or her pai gow poker wager until removed in accordance with the provisions of (d)2 or 3 below; and

- ii. If any player has placed a dynasty bonus wager of at least \$ 5.00, the cards of all players shall remain on the layout regardless of the outcome of his or her pai gow wager until removed in accordance with the provisions of (d)2 or 3 below.

- 2. After settling the pai gow wager of a player who has placed an optional wager set forth in (a) above, the dealer shall rearrange the seven cards of the player to form the best possible hand and shall be ultimately responsible for creating such hand. Except for the protection wager, a joker may be used as any card to complete any straight, flush, straight flush, or royal flush other than a seven-card straight flush with no joker. If any player at the table has placed a dynasty bonus wager of at least \$ 5.00, the dealer shall rearrange the cards of each player at the table regardless of whether that player has placed an optional wager.

- i. If the player does not have a hand that qualifies for a payout pursuant to [N.J.A.C. 13:69F-11.21](#) with respect to the applicable placed optional wager, the dealer shall collect

the optional wager and place the cards of the player in the discard rack.

- ii. If the player has a hand that qualifies for a payout pursuant to [N.J.A.C. 13:69F-11.23](#) with respect to the applicable placed optional wager, the dealer shall pay the winning optional wager in accordance with the pay table for that wager set forth in [N.J.A.C. 13:69F-11.23](#) and place the cards of the player in the discard rack.
  - iii. If the player who places a dynasty bonus wager has a premium qualifying poker hand, the dealer shall verbally acknowledge the premium qualifying poker hand and leave the dynasty bonus wager and the cards of the player face up on the table.
3. After all other optional wagers have been settled, the dealer shall, starting from the dealer's right and moving counterclockwise around the table, pay:
- i. If the player has an envy bonus marker at his or her betting position, the player the appropriate envy bonus payment set forth at [N.J.A.C. 13:69F-11.23\(b\)](#) and collect the envy bonus marker.
  - ii. If the player has a dynasty bonus wager and a premium qualifying poker hand, the winning dynasty bonus wager in

accordance with [N.J.A.C. 13:69F-11.23\(a\)](#) and place the cards of the player in the discard rack.

- iii. After all envy bonuses and premium qualifying poker hands are paid, the dealer shall collect the cards of any player who had a premium qualifying poker hand but did not place a bonus wager and place the cards of the player in the discard rack.

**13:69F-11.23 Payout odds for dynasty bonus wagers; envy bonus payments; protection wagers**

(a) Dynasty bonus wagers shall be paid pursuant to one of the following pay tables pre-selected by the casino licensee:

**Pay Table A**

<b>Hand</b>	<b>Payout</b>
Natural straight flush of A-2-3-4-5 with another natural ace and queen of the same suit	2,000 to 1
Seven-card natural straight flush	2,000 to 1
Royal flush with another natural ace and queen of the same suit	1,000 to 1
Seven-card wild straight flush	1,000 to 1
Five aces	500 to 1
Natural straight flush A-2-3-4-5	120 to 1
Royal flush	120 to 1
Straight flush	50 to 1
Four of a kind	25 to 1
Full house	5 to 1
Flush	4 to 1
Three of a kind	3 to 1
Straight	2 to 1

**Pay Table B**

<b>Hand</b>	<b>Payout</b>
Natural seven-card straight flush	8,000 to 1
Natural royal flush with ace and queen suited	2,000 to 1
Wild seven-card straight flush	1,000 to 1
Five aces	400 to 1
Royal flush	150 to 1
Straight flush	50 to 1
Four of a kind	25 to 1
Full house	5 to 1
Flush	4 to 1
Three-of-a-kind	3 to 1
Straight	2 to 1

(b) Envy bonus payments shall be paid pursuant to the following pay table that corresponds to the selected dynasty bonus wager table in (a) above:

**Pay Table A**

<b>Hand</b>	<b>Payout</b>
Natural straight flush of A-2-3-4-5 with another natural ace and queen of the same suit	\$ 500.00
Seven-card natural straight flush	\$ 400.00
Royal flush with another natural ace and queen of the same suit	\$ 300.00
Seven-card wild straight flush	\$ 200.00
Five aces	\$ 100.00
Natural straight flush A-2-3-4-5	\$ 75.00
Royal flush	\$ 50.00
Straight flush	\$ 20.00
Four of a kind	\$ 5.00

**Pay Table B**

<b>Hand</b>	<b>Payout</b>
Natural seven-card straight flush	\$ 5,000
Natural royal flush with ace and queen suited	\$ 1,000
Wild seven-card straight flush	\$ 500.00
Five aces	\$ 250.00
Royal flush	\$ 50.00
Straight flush	\$ 20.00
Four-of-a-kind	\$ 5.00

(c) Protection wagers shall be paid pursuant to the following schedule:

<b>Hand</b>	<b>Payout</b>
-------------	---------------

Natural straight flush of A-2-3-4-5	120 to 1
Nine high	100 to 1
10 high	25 to 1
Jack high	15 to 1
Queen high	7 to 1
King high	5 to 1
Ace high	3 to 1

(d) For the purpose of the red/black wager, the joker shall count as neither a black nor a red card. Red/black wagers shall be paid pursuant to the following schedule:

<b>Hand</b>	<b>Payout</b>
Seven cards of the chosen color	5 to 1
Six cards of the chosen color	1 to 1
Five cards of the chosen color	1 to 1
Four cards of the chosen color	1 to 1

(e) Queen's dragon wagers shall be paid at odds of 50 to 1, if the bank's seven-card hand is a queen-high hand.

(f) Notwithstanding the minimum payout odds set forth in (a), (c), (d), and (e) above and the fixed bonus amount set forth in (b) above, a casino licensee may establish a maximum payout amount as approved by the Division that is payable to a player for one round of play, which amount shall be at least \$ 40,000 or the maximum amount that one player could win per round when betting the minimum permissible wagers, whichever is greater. If the established payout limit is not included on the layout, the casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3.

## **SUBCHAPTER 12. POKETTE**

### **13:69F-12.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise.

"Non-poker hand wager" shall mean any of the wagers listed in N.J.A.C. 13:69F-12.5(a).

"Pair" shall mean two cards of identical value, regardless of suit.

"Poker hand wager" shall mean any of the wagers listed in N.J.A.C. 13:69F-12.5(b).

"Rank" shall mean the four cards of identical value within a single deck of cards. For example, the five rank consists of the five of diamonds, five of spades, five of clubs, and five of hearts.

"Suit" shall mean one of the four categories of cards, that is, diamond, spade, club, or heart.

"Winning card" shall mean the card which is depicted in the section of the pokette wheel where the clapper comes to rest after a valid spin of the pokette wheel.

**13:69F-12.2 Cards; number of decks; value of cards depicted on the pokette wheel**

(a) Three decks of cards shall be used in the game of pokette. The cards shall be used to indicate, through placement on the card stand, the winning card determined by each spin of the pokette wheel. Cards used at pokette shall meet the requirements of N.J.A.C. 13:69E-1.17. Notwithstanding these requirements, a device approved by the Division may be used to indicate the winning card determined by each spin of the pokette wheel, in lieu of cards and a card stand.

(b) For purposes of settling a poker hand wager, the relative value of the cards depicted on the pokette wheel, in order of highest to lowest value, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Neither of the jokers shall have any value for purposes of forming a poker hand. For purposes of completing a "straight" or a "straight flush" poker hand, an ace may be combined with a king and a queen or a two and a three but may not be combined with a king and a two.

**13:69F-12.3 Opening of the table for gaming**

(a) After receiving three decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer or the floorperson assigned to the table shall inspect the three decks by sorting each deck into sequence and into suit to ensure that all cards are in each deck.

(b) Following the inspection of the cards by the dealer or floorperson assigned to the table, each deck shall be placed in the container used to house the cards pursuant to N.J.A.C. 13:69E-1.13D.

**13:69F-12.4 Wagers; supervision**

(a) All wagers at pokette shall be made by placing gaming chips or plaques on the appropriate areas of the pokette layout except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and that such cash is expeditiously converted into gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(b) No person at a pokette table shall be issued or permitted to game with non-value chips that are identical in color and design to value chips or to nonvalue chips being used by another person at the same table.

(c) Each player shall be responsible for the correct positioning of his or her wager on the pokette layout regardless of whether he or she is assisted by the dealer. Each player must ensure that any instructions given to the dealer regarding the placement of his or her wager is correctly carried out.

(d) The wagers identified in N.J.A.C. 13:69F-12.5(a) (non-poker hand wagers) may be made by a player on each spin of the pokette wheel. The wagers identified in N.J.A.C. 13:69F-12.5(b) (poker hand wagers) may only be made on a subsequent spin of the pokette wheel when, in accordance with N.J.A.C. 13:69F-12.8, one or two winning cards are posted on the card stand.

(e) For purposes of complying with the organization and supervision requirements, each pokette table shall be considered the same as one roulette table.

**13:69F-12.5 Permissible wagers**

(a) The following shall constitute the permissible non poker hand wagers at the game of pokette:

1. "Single card straight up" is a wager that the winning card shall be the same card as the single card selected by the player.
2. "Two cards or split" is a wager that the winning card shall be the same card as either of the two adjoining cards selected by the player.
3. "Four cards or corner" is a wager that the winning card shall be the same card as any of the four adjoining cards selected by the player.
4. "Single rank" is a wager that the winning card shall be one of the four cards contained in the single rank selected by the player.
5. "Double rank" is a wager that the winning card shall be one of the eight cards contained in the two adjacent ranks selected by the player.
6. "Ace-king-queen rank" is a wager that the winning card shall be one of the 12 cards contained in the ace, king, and queen ranks or the two of spades.
7. "Jack-10-9 rank" is a wager that the winning card shall be one of the 12 cards contained in the jack, 10 and nine ranks or the two of clubs.

8. "8-7-6 rank" is a wager that the winning card shall be one of the 12 cards contained in the eight, seven, and six ranks or the two of diamonds.
9. "5-4-3 rank" is a wager that the winning card shall be one of the 12 cards contained in the five, four, and three ranks or the two of hearts.
10. "Red" is a wager that the winning card shall be a diamond or a heart.
11. "Black" is a wager that the winning card shall be a spade or a club.
12. "Suit or column" is a wager that the winning card shall be one of the 13 cards contained in the suit selected by the player.
13. "Jacer" is a wager that the winning card shall be the ace of clubs, the ace of diamonds or either of the two jokers.

(b) The following shall constitute the permissible poker hand wagers at the game of pokette:

1. "Pair in two" is a wager that the winning cards on two consecutive spins of the pokette wheel shall be of identical value, regardless of suit.
2. "Pair in three" is a wager that at least two of the three winning cards on three consecutive spins of the pokette wheel shall be of identical value, regardless of suit.
3. "Three-of-a-kind" is a wager that the winning cards on three

consecutive spins of the pokette wheel shall be of identical value, regardless of suit.

4. "Straight" is a wager that the winning cards on three consecutive spins of the pokette wheel shall be of consecutive value, regardless of suit or the order in which the winning cards are determined.
5. "Straight flush" is a wager that the winning cards on three consecutive spins of the pokette wheel shall be of consecutive value and of the same suit, regardless of the order in which the winning cards are determined.
6. "Flush" is a wager that the winning cards on three consecutive spins of the pokette wheel shall be of the same suit.

**13:69F-12.6 Payout odds**

(a) The payout odds for pokette printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win" and no odds shall be stated through the use of the word "for."

(b) Each casino licensee shall pay off winning wagers at the game of pokette at no less than the odds listed below:

<u>Wager</u>	<u>Payout Odds</u>
Single card straight up	50 to 1
Two cards or split bet	24 to 1
Four cards or corner bet	12 to 1
Single rank	12 to 1
Double rank	5 to 1
Ace-king-queen rank	3 to 1
Jack-10-nine rank	3 to 1
Eight-seven-six rank	3 to 1
Five-four-three rank	3 to 1
Red	1 to 1
Black	1 to 1
Suit or column	3 to 1
Jacer	12 to 1
Pair in two	11 to 1
Pair in three	5 to 1

Three-of-a-kind 11 to 1

Flush 3 to 1

Straight:

Open 5 to 1

Inside 11 to 1

Straight Flush:

Open 24 to 1

Inside 49 to 1

**13:69F-12.7 Procedures for dealing the game**

(a) Prior to spinning the pokette wheel, the dealer shall announce "No more bets."

(b) The pokette wheel shall be spun by the dealer in either direction and shall complete at least three revolutions to constitute a valid spin.

(c) Each wager shall be settled strictly in accordance with its position on the layout.

(d) Upon completion of each spin, the dealer shall announce the winning card, including its suit, and shall place a marker on the corresponding card on the pokette layout. The dealer shall then select the winning card from the decks of cards maintained at the pokette table and place the winning card in a card stand located at the pokette table. After placing the marker on the layout and the card in the card stand, the dealer shall first collect all losing wagers and then pay off all winning wagers at the odds currently being offered pursuant to N.J.A.C. 13:69F-12.6.

(e) When the pokette wheel clapper comes to rest on a joker:

1. All nonpoker hand wagers, except wagers on that single joker straight up, a two-card or split wager that includes that joker, or a jacer wager, shall be lost;
2. The dealer shall collect all losing and pay off all winning nonpoker hand wagers at the odds currently being offered pursuant to N.J.A.C. 13:69F-12.6; and
3. That spin of the pokette wheel shall have no bearing on the

settling of any poker hand wagers which have not been  
completed in accordance with N.J.A.C. 13:69F-12.8.

**13:69F-12.8 Procedures for placing and determining the outcome of poker hand wagers**

(a) After the first winning card that is not a joker has been placed in the first space of the card stand and all non poker hand wagers relevant to that winning card have been settled, the dealer shall announce that wagers may also be placed for a "pair in two."

(b) Once all wagers have been placed by the players, the dealer shall spin the pokette wheel in accordance with N.J.A.C. 13:69F-12.7(a) and (b). Upon completion of the spin, the dealer shall announce the winning card, including its suit, place a marker on the corresponding card on the pokette layout, select the winning card from the decks of cards maintained at the pokette table and place it in the second space of the card stand. The dealer shall first settle all nonpoker hand wagers relevant to that winning card. If the second winning card does not form a pair with the first winning card, all wagers on a "pair in two" shall lose and shall be immediately collected by the dealer. If the second winning card forms a pair with the first winning card, all wagers on a "pair in two" shall win and shall be paid at the odds currently being offered pursuant to N.J.A.C. 13:69F-12.6.

(c) If the second winning card does not form a pair, once all wagers relevant to the second winning card have been settled, the dealer shall announce, in accordance with (d) below, that wagers may also be placed for a "pair in three" and on the other possible poker hand wagers.

(d) Additional poker hand wagers which may be made once all wagers relevant to the second winning card have been settled are as follows:

1. If the first and second winning cards in the card stand are of the same suit, the dealer shall announce that wagers may be placed for a "flush."
2. If the third winning card could complete a "straight" with the first and second winning cards pursuant to N.J.A.C. 13:69F-12.2 and 12.5, the dealer shall:
  - i. If the values of the first and second winning cards in the card stand are consecutive, announce that wagers may be placed on an "open straight"; or
  - ii. If there is only one winning card that could complete a "straight" with the first and second winning cards in the card stand, announce that wagers may be placed on an "inside straight."
3. If the third winning card could complete a "straight flush" with the first and second winning cards in the card stand pursuant 13:69F-12.2 and 12.5, the dealer shall:
  - i. If the values of the first and second winning cards in the card stand are consecutive, announce that wagers may be placed on an "open straight flush"; or
  - ii. If there is only one winning card that could complete a "straight flush" with the first and second winning cards in the card stand, announce that wagers may be placed on an

"inside straight flush."

4. If the first and second winning cards in the card stand are a pair, the dealer shall announce that wagers may be made on "three of a kind."

(e) After the third winning card is placed in the card stand, all poker hand wagers shall be settled as follows:

1. A wager on a "pair in three" shall only win if the third winning card forms a pair with either the first or second winning card;
2. A wager on a "flush" shall only win if the third winning card is of the same suit as the first and second winning cards;
3. A wager on an "open straight" or "inside straight" shall only win if the third winning card is consecutive in value with the first and second winning cards;
4. A wager on an "open straight flush" or "inside straight flush" shall only win if the third winning card is consecutive in value with and of the same suit as the first and second winning cards; and
5. A wager on a "three of a kind" shall only win if the third winning card is of identical value with the first and second winning cards.

(f) All losing poker hand wagers shall be collected immediately by the dealer. The dealer shall then pay off all winning poker hand wagers in accordance with the odds currently being offered pursuant to N.J.A.C. 13:69F-12.6.

(g) After all poker hand wagers are settled, the dealer shall remove the three cards from the card stand. The next spin of the pokette wheel which results in a winning card other than a joker shall determine the first winning card for the formation of new poker hand wagers.

**13:69F-12.9 Irregularities**

(a) If the clapper comes to rest between two depictions of cards upon completion of the spin of the pokette wheel, the casino licensee has the option to do one of the following:

1. Declare the winning card to be the depiction of the card previously passed; or
2. Declare the spin void and re-spin the wheel.

(b) Upon a casino licensee choosing one of the options as outlined in (a) above, it shall conspicuously post a sign at each table stating which option is in effect.

(c) If the pokette wheel does not complete at least three revolutions, the dealer shall announce "No spin" and re-spin the pokette wheel.

## **SUBCHAPTER 13. MINI-DICE**

### **13:69F-13.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Shake" shall mean the action by which the dice contained in the mini-dice shaker are randomly mixed by shaking and then allowed to settle on the bottom of the shaker so that the number of spots on the top faces of the dice can be totalled and used to settle the wagers.

**13:69F-13.2 Permissible wagers**

(a) Permissible wagers at the game of mini-dice are defined as follows:

1. "Place bet" is a wager that the number selected by the player (either 4, 5, 6, 8, 9, or 10) shall appear after a shake, but before the number 7 appears after a shake. A place bet shall be active on each shake of the dice until won or lost.
2. "Field bet" is a wager that any one of the numbers 2, 3, 4, 9, 10, 11, or 12 shall appear on the shake immediately following the placement of the bet.
3. "Any 7" is a wager that a 7 shall appear on the shake immediately following the placement of the bet.
4. "Over 7" is a wager that any of the numbers 8, 9, 10, 11, or 12 shall appear on the shake immediately following the placement of the bet.
5. "Under 7" is a wager that any of the numbers 2, 3, 4, 5, or 6 shall appear on the shake immediately following the placement of the bet.

(b) Only the wagers listed in (a) above shall be permissible at the game of mini-dice. Any mini-dice wager may be made prior to each shake of the dice.

**13:69F-13.3 Dice; number of dice; mini-dice shaker**

(a) Mini-dice shall be played with two dice, which shall be sealed inside a mini-dice shaker at all times pursuant to N.J.A.C. 13:69E-1.13I. The dice used to play mini-dice shall meet the requirements of N.J.A.C. 13:69E-1.15, and the mini-dice shaker shall meet the requirements of N.J.A.C. 13:69E-1.13I.

1. The mini-dice shaker and the dice contained therein shall be the responsibility of the dealer and the shaker shall never be left unattended while at the table.
2. No dice placed in a mini-dice shaker for use in gaming shall remain on a mini-dice table for more than 24 hours.
3. The dice used in mini-dice shall remain sealed inside the shaker at all times and shall not be handled by a player or the dealer.

**13:69F-13.4 Making and removal of wagers**

(a) All wagers at mini-dice shall be made by placing gaming chips, plaques or coupons on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players seated at the mini-dice table may place a wager at the game. Once a player has placed a wager, that player must remain seated until the completion of that round of play.

(c) Each player shall be responsible for the correct positioning of his or her wagers on the mini-dice layout regardless of whether the player is assisted by the dealer. Each player must ensure that any instructions given to the dealer regarding the placement of wagers are correctly carried out.

(d) All wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-13.5(b).

(e) A wager shall be settled strictly in accordance with its position on the layout when the dice come to rest.

**13:69F-13.5 Procedures for opening and dealing the game**

(a) Prior to opening the mini-dice table for gaming activity, the floorperson assigned to the mini-dice table shall inspect the mini-dice shaker to ensure that the device is in proper working order.

(b) The dealer shall announce "No more bets" immediately prior to shaking the mini-dice shaker.

(c) Once "No more bets" has been announced, the dealer shall place the cover on the mini-dice shaker and shake it at least three times so as to cause a random mixture of the dice.

(d) The dealer shall then offer the mini-dice shaker to the player immediately to the left of the dealer. If that player rejects the shaker, the dealer shall then offer the shaker to each of the other players in turn moving clockwise around the table until one of the players accepts the shaker.

1. If a player accepts the mini-dice shaker, the player shall shake it at least three times and immediately return the shaker to the dealer.
2. If none of the players accepts the mini-dice shaker, the dealer shall accept the shaker on behalf of the players and shake it at least three more times.

(e) The dealer shall then place the mini-dice shaker directly in front of him or her, remove the cover and immediately call out the sum of the spots on the top or uppermost faces of the two dice. Only one face on each die shall be considered uppermost.

(f) After calling out the sum of the spots, the dealer shall settle all wagers decided by that shake of the dice by first collecting all losing wagers and then paying all winning wagers at the odds currently being offered in accordance with N.J.A.C. 13:69F-13.6. The dice shaker shall remain uncovered until all winning wagers have been paid.

**13:69F-13.6 Payout odds; vigorish prohibited**

(a) The payout odds for winning wagers at mini-dice printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay off winning wagers at no less than the odds listed below. A casino licensee may pay off winning wagers at higher odds than those listed below provided that such odds are uniform within the casino and the casino simulcasting facility.

<u>Wager</u>	<u>Payout Odds</u>
Place Bet 4 to Win	9 to 5
Place Bet 5 to Win	7 to 5
Place Bet 6 to Win	7 to 6
Place Bet 8 to Win	7 to 6
Place Bet 9 to Win	7 to 5
Place Bet 10 to Win	9 to 5
Field Bets (3, 4, 9, 10, 11)	1 to 1
Field Bets (2 and 12)	2 to 1
Any 7	4 to 1
Over 7	1 to 1
Under 7	1 to 1

1. No casino licensee or its employees shall accept any wager that, because of the amount thereof, cannot be paid at the odds permitted by (b) above.
2. No casino licensee shall charge any percentage fee or vigorish to a player making any wager in the game of mini-dice.

**13:69F-13.7 Voluntary or compulsory relinquishment of the dice shaker**

(a) After each shake of the dice is completed and the bets are settled, the person who accepted the mini-dice shaker pursuant to N.J.A.C. 13:69F-13.5(d) may either retain or pass the right to shake the mini-dice shaker after the dealer, except that:

1. If the person is a player:
  - i. The shaker shall be passed after the player shakes a 7; and
  - ii. The floorperson may order the shaker to be passed if the player unreasonably delays the game, repeatedly makes invalid shakes, or violates either the Casino Control Act or the regulations of the Division; or
2. If the person is the dealer, the dealer shall offer to pass the shaker if there is any player seated at the table who has not previously refused to accept the shaker.

(b) Whenever a voluntary or compulsory relinquishment of the mini-dice shaker occurs, the dealer shall offer the shaker to the first player who is immediately to the left of the person who previously accepted the shaker, and if that player does not accept, to each of the players in turn moving clockwise around the table until one of the players accepts the shaker. If none of the players accepts the mini-dice shaker, the dealer shall accept the shaker on behalf of the players.

## **SUBCHAPTER 14. POKER**

### **13:69F-14.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"All-in" means a player who has no funds remaining on the Poker table to continue betting in a round of play but who still retains the right to contend for that portion of the pot in which the player has already placed a bet.

"Ante" means a predetermined wager which each player is required to make in some poker games prior to any cards being dealt in order to participate in the round of play.

"Bad beat" means one or more pre-designated high value poker hands which, when held by a player as a losing hand in a round of play, shall result in a bad beat payout if the casino licensee has elected to offer a bad beat payout at that poker table.

"Bad beat payout" means one or more awards that are payable to a player in accordance with the procedures set forth in [N.J.A.C. 13:69F-14.19](#) upon the occurrence of a bad beat.

"Bet" means an action by which a player places gaming chips or gaming plaques into the pot on any betting round.

"Betting round" means a complete wagering cycle in a hand of poker after all players have called, folded or gone all-in.

"Blind bet" means a mandatory wager in some poker games which only players sitting in specific betting positions at the poker table shall be required to place prior to any cards being dealt.

"Burn card" means a card taken from the top of a deck which is discarded face down, which is not in play and the identity of which remains unknown.

"Button" means an object which is moved clockwise around the table to denote an imaginary dealer and thereby determine the betting and dealing sequence.

"Call" means a wager made in an amount equal to the immediately preceding wager.

"Check" means that a player waives the right to initiate the betting in a betting round but retains the right to act if another player initiates the betting.

"Common card" means, in any game of stud poker, a card which is dealt face upward if there are insufficient cards left in the deck to deal each player a card individually and which can be used by all players at the showdown.

"Community card" means any card which is dealt face upward and which can be used by all players to form their best hand.

"Cover card" means a yellow or green plastic card used during the cut process and then to conceal the bottom card of the deck.

"Draw" means, in any game of draw Poker, an exchange by a player of cards held in his or her hand, after the initial round of betting, for an equal number of new cards from the deck.

"Fold" means the withdrawal of a player from a round of play by discarding his or her hand of cards during a betting round and refusing to equal a wager.

"Forced bet" means a wager which is required to start the wagering on the first betting round.

"Fouled hand" means a hand that either has an improper number of cards or has come into contact with other cards in such a way as to render it impossible to determine accurately which cards are contained in the hand.

"Half-kill" means in the game of omaha high-low split eight or better poker when one player wins an entire qualifying pot, the betting limits are increased by one-half the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not qualify in amount.

"High" means a game of poker in which the highest ranking hand in accordance with [N.J.A.C. 13:69F-14.3](#) wins the pot.

"High hand payout" means one or more awards that are payable to a player in accordance with the procedures set forth in [N.J.A.C. 13:69F-14.19](#) whenever a player holds one or more predesignated high value poker hands without regard to the value of the hand of any other player.

"High-low split" means a form of poker in which there is a winner for both the highest and lowest ranking hands.

"Hole card" means any card dealt to a player face down.

"Kill" means in the game of omaha high-low split eight or better poker when one player wins an entire qualifying pot, the betting limits are twice the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not qualify in amount.

"Low" means a game of poker in which the highest ranking low hand in accordance with [N.J.A.C. 13:69F-14.3](#) wins the pot.

"Opening bet" means the first bet in a round of play.

"Pot" means the amount which is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount anted or bet by the players during the round of play, less any rake extracted pursuant to [N.J.A.C. 13:69F-14.14](#) and, if applicable, any amount contributed to a bad beat payout fund pursuant to [N.J.A.C. 13:69F-14.19](#).

"Protected hand" means a hand of cards which the player is physically holding or has placed under one or more gaming chips.

"Raise" means a bet in an amount greater than the immediately preceding bet in that betting round.

"Rake" means the amount of gaming chips, gaming plaques or coin collected by the dealer as poker revenue in accordance with [N.J.A.C. 13:69F-14.14](#).

"Round of play" means, for any game of poker, the process by which cards are dealt, bets are placed and the winner of the pot is determined and paid in accordance with the rules of this subchapter.

"Showdown" means the action of revealing the hands of each player in order to determine who shall win the pot.

"Side pot" means a separate pot formed when one or more players are all-in.

"Straddle" or "straddle bet" means an optional wager in some poker games that require blind wagers, which only players sitting in specific betting positions at the poker table may place prior any cards being dealt.

"Stub" means the remaining portion of the deck after all cards in a round of play have been dealt.

"Suit" means one of the four categories of cards, that is, diamond, spade, club, or heart.

"Table stakes" means the currency, gaming chips and gaming plaques on the table is in play and a player may not subtract from his or her currency, gaming chips or gaming plaques at any time during ongoing play.

"Up-card" means, in a game of stud poker, any card dealt to a player face up.

**13:69F-14.2 Cards; number of decks**

(a) Poker shall be played with one deck of cards with backs of the same color and design and one additional cover card. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. Two decks of cards shall be maintained for use at each poker table at all times. Each deck maintained at the poker table shall be visually distinguishable in some manner from the other deck. While one deck is in use, the other deck shall be stored in a designated area pursuant to N.J.A.C. 13:69E-1.13E, unless an automated card shuffling device is being used.

(b) Each deck of cards maintained at the poker table may be rotated in and out of play; provided, however, that no deck of cards shall be used at the table for more than three hours without the dealer or floorperson placing the 52 cards into suit and sequence. All decks opened for use on a poker table shall be changed at least every six hours.

(c) Each gaming day, decks of cards with distinguishable card backings as required by N.J.A.C. 13:69E-1.17(j) shall be distributed among all open poker tables in a manner determined by the poker shift supervisor or supervisor thereof. The distribution of decks among tables shall consider, at a minimum, the table limits, the location of the table and the type of poker available at each table and shall be intended to ensure the integrity of gaming at poker.

(d) If an automated card shuffling device is being used, a casino licensee shall use both decks of cards, and:

1. The backs of the cards in the two decks shall be of different colors;
2. One deck shall be shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game; and
3. Both decks shall be continuously alternated in and out of play, with each deck being used for every other round of play.

### **13:69F-14.3 Poker rankings**

(a) The rank of the cards used in all types of poker other than low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with, as applicable, a two and three (in a three-card poker hand) or a two, three, four, and five (in a five-card poker hand).

(b) The permissible high poker hands in poker games that result in a five-card hand, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10, and nine being the highest ranking straight flush and ace, two, three, four and five being the lowest ranking straight flush;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
4. "Full house" is a hand consisting of "three-of-a-kind" and a "pair," with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full

house;

5. "Flush" is a hand consisting of five cards of the same suit;
6. "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two, three);
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
9. "One pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) The permissible high poker hands in poker games that result in a three-card hand, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, and queen of the

same suit;

2. "Straight flush" is a hand consisting of three cards of the same suit in consecutive ranking, with king, queen, and jack being the highest ranking straight flush and a three, two and ace being the lowest ranking straight flush;
3. "Three-of-a-kind" is a hand consisting of three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
4. "Straight" is a hand consisting of three cards of consecutive rank, regardless of suit, with an ace, king, and queen being the highest ranking straight and a three, two, and ace being the lowest ranking straight; provided, however, that an ace may not be combined with a king and two for purposes of determining a winning hand;
5. "Flush" is a hand consisting of three cards of the same suit; and
6. "One pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(d) When comparing two hands which are of identical poker hand rank pursuant to the provisions of (b) or (c) above, as applicable, or which contain none of the poker hands authorized for that game, the hand which contains the highest ranking

card as provided in (a) above or (e) below, whichever is applicable, which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered tied and the pot shall be equally divided among the players with the tied hands.

(e) The rank of the cards used in low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, two, three, four, five, six, seven, eight, nine, 10, jack, queen, and king; provided, however, that in the game of Triple Draw Low Ball Deuce to Seven the order of highest to lowest rank shall be two, three, four, five, six, seven, eight, nine, 10, jack, queen, king, and ace. All suits shall be considered equal in rank.

(f) The ranking of a low poker hand as determined by the holding of a five- or three-card hand shall be the inverse of the rankings for a high poker hand as set forth in (b) and (c) above; provided, however, that in all low poker games except for Triple Draw Low Ball Deuce to Seven, straights and flushes shall not be considered for purposes of determining a winning hand at low poker.

(g) In all games of poker, a hand shall be ranked according to the cards actually contained therein and not by the player's opinion or statement of its value.

#### **13:69F-14.4 Opening the table for gaming**

(a) After receiving two decks of cards at the table, in accordance with N.J.A.C. 13:69E-1.18 and 13:69F-14.2, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson or supervisor thereof, the cards shall be spread out face up on the table for visual inspection by the first two players to be seated at the table. The cards shall be spread out according to suit and in sequence.

(c) Immediately prior to the commencement of play and not before a minimum of two players are afforded an opportunity to visually inspect the cards from each deck at the table, each deck shall be separately turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Each deck of cards shall be shuffled in accordance with N.J.A.C. 13:69F-14.5.

1. If an automated shuffling device is not being used, one of the decks shall be cut in accordance with N.J.A.C. 13:69F-14.5 and the other deck shall be maintained pursuant to N.J.A.C. 13:69E-1.13E for subsequent use pursuant to N.J.A.C. 13:69F-14.2. In the alternative, a casino licensee may wash, shuffle and cut only the deck intended for immediate use and maintain the other deck pursuant to N.J.A.C. 13:69E-1.13E. Upon rotation pursuant to N.J.A.C. 13:69F-14.2, the other deck shall be washed, shuffled and

cut in accordance with the requirements herein and N.J.A.C.  
13:69F-14.5.

2. If an automated shuffling device is being used, one of the decks shall be cut in accordance with N.J.A.C. 13:69F-14.5 and the other deck shall be placed or left in the automated shuffler for the next round of play.

**13:69F-14.5 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after the completion of each round of play, the dealer shall shuffle the entire deck of cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled, stacked, and placed on the table in front of the dealer, the dealer shall, using one hand, cut the deck by:

1. Placing the cover card on the table in front of the deck of cards;
2. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card; and
3. Then placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (b)2 above.

(c) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(d) If there is no gaming activity at the poker table, each deck of cards at the table shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once at least two players have arrived at

the table. After the first two players are afforded an opportunity to visually inspect both of the decks, the procedures required by N.J.A.C. 13:69F-14.4(c) shall be completed.

**13:69F-14.6 Poker overview; general dealing procedures for all types of poker**

(a) Poker shall be conducted in a separate and distinct area of the casino floor or the casino simulcasting facility approved by the Division.

(b) Poker shall be played by a minimum of two players and a maximum of 11 players. Poker shall be dealt by a dealer at a poker table. For all types of poker set forth in N.J.A.C. 13:69F-14.8, the dealer shall not participate in the playing or outcome of the game in any way except as otherwise authorized in this subchapter.

(c) A player shall wager on the cards that the player holds in his or her hand. All bets by a player shall be placed by the dealer in the designated area of the table known as the pot. A player may be required to ante or place a blind bet prior to the receipt of any cards. After each round of cards is dealt, a betting round shall be conducted. Each player shall decide whether to continue contending for the pot by calling or raising the bet of the other players.

(d) The object of the game shall be for a player to win the pot either by making a bet that no other player elects to call, or by having the hand of highest rank at the showdown in accordance with the provisions of N.J.A.C. 13:69F-14.3. If two or more players are still in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among the players still in contention to determine which player has the hand of highest rank. Based on the type of poker being played, the winning player may be the player who holds the highest ranking high poker hand, the highest ranking low poker hand or both the highest ranking high and low poker hands.

(e) The following procedures shall be utilized by the dealer when dealing the game of poker:

1. The dealer shall choose the hand in which he or she will hold the cards. Once the dealer has chosen a hand, the dealer must use that hand whenever holding the cards. The cards held by the dealer shall, at all times, be held in front of the dealer, as level as possible and over the poker table. If during a round of play, the deck must be set down to handle a transaction, the dealer shall place a marker button on top of the deck until the transaction has been completed.
2. The dealer shall verbalize or physically indicate the action which is occurring at the poker table with regard to the conduct of the game and instruct each player as to his or her various turns to act and options.
3. All burn cards required by this subchapter shall be kept separate from the pile of discarded cards.
4. The dealer shall be required to count the entire deck of cards at least once every 15 minutes in order to determine that 52 cards are present; provided, however, that the dealer may count the stub in the games of hold 'em poker and omaha poker. In the alternative, a casino licensee may utilize an automated card shuffling device approved by the Division that has the capability of

counting the cards in a deck as it shuffles them. If a count reveals an incorrect number of cards, the deck shall be removed from the table in accordance with N.J.A.C. 13:69E-1.18(n).

5. At the completion of a round of play, the dealer shall award the pot to the winning player or players after a showdown or to the last remaining player if all other players have folded. Prior to pushing the pot to the winner and collecting the winning hand, the dealer shall first collect the cards from all losing players.
6. All side pots shall be awarded before the dealer awards the pot in the center of the poker table.
7. All discarded hands shall be counted by the dealer to determine that the proper number of cards has been returned.
8. The dealer shall collect the rake in accordance with N.J.A.C. 13:69F-14.14.
9. The dealer shall collect, if applicable, any amount required to be contributed to a bad beat payout fund in accordance with N.J.A.C. 13:69F-14.19.

**13:69F-14.7 Wagers**

(a) Only players who are seated at the poker table may be permitted to receive cards and participate in each betting round.

(b) Depending upon the particular type of poker game being dealt, a player may be required to:

1. Place an ante prior to receiving any cards;
2. Place a predetermined blind bet prior to receiving any cards; or
3. Place a forced bet to initiate a betting round based on that player's up-card.

(c) A player may only participate in the wagering during a round of play with the gaming chips, gaming plaques, or currency that were already on the poker table in front of the player when the round of play commenced. In addition, a player may use coin for the purpose of placing an ante in an amount less than \$ 1.00 and in denominations of \$.25 or \$.50.

1. A player may only add to his or her gaming chips, gaming plaques or currency between rounds of play and, except as provided in (c)5 below, may not remove any of his or her gaming chips, gaming plaques or currency from the poker table at any time during ongoing play pursuant to the definition of table stakes as set forth in [N.J.A.C. 13:69F-1.1](#).
2. Currency which is available for use by a player pursuant to the requirements of this section may be utilized to initiate, call or

raise a bet if such currency is expeditiously converted into gaming chips or gaming plaques by the dealer in accordance with the regulations governing the acceptance and conversion of such instruments. Coin which is available for use by a player pursuant to this subsection may be utilized to place an ante in an amount less than \$ 1.00, and any such coin shall be expeditiously converted into a \$ 1.00 gaming chip by the dealer upon the pot accumulating an equivalent aggregate value in coin.

3. In order to participate in a round of play, a player shall be required to have an amount of gaming chips, gaming plaques or currency available on the poker table prior to the start of the round of play which is sufficient to make any bet required by (b) above and at least one bet at the posted table minimum.
4. A player who satisfies the requirements of (c)3 above but who depletes his or her funds on the Poker table prior to the completion of a round of play shall be deemed to be "all-in."
  - i. An "all-in" player shall retain financial interest in the outcome of the round of play, but shall only be eligible to win the amount of the pot to which he or she contributed;
  - ii. An "all-in" player shall continue to receive any cards to which he or she would normally be entitled; and

- iii. Betting shall continue unimpeded among the other players by generating a separate secondary pot which only those players shall be eligible to win.
5. Whenever a player indicates an intent to temporarily leave a poker table without relinquishing his or her seat at the table, the poker shift supervisor shall either:
- i. Account for the amount of the player's table stakes prior to the player's departure from the table in possession of his or her table stakes and upon the player's return to the table;
  - ii. Maintain the player's table stakes on the table surface using a cover until the player's return; or
  - iii. Permit the player's table stakes to remain on the table surface uncovered.
6. Upon a player temporarily leaving a poker table and the poker shift supervisor observing either (c)5i or ii above, another patron who is not a player in an active game may play in the absent player's seat, until such time as the absent player returns to the table.

(d) A verbal statement of "fold," "check," "call," "raise," or an announcement of a specific size wager by a player, assuming it is within the rules of the poker game

being played and the minimum and maximum wager limits for the poker table, shall be binding on the player if it is that player's turn to act.

(e) A player who announces a bet or raise of a certain amount but places a different amount of gaming chips or gaming plaques in the pot shall be required to correct his or her bet or raise to the announced amount in accordance with the instructions of the dealer.

(f) A player shall be considered to have placed a bet if the player:

1. Pushes gaming chips or gaming plaques forward to indicate the intent of placing a bet;
2. Releases gaming chips or gaming plaques into the pot; or
3. Releases gaming chips or gaming plaques at a sufficient distance from the player and towards the pot to make it obvious that it is intended as a bet.

(g) A player shall not be permitted to make a bet and thereafter attempt to increase the amount of that bet.

1. If the player wishes to add additional gaming chips or gaming plaques to the bet, the player must indicate at the time the bet is being made that the bet is not yet complete.
2. A player who puts the proper amount of gaming chips or gaming plaques into the pot to call a bet, without indicating his or her intention to raise, may not thereafter raise the previous bet.

3. Subject to the posted table wagering limits, a player who announces "raise" may continue to bet gaming chips or gaming plaques until both of his or her hands come to rest in front of the pot.

(h) It shall be the dealer's responsibility to ensure that no player touches any of the gaming chips or gaming plaques once placed into the pot.

(i) Unless a raise has been verbally announced by that player, a player who puts into the pot a single gaming chip that is larger than required is assumed to have only called the preceding bet and to be awaiting change from the dealer.

(j) Unless specifically posted to the contrary, a player shall be permitted to raise after he or she has previously checked in a betting round.

**13:69F-14.8 Types of permissible poker games**

(a) A casino licensee may offer the following types of poker games:

1. Seven-card stud (high, low, high-low split, and high-low split eight or better);
2. Hold 'em (high);
3. Omaha (high, high-low split eight, or better);
4. Five-card draw (high and low);
5. Five-card stud (high);
6. Mambo stud (high-low split six or better); and
7. Badugi.

(b) No casino licensee shall offer or permit the playing of any poker game in its casino room or casino simulcasting facility which is not authorized by this subchapter.

**13:69F-14.9 Seven-card stud poker; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of seven-card stud high, seven-card stud low, seven-card stud high-low split, or seven-card stud high-low split eight or better poker offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to a maximum of nine players as determined by the casino licensee. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the poker table, the dealer shall deal two rounds of cards face down and one round of cards face up to each player.

(d) Once each player has received three cards in accordance with (c) above, the first betting round shall commence by comparing the up-card of each player. For the purposes of this subsection only, in the event that two or more up-cards are of the same rank, the up-cards shall then be ranked by suit, with the highest to lowest ranked suits in order as follows: spades, hearts, diamonds, and clubs. Betting shall be commenced by:

1. For high poker, the player with the lowest ranked up-card;
2. For low poker, the player with highest ranked up-card;

3. For high-low split poker, the player with the highest ranked up-card. For this purpose, an ace shall be considered ranked below a two; and
4. For high-low split eight or better poker, the player with the lowest ranked up-card. For this purpose, an ace shall be considered the highest ranking card.

(e) Following the placement of the forced bet required by (d) above, each subsequent player may, proceeding in a clockwise rotation from the player who placed the forced bet, fold, call, or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to his or her left, deal a fourth card face up to each player who made or called the last wager. The next betting round shall commence as follows:

1. The player with the highest ranking poker hand showing shall be required to bet or check;
2. For seven-card stud low, the player with the highest ranking low poker hand showing shall be required to bet or check; or
3. If the highest ranking poker hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.

(g) Following the initial bet or check required by (f) above, each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not made a bet, check. Each player may check until a bet has been made. Once a bet has been made, the next player in a clockwise rotation may fold, call or raise. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(h) The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who made or called the last wager. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck.

Notwithstanding the foregoing, if insufficient cards remain in the deck to give each remaining player either a sixth or seventh card, the top card of the deck shall be burned and a common card shall be dealt face up in the center of the table. If there is either one or no card remaining in the deck when a common card is to be dealt, the dealer shall shuffle the burn cards, burn a card and then deal the common card. The dealing of each round of cards or, if applicable, each common card pursuant to this subsection shall be followed by a betting round conducted in accordance with the provisions of (f) and (g) above.

(i) 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. Each player remaining in the game shall form a five card poker hand from the seven cards which he or she was dealt. This five-card hand shall constitute the poker hand of that player at the showdown. The winner of the pot shall be:

1. In high poker, the player with the highest ranking five-card high hand;
2. In low poker, the player with the highest ranking five-card low hand;
3. In high-low split poker or high-low split eight or better poker, the player with the highest ranking five-card high hand and the player with the highest ranking five-card low poker hand, subject to the provisions of (j) below, who shall divide the pot equally.
  - i. If a pot cannot be divided equally, the excess amount, which shall not exceed \$1.00, shall be given to the player with the highest ranking high hand.
  - ii. 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. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$1.00, shall be given to the player with the highest ranking high poker card by suit.
  - iii. 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. If the low hand share of the pot cannot be divided equally among the tied

players, the excess, which shall not exceed \$1.00, shall be given to the player with the lowest ranking low poker card by suit.

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

(j) In seven-card stud high-low split eight or better poker, a winning low hand may not contain any pairs or a nine, 10, jack, queen, or king. This defines the qualifying clause known as "eight or better." In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.

(k) In seven-card stud high-low split poker and seven-card stud high-low split eight or better poker, the player may form two different hands of five cards each out of the player's seven available cards, enabling that player to contend for both the high hand and low hand share of the pot. A player may use the same five-card grouping to make a high poker hand and a low poker hand. For example:

1. A hand consisting of a two, three, four, five, and six would qualify as a straight for purposes of the high hand and as a high ranking low hand; or
2. A hand consisting of five cards of the same suit, none higher than an eight, would qualify as a flush for purposes of the high hand and as a high ranking low hand.

(l) In seven-card stud high-low split poker and seven-card stud high-low split eight or better poker, an ace may be used concurrently as a low card to satisfy a low hand and as a high card to satisfy a high hand.

**13:69F-14.10 Hold 'em poker; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of hold 'em high poker offered in its casino room or casino simulcasting facility. Hold 'em poker shall be played to determine a winning high hand only.

(b) Each poker table shall be restricted to a maximum of 11 players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with [N.J.A.C. 13:69F-8.3](#).

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

1. A flat disk called the "button" shall be used to indicate an imaginary dealer;
2. At the commencement of play, the button shall be placed in front of:
  - i. The first player to the right of the dealer; or
  - ii. The player randomly determined by rank of a single card dealt; and
3. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(d) Wagers placed prior to dealing any cards shall be governed by the following rules:

1. The player to the immediate left of the button shall be required to initiate the first betting round by placing a blind bet in accordance with the posted table requirements.
  - i. In a casino licensee's discretion, if a new player enters a game at a seating position between the button and a player who has placed a blind bet, or an absent player who has missed a blind bet seeks to reenter the game, the new or absent player shall post a blind bet(s) (buying the button) to participate in any round of play prior to the button returning to the player's seating position.
2. A casino licensee may require additional blind bets to be made immediately subsequent to the initial blind bet.
3. A casino licensee may elect to offer players the option to place a straddle bet subsequent to the blind bet(s).
4. The amount and number of all blind bets required by the casino licensee and, if offered, the amount of a straddle bet, shall be posted on a sign in accordance with [N.J.A.C. 13:69F-8.3](#).

(e) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal two rounds of cards face down to each player, with the player with the button being the last player to receive a card each time.

(f) Following the placement of the blind bet(s) and, if applicable, a straddle bet, each player shall in turn, in a clockwise rotation around the poker table, either fold, call, or raise the bet. The option to raise shall also apply to the player(s) who made the blind bet(s) and straddle bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(g) 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. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet, or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.

(h) Upon completion of the betting round required by (g) above, the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the requirements of (g) above.

(i) Upon completion of the betting round required by (h) above, the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with the requirements of (g) above.

(j) 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. Each player remaining in the game shall form his or her highest ranking five card high poker hand by using, in any combination, his or her own two cards and the five community cards available on the table. The winner of the pot shall be the player with the highest ranking five-card high poker hand. If the highest ranking five-card high poker hand that each of the remaining players can form is comprised of the five community cards, all players remaining in the round of play shall share equally in the pot.

(k) A casino licensee may elect to offer variations of hold 'em poker known as "Pineapple" or "Crazy Pineapple," in which the dealer shall deal three rounds of cards face down to each player.

1. For Pineapple, upon completing the opening round of betting but prior to dealing the three community cards pursuant to (g) above, each player is required to discard one card in the same sequence as the preceding round of betting.
2. For Crazy Pineapple, upon the dealer dealing the three community cards and the completion of the round of betting prescribed in (g) above, each player is required to discard one card in the same sequence as the preceding round of betting.

(l) A casino licensee may elect to offer multiple, alternative hands resolution subject to the following:

1. Two or more players shall agree to the number of alternative hands to be played, provided that the players agree to:

- i. No more than four alternative hands in a round of play;  
and
  - ii. The juncture in the round of play at which the alternative hands are to be generated (examples include prior to turning over the first three community cards, prior to turning over the fourth community card, and prior to turning over the fifth community card).
2. The dealer shall verbally confirm such agreement and place a marker on the table bearing the number of alternative hands to be played prior to dealing any additional community cards.
3. Upon player agreement and dealer confirmation and marker placement, the dealer shall proceed to deal each alternative hand in accordance with the rules of this section, but without any additional player betting.
4. The dealer shall split the pot into separate equal portions to the nearest dollar amount corresponding to the number of alternative hands to be dealt, with any excess amount added to the first hand dealt. The portion of the pot dedicated for each hand resolution shall be awarded to the player with the winning hand. If players have equal ranking hands, the corresponding portion shall be split equally among players.

**13:69F-14.11 Omaha poker; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of omaha high and omaha high-low split eight or better poker offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to a maximum of 10 players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, and the kill or half-kill option, if offered, shall be posted on a sign at each poker table in accordance with [N.J.A.C. 13:69F-8.3](#).

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined in accordance with the procedures governing the use of a button as set forth in [N.J.A.C. 13:69F-14.10\(c\)](#).

(d) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal four rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(e) After each player is dealt four cards face down, an initial blind bet and all subsequent dealing and betting rounds shall be completed in accordance with the provisions of [N.J.A.C. 13:69F-14.10\(d\)](#) and (f) through (i).

(f) 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. Each player remaining in the game shall form a five card poker hand by using

two of the four cards dealt to the player and three of the five community cards. This five-card hand shall constitute the poker hand of the player at the showdown. The winner of the pot shall be:

1. In high poker, the player with the highest ranking five-card high poker hand; or
2. In high-low split eight or better poker, the player with the highest ranking five-card high poker hand and the player with the highest ranking five-card low poker hand, subject to the provisions of (g) below, who shall divide the pot equally.
  - i. If a pot cannot be divided equally, the excess amount, which shall not exceed \$ 1.00, shall be given to the player with the highest ranking high hand.
  - ii. 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. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$ 1.00, shall be given to the player with the highest ranking high poker card by suit.
  - iii. 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. If the low hand

share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$ 1.00, shall be given to the player with the lowest ranking low poker card by suit.

- iv. 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.

(g) In omaha high-low split eight or better poker, the eligibility requirements of [N.J.A.C. 13:69F-14.9\(j\)](#) must be satisfied. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high poker hand.

(h) The following rules shall only apply in omaha high-low split eight or better poker:

1. A 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; provided, however, that the distribution of cards contained in each hand shall comply with (f) above;
2. A player may use the same five card grouping to make a high hand and a low hand; and
3. An ace may be used concurrently as a low card to satisfy a low hand and as a high card to satisfy a high hand.

(i) In omaha high-low split eight or better poker, an optional kill or half-kill may be offered. A kill button, indicating the kill or half-kill is in effect, shall be placed in front of the player who wins the entire pot in the hand, provided that the amount of the pot is an established dollar amount or multiple of the minimum permissible wager for the hand, as determined by the casino licensee. In the succeeding hand, the player shall be required to place no more than one blind bet in the amount of the increased permissible minimum wager for the hand, notwithstanding that the player may be required to place a blind bet to initiate the first round of betting pursuant to (e) above and [N.J.A.C. 13:69F-14.10\(d\)](#). Any other player required to place a blind bet to initiate the first round of betting shall be required to place a blind bet in accordance with the posted table requirements. If, in the succeeding hand, a qualifying pot is not split between one player winning the high hand and another player winning the low hand, the kill button shall be moved in front the player who wins the entire pot for that hand. The kill or half-kill shall remain in effect until a pot does not qualify in amount or a pot is split between a player winning the high hand and a player winning the low hand. Once a pot does not qualify in amount or is split between two players, the dealer shall collect the kill button.

(j) A casino licensee may elect to offer multiple, alternative hands resolution subject to the following:

1. Two or more players shall agree to the number of alternative hands to be played, provided that the players agree to:

- i. No more than four alternative hands in a round of play;  
and
  - ii. The juncture in the round of play at which the alternative hands are to be generated (examples include prior to turning over the first three community cards, prior to turning over the fourth community card, and prior to turning over the fifth community card).
2. The dealer shall verbally confirm such agreement and place a marker on the table bearing the number of alternative hands to be played prior to dealing any additional community cards.
3. Upon player agreement and dealer confirmation and marker placement, the dealer shall proceed to deal each alternative hand in accordance with the applicable provisions of [N.J.A.C. 13:69F-14.10\(h\)](#) and (i), but without any additional player betting.
4. The dealer shall split the pot into separate equal portions to the nearest dollar amount corresponding to the number of alternative hands to be dealt, with any excess amount added to the first hand dealt. The portion of the pot dedicated for each hand resolution shall be awarded to the player with the winning hand. If players have equal ranking hands, the corresponding portion shall be split equally among players.

**13:69F-14.12 Five-card draw poker; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of five-card draw high and five-card draw low poker offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined in accordance with the procedures governing the use of a button as set forth in N.J.A.C. 13:69F-14.10(c).

(d) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal five rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(e) After each player has been dealt five cards face down, an initial betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(d) and (f).

(f) After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards. This process shall be accomplished one player at a time. Each player

may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck as follows:

1. Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck; and
2. If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose; provided, however, that the cards to be discarded by a player who has not yet requested new cards shall not be included as part of the reshuffled cards.

(g) The final betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet, or, if preceding players have not made a bet, make an opening bet or check. The final betting round shall be considered complete when the last player has responded to the most recent bet.

(h) 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. The winner of the pot shall be:

1. In high poker, the player with the highest ranking five-card high hand; and
2. In low poker, the player with the highest ranking five-card low

hand.

**13:69F-14.12A Triple Draw Low Ball Deuce to Seven; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of Triple Draw Low Ball Deuce to Seven offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to a maximum of seven players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined in accordance with the procedures governing the use of a button as set forth in N.J.A.C. 13:69F-14.10(c).

(d) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal five rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(e) After each player has been dealt five cards face down, an initial betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(d) and (f).

(f) After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards one player at a time. Prior to the first player receiving any new cards,

the dealer shall burn the top card of the deck. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck. If an insufficient number of cards remain in the deck for a player to draw new cards, all discarded cards, except for the cards discarded by that player, shall be reshuffled and the new cards shall be dealt to the player.

(g) After the completion of discarding and drawing new cards, the second betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(f).

(h) After the second betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards one player at a time. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck in accordance with (f) above.

(i) After the completion of discarding and drawing new cards, the third betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(f).

(j) After the third betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards one player at a time. Each player may keep his or her original hand or discard as many

cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck in accordance with the provisions of (f) above.

(k) After the completion of discarding and drawing new cards, the fourth and final betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet, or, if preceding players have not made a bet, make an opening bet or check. The final betting round shall be considered complete when the last player has responded to the most recent bet.

(l) 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. The winner of the pot shall be the player with the lowest ranking hand as determined by N.J.A.C. 13:69F-14.3(e) and (f).

**13:69F-14.12B Badugi; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of Badugi poker offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to a maximum of nine players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined in accordance with the procedures governing the use of a button as set forth in N.J.A.C. 13:69F-14.10(c).

(d) Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal four rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(e) After each player has been dealt four cards face down, an initial betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(d) and (f).

(f) After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards one player at a time. Prior to the first player receiving any new cards,

the dealer shall burn the top card of the deck. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the stub. If an insufficient number of cards remain in the stub for a player to draw new cards, the dealer shall deal any remaining cards in the stub to the player and all discarded cards, except for the cards discarded by that player, shall be reshuffled and any additional new cards shall be dealt to the player.

(g) After the completion of discarding and drawing new cards, the second betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(d) and (f).

(h) After the second betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards one player at a time. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck in accordance with (f) above.

(i) After the completion of discarding and drawing new cards, the third betting round shall be completed in accordance with the provisions of N.J.A.C. 13:69F-14.10(d) and (f).

(j) After the third betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards

one player at a time. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck in accordance with (f) above.

(k) After the completion of discarding and drawing new cards, the fourth and final betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet, or check. The final betting round shall be considered complete when the last player has responded to the most recent bet.

(l) 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 based upon the following rankings in order from highest to lowest:

1. The lowest Badugi hand shall win the pot. A Badugi hand is a hand in which each of the four cards have a different suit from the others and rank, as set forth in N.J.A.C. 13:69F-14.3(e). The lowest Badugi hand is an ace, two, three and four in which each of the four cards have a different suit from the others.
2. If no remaining players have a Badugi hand then the winner of the pot shall be the player with the lowest hand containing three cards, each of a different suit and rank.
3. If no remaining players have a hand containing three cards, each of a different suit and rank, then the winner shall be the player

with the lowest hand containing two cards, each of a different suit and rank.

4. If no remaining players have a hand containing two cards, each of a different suit and rank then the winner shall be the player with the lowest card.
5. In the event of a tie between more than one player remaining at the end of a round of play the pot shall be split evenly.

**13:69F-14.13 Five-card stud poker; procedures for dealing of cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for each game of five-card stud high poker offered in its casino room or casino simulcasting facility. Five-card stud shall be played to determine a winning high hand only.

(b) Each poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the poker table, the dealer shall deal one round of cards face down and one round of cards face up to each player.

(d) Once each player has received two cards in accordance with (c) above, the first betting round shall commence by comparing the up-card of each player. The player with the lowest ranked up-card, which shall be determined by suit in accordance with the provisions of N.J.A.C. 13:69F-14.9(d) if two or more players have an up-card of the same rank, shall be required to make a forced bet.

(e) Following the forced bet, each subsequent player may, proceeding in a clockwise rotation from the player who placed the forced bet, fold, call, or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top

card of the deck and then deal another round of cards face up to each player who made or called the last wager. The next betting round shall be commenced by the player with the highest ranking high poker hand showing. If two or more hands are of equal rank, the player closest to the left of the dealer shall be required to bet. The betting round shall be completed in accordance with the procedures in (e) above.

(g) The dealer shall then deal two additional rounds of cards face up to each player who made or called the last wager, with each such round followed by a betting round conducted in accordance with the provisions of (f) above. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck.

(h) 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. The winner of the pot shall be the player with the highest ranking five card high poker hand.

**13:69F-14.13 Mambo stud poker; procedures for dealing the cards; completion of each round of play**

(a) Each casino licensee shall be required to observe the procedures set forth in this section for mambo stud high-low split six or better poker offered in its casino room or casino simulcasting facility.

(b) Each poker table shall be restricted to 11 players or such lesser number as may be determined by the casino licensee. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table in accordance with N.J.A.C. 13:69F-8.3.

(c) Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the poker table, the dealer shall deal one round of cards face down and one round of cards face up to each player.

(d) Once each player has received two cards in accordance with (c) above, the first round of betting shall commence by comparing the up-card of each player. The player with the lowest ranked up-card shall be required to place a forced bet. The lowest ranked up-card shall be determined in accordance with the poker card rankings set forth at N.J.A.C. 13:69F-14.3(a); provided, however, that if the lowest ranked up-card is held by two or more players, the lowest ranked up-card shall then be determined by suit. For the purposes of this subsection and (f) below, the rank of the suits, in order of highest to lowest rank, shall be: spades, hearts, diamonds, and clubs.

(e) Following the placement of the forced bet required by (d) above, each subsequent player may, proceeding in a clockwise rotation from the player who placed

the forced bet, fold, call, or raise the bet. After each player has either folded or called in response to the most recent bet, the betting round shall be considered complete.

(f) Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to his or her left, deal a third card face down to each player who made or called the last wager. The next betting round shall commence by comparing the up-card of each remaining player. The player with the highest ranked up-card shall be required to bet or check. The highest ranked up-card shall be determined in accordance with the poker card rankings set forth at N.J.A.C. 13:69F-14.3(a); provided, however, that if the highest ranked up-card is held by two or more players, the highest ranked up-card shall then be determined by suit. For purposes of this subsection, the rank of suits is set forth in (d) above.

(g) Following the initial bet or check required by (f) above, each subsequent player, proceeding in a clockwise rotation, shall fold, call, raise, or, if none of the preceding players have made a bet, check. Each player may check until a bet has been made. If a bet is made, the next player in a clockwise rotation shall fold, call, or raise. After each player has folded or called in response to the most recent bet or, if no bet has been made, each player has checked, the betting round shall be considered complete.

(i) Upon completion of the betting round required by (g) above, the dealer shall again burn the top card of the deck and then deal a community card face up in the center of the table. The final betting round shall commence as follows:

1. The player with the highest ranking "one pair" that can be formed

with his or her up-card and the community card or, if no pair can be formed, the player who has the highest ranked up-card, shall be required to bet or check. The highest ranked "one pair" or up-card shall be determined in accordance with the high poker hand and card rankings set forth at N.J.A.C. 13:69F-14.3(c) or (a), respectively.

2. If the highest ranking "one pair" or up-card determined pursuant to (h)<sup>1</sup> above is held by two or more players, the player with such hand or card who is closest to the left of the dealer shall be required to bet or check.

(j) Following the initial bet or check required by (h) above, the final betting round shall be completed in accordance with the betting procedures set forth in (g) above.

(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 winners of the pot. Each player remaining in the game shall form a three-card poker hand by using any combination of the player's three cards and the community card. The winners of the pot shall be the player with the highest ranking three-card high poker hand and, subject to the provisions of (k) below, the player with the highest ranking three-card low poker hand, who shall divide the pot equally.

1. If a pot cannot be divided equally, the excess amount, which shall not exceed \$1.00, shall be given to the player with the highest

ranking high poker hand.

2. If a tie exists between two or more players for the highest ranking high poker hand, the high poker hand share of the pot shall be divided equally among the tied players. If the high poker hand share of the pot cannot be divided equally among tied players, the excess amount, which shall not exceed \$1.00, shall be given to the player with the highest ranking high poker card by suit.
3. If a tie exists between two or more players for the highest ranking low poker hand, the low poker hand share of the pot shall be divided equally among the tied players. If the low poker hand share of the pot cannot be divided equally among the tied players, the excess amount, which shall not exceed \$1.00, shall be given to the player with the lowest ranking low poker card by suit.
4. For the purposes of this subsection, the rank of the suits, in order of highest to lowest rank, shall be: spades, hearts, diamonds, and clubs.

(l) A winning low poker hand may not contain any cards of equal rank or a seven, eight, nine, 10, jack, queen, or king. This defines the qualifying clause known as "six or better." In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high poker hand.

(m) Notwithstanding (j) above, a player may form two different hands of

three cards using the player's three cards and the community card, enabling that player to contend for both the high poker hand and the low poker hand share of the pot. An ace may be used concurrently as a low card to satisfy a low poker hand and as a high card to satisfy a high poker hand. Alternatively, a player may use the same three-card combination as both a high poker hand and a low poker hand. For example:

1. A three-card hand consisting of a two, three, and four would qualify as a straight for purposes of the high poker hand and as a high ranking low poker hand; or
2. A three-card hand consisting of ace, four, and five of the same suit would qualify as a flush for purposes of the high poker hand and as a high ranking low poker hand.

### **13:69F-14.14 Poker revenue**

(a) The casino licensee shall derive its poker revenue at all poker tables by extracting a commission known as the "rake." Each casino licensee shall submit to the Division in its Rules of the Games Submission:

1. The types of rake utilized;
2. The methodology used for calculating the rake; and
3. The amount of maximum permissible rake.

(b) Each casino licensee shall use one or more of the following procedures in determining and extracting the rake:

1. A straight percentage rake, pursuant to which:
  - i. A fee, not to exceed 10 percent of all sums bet in the betting round, shall be extracted from a pot and any side pots;
  - ii. The amount to be raked shall be calculated and extracted from the pot and any side pots after the conclusion of a betting round and placed into the designated rake area pursuant to N.J.A.C. 13:69E-1.13E as play progresses; and
  - iii. Upon completion of a round of play, the rake shall be immediately placed by the dealer into the table inventory container.
2. A rake which shall be taken in incremental amounts, pursuant to which:

- i. Assessments of predetermined amounts shall be extracted from the pot and any side pots as certain predetermined dollar levels have been achieved;
  - ii. Upon collection, the amount to be raked shall be placed into the designated rake area pursuant to N.J.A.C. 13:69E-1.13E; and
  - iii. Upon completion of a round of play, the rake shall be immediately placed by the dealer into the table inventory container.
3. A rake based on time charges, pursuant to which:
  - i. Assessments may be imposed on a "per-player" basis or on a "per-table" basis. If taken on a "per-player" basis, inactive players seated at the table shall also be assessed;
  - ii. Time charges shall be expressed as an hourly fee based on the particular minimum and maximum wagering limits at a game;
  - iii. Time charges may be assessed fractionally every 20 or 30 minutes as determined by the casino licensee;
  - iv. Time charges once assessed shall be placed by the dealer into the designated rake area pursuant to N.J.A.C. 13:69E-1.13E; and
  - v. Upon verification by a floorperson or supervisor thereof of

the time charges collected, the rake shall be immediately placed by the dealer into the table inventory container.

(c) A sign describing the type and amount of rake to be collected pursuant to (b) above shall be posted at each poker table in accordance with the requirements of N.J.A.C. 13:69F-8.3.

(d) An uncalled final bet shall not be considered part of the pot for purposes of calculating the amount of rake pursuant to methods (b)1 and 2 above.

(e) Once the dealer has extracted the rake and the pot and any side pots have been collected by the winning player or players, no additional rake shall be taken by the casino licensee.

**13:69F-14.15 General operating rules for all types of poker; handling of irregularities**

(a) It shall be the responsibility of each player to ensure that his or her hand has lost to the other hands at the table before discarding the hand.

(b) In all disputes in which a ruling, interpretation, clarification or intervention is required, the decision of the poker shift supervisor shall be final.

(c) Each player shall be required to keep all cards dealt to the player in full view of the dealer at all times. The dealer shall ensure compliance with this requirement.

(d) At the showdown, a winning hand must be clearly displayed in its entirety and properly identified. The player initiating the final wager shall be the first player to show his or her hand at the showdown; all other players who have not folded shall then reveal their hands in a clockwise rotation. Any player holding a losing hand may concede his or her rights to the pot and discard the hand; provided, however, that the casino licensee may require the disclosure of any discarded hands.

(e) Misdeals shall cause all the cards to be returned to the dealer for a reshuffle. The following errors shall be cause for a misdeal:

1. Failure to shuffle and cut the cards in accordance with N.J.A.C. 13:69F-14.5;
2. Dealing to an incorrect starting position if the error has been detected prior to two players voluntarily placing wagers into the pot;
3. If more than one card is found face-up in the deck; and

4. Failure to deal to an eligible seated player, if the error has been detected prior to two or more players voluntarily placing wagers into the pot.

(f) If one or more cards are mistakenly dealt to an ineligible player, only those cards dealt to that player shall be discarded and the round of play shall be continued.

(g) If at any time during a round of play, missing cards are discovered or additional cards are found, the round of play shall be called dead, all gaming chips and gaming plaques in the pot shall be returned to the appropriate player and the deck shall be replaced pursuant to the procedures outlined in N.J.A.C. 13:69E-1.18.

(h) A card found face upwards in the deck shall not be used in the game and shall be placed with the pile of discarded cards.

(i) A player who fails to take reasonable means to protect his or her hand shall have no redress if his or her hand becomes a fouled hand or the dealer accidentally collects the hand.

1. Hole cards in a game of stud poker shall be considered protected for purposes of fouling a hand.
2. If a protected hand comes into contact with discarded cards, every effort shall be made to reconstruct the hand and complete the round of play.
3. A player who has a protected hand collected by the dealer or fouled by discarded cards shall be entitled to a refund from the

pot of all monies that he or she put in the pot if the player has been a victim of and not a contributor to the error.

4. A player who leaves the table without comment and has an unprotected hand shall be assumed to have no interest in the pot, and his or her cards shall be collected and discarded.

(j) Verbal statements which are clearly audible by and directed to the dealer shall always have precedence over actions and gestures and are considered binding on the player whose turn it is to act.

1. A player shall be deemed to have folded if, when faced with making or calling a wager, he or she:
  - i. Discards his or her hand face-down towards the pile of discarded cards or the pot; or
  - ii. Turns face-down his or her up-cards in a game of stud poker.
2. If a player is obligated to place a wager by virtue of a verbal statement or forced betting situation, throwing away his or her cards does not relieve the player of that obligation.

(k) In seven-card stud, if a player's first or second hole card is accidentally turned face-up in the dealing process; the third card shall be dealt face-down. If both hole cards are accidentally turned face-up, the dealer shall collect the two cards, call the player's hand dead and return the player's ante, if applicable. If a player's third hole

card is accidentally turned face-up in the dealing process, the player shall be afforded the option to either:

1. End his or her obligation to make additional wagers and contend only for that part of the pot formed prior to any additional wagering; or
2. Continue to contend for the entire pot.

(l) In five-card stud, if a player's hole card is accidentally turned face-up in the dealing process, the second card shall be dealt face-down.

(m) In mambo stud poker, if a player's first hole card is accidentally turned face-up in the dealing process, the second card shall be dealt face-down. If a player's second hole card (third card) is accidentally turned face-up in the dealing process, the player shall be afforded the option to either:

1. End his or her obligation to make additional wagers and contend only for that part of the pot formed prior to any additional wagering; or
2. Continue to contend for the entire pot.

(n) If a card is accidentally dealt off the table, it shall not be used in that round of play and shall be placed with the pile of discarded cards after a thorough examination by the dealer.

(o) In the games of hold 'em and omaha, if any of the cards dealt face down to a player are accidentally dealt face up, the dealer shall exchange the exposed card with a card from the top of the deck and either:

1. Place the exposed card face down with the pile of discarded cards; or
2. Use the exposed card as a face up burn card before the flop.

(p) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the Division's regulations.

(q) Any automated card shuffling device shall be removed from a gaming table before another method of shuffling may be utilized at that table.

(r) Nothing in this section shall preclude a casino licensee from clarifying and supplementing the above irregularities through its internal control procedures, as submitted to the Division.

**13:69F-14.16 Conduct of players**

(a) Each player in a poker game shall play the game solely to improve his or her chance of winning and shall take no action to improve another player's chance of winning. No player may communicate any information to another player which could assist the other player in any manner respecting the outcome of a poker game.

(b) A casino licensee which has reasonable cause to believe that a player has acted or is acting in violation of (a) above shall require the player to leave the game and shall notify the Division as expeditiously as possible.

(c) Any casino licensee which takes action under (b) above in good faith shall not be liable civilly to such person.

**13:69F-14.17 Minimum and maximum wagers**

Each casino licensee shall provide notice in accordance with N.J.A.C. 13:69F-8.3 of the minimum and maximum wagers in effect at each poker table, except that, if all patrons at a poker table agree to increase the minimum wager at the table, the provisions of N.J.A.C. 13:69F-8.3(b) need not be followed. Such sign shall also include any restrictions with regard to the maximum number of raises that may be permitted for any round of betting.

**13:69F-14.18 Announcement of available games and seats**

A casino licensee shall be permitted to announce in those areas of a casino or casino simulcasting facility where poker tables are located the particular types of poker games, the minimum/maximum wagers that are being offered and the availability of any vacant seats at particular poker tables.

**§ 13:69F-14.19 Bad beat payouts; high hand payouts; posting of rules; contributions; counting and displaying of payout amount; procedures for implementation**

(a) A casino licensee may elect, in its discretion, to offer a payout for one or more pre-designated high value poker hands when such a hand in a round of play is held by a player either as a losing hand (a "bad beat") or without regard to the relative rank of any other player's hand. Such payouts shall be made from a separate fund created from pot contributions required at tables where either a bad beat payout or a high hand payout is offered and shall be paid in accordance with the procedures established pursuant to this section. The funds extracted from pot contributions may be used by the casino licensee for other types of poker bonus payouts, so long as all funds extracted from any pot are awarded to poker players. A casino licensee may not offer both a bad beat payout and a high hand payout at the same poker table.

(b) A casino licensee shall post at each poker table that offers either a bad beat payout or a high hand payout, a notice advising patrons of eligibility for such payout. In addition to displaying the current amount of any payout, a casino licensee that offers a payout shall post its payout rules in a conspicuous location within its poker room, which, at a minimum, shall address:

1. The maximum amount that can be contributed from each pot and the method of calculation for any contributed amount;
2. The minimum pot amount required for a contribution to a payout;
3. Qualifying requirements and payouts; and

4. Other types of bonus awards that are funded through pot contributions to the fund.

(c) A casino licensee shall extract from each pot at a poker table designated for participation in either a bad beat payout or a high hand payout, a prescribed contribution to the payout, which amount shall be collected in accordance with the casino licensee's payout rules as set forth in its Rules of the Games Submission. Prior to distributing the pot to a winning patron and after the dealer has extracted the rake, the amount from each pot to be contributed to a payout shall be determined, segregated from the pot, and deposited into the payout box. A casino licensee may, upon amending its payout rules and pursuant to (j) below, terminate collection of contributions at any time.

(d) At least once each gaming day and upon notice to the Division, a casino licensee shall count the accumulated contents of each payout box and the contents shall be transferred to the cashiers' cage or a satellite cage. The counting shall occur at a closed poker table, the cashiers' cage, or a satellite cage in accordance with the casino licensee's internal control procedures.

1. If the counting of the contents of each payout box occurs at a closed poker table, the counting shall be performed by a poker dealer in the presence of a poker supervisor, and it shall be recorded by the surveillance department. Documentation of the count shall be prepared and signed by both the dealer and the supervisor. The contents of each payout box shall then be placed

in a locked container along with documentation of the count and transported to the cashiers' cage or satellite cage by a representative of the casino security department.

2. If the counting of the contents of each payout box occurs in the cashiers' cage or a satellite cage, a poker supervisor shall account for all locked payout boxes transported from the poker tables to the cage. A representative of the casino security department shall transport such boxes to the cashiers' cage or satellite cage for counting by casino cage cashiers.

(e) Once each payout box or a container containing the contents of the payout boxes is delivered to the cashiers' cage or satellite cage, a cashier shall count the contents of each box or, if the contents of such boxes were previously counted by poker room personnel and combined in a locked container for transport, verify the aggregate count.

(f) In lieu of the procedures set forth in (d) and (e) above, a casino licensee may count and record the total value of gaming chips contained in the approved contribution container(s) and return the gaming chips to the table inventory, subject to the following requirements:

1. The counting and recording shall occur prior to or whenever the container is filled to maximum capacity and upon table closing, provided that in any event such counting and recording shall occur at least once per gaming day.

2. The dealer assigned to the poker table shall count the contents of the container in the presence of a poker supervisor and under videotaped surveillance or, if counted without such presence and surveillance, in the presence of a representative of a second department. The same procedure shall apply at all affected poker tables. If a representative of a second department witnesses and verifies the count, that person shall:

- i. Hold a casino license or casino key employee license and shall be employed in a position requiring his or her presence on the casino floor and, at a minimum, a casino employee license; and
- ii. Be identified in the casino licensee's approved internal controls; provided, however, that the following positions shall be prohibited from witnessing and verifying a count of payout contributions pursuant to (f)2 above:
  - (1) Any surveillance department or internal audit department employee, or any employee of a department responsible for the conduct of poker; or
  - (2) Any other employee for whom it would be an incompatible function to witness and verify a count of payout contributions.

3. The Payout Contribution Form shall be serially pre-numbered and in a minimum of two parts, and shall contain the following information:
  - i. The date and time;
  - ii. The table number;
  - iii. Designation of bad beat payout or high hand payout;
  - iv. The total amount and value of gaming chips collected for the bad beat payout and placed into the table inventory;  
and
  - v. The signatures of the dealer and the person witnessing the count and attesting to the accuracy of the information recorded on the Bad Beat Payout Contribution Form.

(g) Upon completing the form as prescribed in (f)3 above, the dealer shall deposit the original Payout Contribution Form in the drop box attached to the poker table and the person who verified the count shall place the duplicate in a locked accounting box maintained at a secure location.

(h) At least once each gaming day, a casino accounting department representative shall collect the duplicate Payout Contribution Forms contained in the locked accounting box and verify that that the number of forms contained in the locked accounting box equals the number of original Contribution Forms received from the count room. In the event of a variance, the representative shall determine the missing form(s) by comparing form serial numbers. In any instance in which a duplicate form

cannot be matched with an original, the Master Game Report shall be adjusted to add to poker revenue the value of either bad beat payout or high hand payout contributions on such form.

(i) Each poker hand that qualifies for either a bad beat payout or a high hand payout shall be verified by a poker shift supervisor prior to awarding the payout.

Upon verification, the poker shift supervisor shall:

1. Post a sign or otherwise provide visible notice that the applicable payout display amount is pending adjustment due to a payout;  
and
2. Notify a representative from the casino security department or casino accounting department to deliver to the poker table the applicable amount of the payout.

(j) The casino accounting department shall prepare a payout distribution in cash, a recognized cash equivalent, or gaming chips in accordance with the casino licensee's internal control procedures. Notwithstanding (f)2 above, a casino licensee may elect to pay a payout at the cashiers' cage.

(k) The official record of the amount of daily contributions to payouts shall be maintained by the casino accounting department. No less than once each gaming day and immediately upon notification of a verification by a poker shift supervisor, a casino accounting department representative shall:

1. In the presence of a poker supervisor, adjust the applicable payout amount displayed in the poker area to reflect the current payout amount; and
2. Verify that the amount of any payout maintained by the casino accounting department corresponds to the amount being displayed to patrons.

(l) No bad beat payout or high hand payout shall be offered at a poker table until a casino licensee has submitted procedures to the Division for discontinuing the applicable payout. Such procedures shall address the method by which pot contributions shall be terminated and/or for transferring payout amounts to other payouts, so as to ensure that all payout amounts are paid to poker patrons.

(m) A casino licensee may also offer a secondary bad beat payout that is awarded to a lesser qualifying bad beat hand, and which shall be funded by:

1. A prescribed contribution from each pot at a participating poker table; or
2. A portion of the primary bad beat payout; provided, however, that:
  - i. The appendix to its Rules of the Games Submission shall prescribe the rules to be followed if a round of play results in both a higher qualifying hand and a lower qualifying hand;

- ii. When won, the amount of the secondary bad beat payout shall be subtracted from the current primary bad beat payout; and
- iii. Signage displaying a primary and secondary bad beat payout shall indicate that the secondary bad beat payout is funded from the primary bad beat payout, and shall be deducted from the amount of the primary bad beat jackpot if won.

(n) The appendix to the Rules of the Games Submission for a bad beat payout shall prescribe the rules to be followed if more than one player at a table has a qualifying bad beat payout hand.

(o) Once the amount of a bad beat payout or a high hand payout has been displayed to the public, the display shall not be reduced to a lesser amount unless the amount has been paid to a winning patron.

(p) A casino licensee may use a percentage of the daily payout contributions to fund a portion of the next payout (reset amount). The percentage of the daily contributions used to fund the reset amount shall be set forth in the internal control submission of the casino licensee and shall also be posted in the poker room of the casino licensee. The casino licensee shall also account for and document all reset amounts in a manner approved by the Division.

(q) Prior to implementing any changes to the information required in (b)1 through 4 above, a casino licensee shall be required to post a notice advising patrons of

the change; provided, however, that the qualifying hand requirements for a bad beat payout may not be increased until that bad beat payout has been won.

**13:69F-14.20 Bad beat payout and high hand payout interconnected in more than one casino; multi-casino payout system**

(a) Two or more casino licensees may jointly offer a bad beat payout or a high hand payout that is interconnected in more than one casino (a "multi-casino payout") and is operated by a multi-casino payout system (payout system); provided, however, that the applicable rules for the multi-casino payout shall be the same at all participating casinos.

(b) A payout system shall be administered by the participating casino licensees in accordance with the terms of a written multi-casino payout system agreement (payout system agreement), which has been approved in advance by the Division and has been executed by each participating casino licensee.

(c) A payout system agreement shall specifically identify and describe the role, authority, and responsibilities of each participating casino licensee in the conduct of the payout system, including without limitation:

1. A description of the process by which decisions that affect the rules and conduct of the multi-casino payout and the operation of the payout system are approved by the participating casino licensees and are implemented by each casino licensee;
2. The manner in which the funds for all multi-casino payouts and any fees or costs associated with the operation of the payout system will be maintained, accounted for, and paid; and

3. The participating casino licensee or licensees responsible for generating and maintaining all records and reports of the payout system, as required by the rules of the Division.

(d) Each and every casino licensee that is a party to a payout system agreement shall:

1. Post in each of its poker rooms:
  - i. The payout information; and
  - ii. The names of all casino licensees participating in that payout system, and the name and address of the host casino for the payout system; and
2. Be jointly and severally liable for the payment of all multi-casino payouts and for any acts, omissions, and violations committed by any participating casino licensee in connection with a multi-casino payout or the operation of the payout system, regardless of whether they had knowledge of such act, omission, or violation, and notwithstanding any contractual provision to the contrary.

(e) The casino licensees seeking approval to participate in a payout system shall maintain internal controls for the operation of a payout system, including, at a minimum, procedures for ensuring:

1. The physical and logical security of the central computer or server and any related hardware, software or other devices;

2. The integrity and security of all sensitive data and software, and which, at a minimum, ensure that all data sent through a transmission is completely and accurately received, and that data sent from each participating casino licensee can be separately identified as such;
3. Limited access to the computer system and the sensitive data and software in (e)1 and 2 above;
4. Proper operation of all equipment and software associated with the payout system; such equipment and software shall, at a minimum, have the capability and responsibility for:
  - i. Notifying all participating casinos and their patrons immediately and simultaneously of a pending multi-casino payout and a confirmed multi-casino payout; provided, however, that, if such notice cannot be immediately provided by means of the payout system, notice shall be provided by such other means but only for the pending payout in question, and no further multi-casino payouts shall be offered at the participating casinos through that payout system until the system becomes operational again;
  - ii. Documenting for each multi-casino payout the date, time, amount, winning and losing hands, casino location, and

the name of each casino employee verifying and authorizing the payout; and

iii. Addressing the claims of players at two or more casinos participating in a payout system who are claiming the same payout; and

5. Secure installation and modification of the computer system that controls, records, and displays the amount of the multi-casino payout, which installation and modifications shall occur only after advance written notice to the Division.

(f) A casino licensee may designate one or more casino key employees to represent the interests of the casino licensee in the operation and control of a payout system.

(g) Each payout system shall comply with the rules of the Division for casino computer systems.

## **SUBCHAPTER 15. KENO**

### **13:69F-15.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Conditioning" means the coding which the player and computer mark on the keno request and keno ticket, respectively, to indicate the type of keno ticket being wagered and the rate at which the keno ticket is to be played.

"House advantage" means the difference between true odds (the statistical probability of a selected event occurring) and the established payoff odds (the payoff rate at which a winner will be paid if the selected event occurs).

"Keno request" means a keno writer request or a keno runner request.

"Keno runner request" means a two-part form or a one-part form with a detachable portion which serves as a receipt used by a patron to select the desired number or numbers (spots) for one or more keno games by giving the form to a keno runner.

"Keno ticket" means a one-part computer generated form which is issued by a keno writer or keno runner based on the information recorded on a keno request or, in the case of a keno writer, verbalized by a patron.

"Keno ticket receipt" means a one-part form given to a patron by a keno runner as a receipt for a winning keno ticket that the patron has given to the keno runner to redeem, which contains, at a minimum, the serial number of the keno ticket.

"Keno writer request" means a one-part form used by a patron to select the

desired number or numbers (spots) for one or more keno games by giving the form directly to a keno writer.

"Quick-pick" means a straight or basic keno ticket in which the computer system randomly selects the marked number or numbers (spots) for the patron.

"Rate card" means the document issued by a casino licensee listing the available types of wagers, payoff rates, wagering format and such other information as required by this chapter.

"Spots" means the number or numbers selected by a player for a keno game. For example, a keno ticket based on a keno request on which a player selected three numbers is referred to as a "three-spot" keno ticket.

"Winning keno ticket report" means a report utilized by a keno runner who generates and redeems keno tickets at a keno work station to verify and directly redeem winning keno tickets. The report may be generated by a keno supervisor or print automatically after each keno game, shall list all winning keno tickets with a value of \$500.00 or less generated by each keno runner for that game and shall contain, at a minimum:

1. The identification code of the keno runner or the keno work station at which the keno runner generated the ticket;
2. The number of the keno game; and
3. As to each winning keno ticket:
  - i. The total payout; and
  - ii. A portion of the serial number sufficient to permit a keno

runner to verify a winning keno ticket but insufficient to enable a person to calculate or interpret with accuracy the entire serial number of the ticket.

**13:69F-15.2 Permissible wagers**

(a) Keno shall be played with 80 consecutive numbers starting with the number 1.

(b) The maximum number of spots that may be selected by a player for any keno game shall be determined by the casino licensee and set forth in its approved rate card.

(c) The following shall constitute the permissible wagers at the game of keno:

1. "Straight or basic ticket" is a keno ticket on which a player selects from one spot to the maximum number of spots that may be selected as permitted by the casino licensee without any type of groupings. The type of straight or basic ticket shall be determined by the number of spots the player selects.
2. "Split ticket" is a keno ticket on which the equivalent of two or more straight or basic tickets are written. Each group of spots shall be separated from each other by either circling each group or by drawing a line between them. The wager shall be limited in that the numbers in one group of spots shall not be duplicated in any other group of spots. For purposes of determining a winning keno ticket, each group of spots on a split ticket shall be evaluated separately.
  - i. When all of the groups on a split ticket contain an equal

number of spots, the split ticket must be wagered at the same rate for each group.

- ii. When at least two groups on a split ticket contain an unequal number of spots, the split ticket may be wagered at the same or a different rate for each group, notwithstanding (c)2i above.
3. "Way ticket" is a keno ticket on which a player selects at least two groups containing an equal number of spots which are then combined to form several straight or basic ticket combinations within one ticket. Each group played must be wagered at the same rate.
4. "Combination ticket" is a keno ticket on which a player selects at least two groups containing any number of spots and also selects how the groups shall be combined to form multiple tickets within one ticket.
5. "King ticket" is a keno ticket on which a player selects a single spot which is referred to as the "king" and then combines the king with other groups of spots to form multiple tickets within one ticket. A king ticket may contain more than one king.
6. "Multi-race ticket" is a keno ticket which is wagered for more than one game. All of the games covered by the ticket must be consecutive and must be wagered at the same rate.

**13:69F-15.3 Placement of wagers; payoff requirements**

(a) All wagering at the game of keno shall be conducted at a keno work station.

(b) All wagers at keno shall be made with currency, coin, gaming chips, coupons or slot tokens. Except for a quick-pick or a verbal wager, each player shall be required to use a keno request in order to place a wager. Verbal wagers shall only be made directly with a keno writer and shall not be made through or with a keno runner. Nothing in this section shall preclude the acceptance of a losing or winning keno ticket as the patron's keno writer request for the next game.

(c) Each player shall be responsible for ensuring that the spots recorded on the keno ticket agree with the spots marked on the player's keno request or the wagers verbalized by the player. The casino licensee shall not be responsible for any error by a keno writer on a ticket purchased directly from the keno writer which the player does not detect prior to the start of the first game for which the ticket has been generated. The casino licensee shall also not be responsible for any error on a ticket purchased through a keno runner if the error is not detected or cannot be corrected prior to the start of the first game for which the ticket has been generated. Keno runner request forms shall bear notice of this limitation. All winnings shall be paid in accordance with the computer-generated keno ticket and not the keno request or the player's verbal wager. A keno ticket may not be voided or changed once the keno computer system has been locked out for the start of the game.

(d) Each casino licensee shall provide notice of the minimum wagering

requirements and the maximum wagers in effect at the game of keno in its approved rate card.

(e) Each casino licensee shall set payoff amounts which shall increase arithmetically in proportion to the amount of the wager until any maximum payoff is reached. A casino licensee may establish a maximum aggregate payoff of not less than \$100,000 per game, which amount shall be equal to any maximum payoff amount which may be established for an individual wager. Notwithstanding any maximum payoff amount, the house advantage shall not exceed 30 percent for the minimum wager which is offered.

**13:69F-15.4 Issuance of keno tickets**

(a) Unless a player uses a previously generated keno ticket as a keno writer request, requests a quick-pick or makes a verbal wager, a player shall request the issuance of a keno ticket by completing a keno request and submitting the request to a keno writer or a keno runner, as applicable. The player shall complete a keno request by placing some type of distinguishing mark over the number or numbers he or she wishes to play. Prior to submitting the keno request to a keno writer or keno runner, the player shall properly condition and price the keno request in accordance with the information set forth in the rate card of the casino licensee.

(b) Keno requests shall contain, at a minimum, the following:

1. A grid listing the numbers 1 through 80;
2. An area to record the number of games to be played;
3. An area to record the dollar value of each wager;
4. An area to record the conditioning;
5. An area for the total price of the ticket; and
6. In the case of a keno runner request, an area to identify the particular game or games to be played.

(c) The keno writer shall input the information on the player's keno request, previously issued keno ticket or verbal keno wager into the keno computer system, in accordance with the casino licensee's internal control procedures. This action shall cause a one-part sequentially numbered keno ticket to be printed. Upon receipt of currency, coin, gaming chips, coupons or slot tokens in an amount equal to or greater

than the total price of the keno ticket from the player or keno runner, the keno writer shall issue the keno ticket and, if due, any change to the player or keno runner. The keno ticket shall contain, at a minimum, the following:

1. The date and time of issuance;
2. The keno work station number where the ticket was issued;
3. The numbers selected by the patron listed in a clearly identifiable manner;
4. The number of games to be played;
5. The first and last game number;
6. The conditioning;
7. The rate of each wager;
8. The number of ways played;
9. The total price of the keno ticket;
10. The identification code of the keno writer;
11. A representation as to the maximum keno limit for each game and an indication as to how that limit will be distributed to winners;
12. A statement that winning patrons must present a computer generated keno ticket in order to collect winnings; and
13. A conspicuous notice that the keno ticket must be redeemed within one year of its date issuance or the obligation of the casino licensee to pay the patron will expire.

(d) If a casino licensee permits multi-race keno tickets, one keno request shall be used for all of the games to be wagered by the player. The player shall be required to pay for the wager prior to the start of the first game and shall not be paid for any winning games until the completion of the last game for which the multi-race keno ticket was issued unless the remaining races on the multi-race keno ticket are cancelled. A casino licensee may permit a player to receive a refund on a multi-race keno ticket for those games not drawn; provided, however, that the keno computer system is capable of generating adequate documentation for the refund and the procedures governing the refund transaction are in accordance with the casino licensee's internal control procedures.

(e) A keno writer may void a keno ticket prior to the start of the game for which the keno ticket was issued. A multi-race keno ticket may only be voided, in its entirety, prior to the start of the first game for which the keno ticket was generated. The method for voiding keno tickets shall be in accordance with the casino licensee's internal control procedures. Each keno computer system shall be capable of maintaining, on a daily basis, a listing of voided keno tickets for each keno work station.

**13:69F-15.5 Keno games; selection of numbers**

(a) Each casino licensee which elects to offer the game of keno shall conduct the game with an independent computer system which selects the winning numbers for the game in a random fashion. The program used to operate the random number generator shall be unique to the State of New Jersey and may not be used by any other jurisdiction with gaming. All keno computer systems shall be approved by the Division. The random number generator for the keno system shall have a printer or other independent method which records the game numbers and selected winning numbers. The random number generator shall be secured by dual locking mechanisms, which are unique from one another. A casino security supervisor shall control one locking mechanism and the keno supervisor or supervisor thereof shall control the other locking mechanism.

(b) The casino licensee, at its discretion, shall determine the number of keno games to be conducted during the gaming day. Nothing in this subchapter shall preclude a casino licensee from conducting keno games at different intervals at separate locations. Each keno game conducted during the gaming day shall be assigned a unique sequential game number by the keno computer system.

(c) A keno supervisor or a keno writer shall provide verbal notice that the current keno game will be closing at least one minute prior to closing that game or the casino licensee shall display the minimum remaining time between keno games at each keno booth or satellite keno booth. If keno runners are authorized to accept wagers on a keno game, the game shall not be closed until all such runners have "signed in" in

accordance with the rules of the Division.

(d) If the keno computer system does not have an automatic lock-out feature, a keno supervisor or a keno writer with verbal approval from a keno supervisor shall cause the keno computer system to start a keno game by:

1. Locking out all keno work station terminals so that no additional keno tickets may be voided or issued for the game being conducted; and
2. Randomly selecting 20 of the 80 available numbers.

(e) If the keno computer system does have an automatic lock-out feature, each casino licensee shall be required to submit override procedures which document who performed the override of the lock-out system and the reason for the override. The ability to override the lock-out feature shall be available only to a keno supervisor or supervisor thereof.

(f) As the 20 numbers are selected by the computer, the keno supervisor or a keno writer may announce the winning numbers for the patrons in the area of the keno booth or satellite keno booth.

(g) The 20 numbers which are randomly selected by the keno computer system and the game number shall be displayed or illuminated on a keno board or video monitor visible to patrons in the area of the keno booth and in such other areas of the casino and casino simulcasting facility. Nothing herein shall preclude the placement of keno boards or video monitors in the hotel facility so long as the Division receives prior notification of such installation.

(h) Each casino licensee shall be required to maintain a record of the winning numbers for each keno game for a period of at least one year.

**13:69F-15.6 Payment of winning wagers**

(a) Except as otherwise provided for payouts which exceed \$500.00, after the 20 numbers have been selected by the keno computer, a player may take a winning keno ticket to a keno work station for redemption or give the winning ticket to a keno runner who shall redeem the ticket on behalf of the patron. All winning wagers shall be paid in accordance with the information recorded on the computer-generated keno ticket. The method used by the casino licensee to evaluate the keno ticket for correct payment and cancellation shall be in accordance with the casino licensee's internal control procedures. If redeemed by a keno writer, the keno writer shall pay the player directly or indirectly through a keno runner, from the cash or, upon request of the player, gaming chips in the keno drawer or issue the player a casino check and shall retain the keno ticket in the keno drawer until the end of the keno writer's shift. If redeemed by a keno runner at a keno booth, satellite keno booth or keno locker, the keno runner shall pay the player with cash from the keno drawer and shall retain the keno ticket in the keno drawer until the end of the keno runner's shift. If redeemed directly by a keno runner, the keno runner shall pay the player with cash from the keno runner's pouch or wallet and shall redeem the keno ticket at a keno work station by the end of the keno runner's shift. All winning keno ticket reports shall identify the winning tickets paid by the keno runner and shall be maintained with the keno runner's end-of-day paperwork.

(b) Winning wagers with a payout equal to or greater than \$1,500 but less than \$5,000 shall be authorized by a keno supervisor or a supervisor thereof. Winning

wagers with a payout of \$5,000 or more shall be authorized by the casino key employee to whom the keno supervisor reports or a supervisor thereof. The keno supervisor or supervisor thereof shall sign the back of the winning keno ticket as evidence of such authorization.

- (c) All winning keno tickets shall expire one year from their date of issuance.

**13:69F-15.7 Irregularities**

(a) A keno request which is marked in such a way that it is not clear which number or type of wager is to be played shall be returned to the player for preparation of another keno request.

(b) A winning keno ticket which is not accepted or read by the keno computer system shall be manually input by the keno writer in accordance with the casino licensee's internal control procedures.

(c) If the keno computer system is not operational, in accordance with the casino licensee's internal control procedures, a winning keno ticket:

1. For \$10.00 or less may be manually paid by a keno writer;
2. For more than \$10.00 but less than or equal to \$1,000 may be manually paid by the keno writer with authorization from the keno supervisor or a supervisor thereof; and
3. For over \$1,000 may not be paid until the keno ticket can be verified by the keno computer system.

## **SUBCHAPTER 16. CARIBBEAN STUD POKER**

### **13:69F-16.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Ante wager" means the initial wager placed prior to any cards being dealt in order to participate in the round of play.

"Bet wager" means an additional wager made by a player, in an amount double the player's ante wager, after all cards for the round of play have been dealt but before the dealer's hole cards are exposed.

"Fold" means the withdrawal of a player from a round of play by discarding his or her hand of cards after all cards have been dealt and prior to placing a bet wager.

"Hand" means the five-card hand dealt to each player and the dealer.

"Hole card" means any of the four cards which are dealt face down to the dealer.

"Progressive payout hand" means a flush, full house, four-of-a-kind, straight flush, or royal flush, as defined in N.J.A.C. 13:69F-16.5 and 16.11.

"Push" means a tie, as defined in N.J.A.C. 13:69F-16.10.

"Qualifying hand" means the dealer's hand as defined in N.J.A.C. 13:69F-16.10, with a rank of ace, king, four, three, and two or better.

"Rank" or "ranking" means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-16.5.

"Round of play" or "round" means one complete cycle of play during which all players then playing at the table have been dealt a hand, have folded or wagered upon

it, and have had their wagers paid off or collected in accordance with the rules of this subchapter.

"Stub" means the remaining portion of the deck after all cards in the round of play have been dealt.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

**13:69F-16.2 Cards; number of decks**

(a) Except as provided in (b) below, Caribbean stud poker shall be played with one deck of cards with backs of the same color and design, one additional cutting card and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-16.4. The cutting card and cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-16.3 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-16.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-16.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-16.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

- (b) After the cards have been shuffled and stacked, the dealer shall:
1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-16.7, 16.8, or 16.9; or
  2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

- (c) If a cut of the cards is required, the dealer shall:
1. Cut the deck, using one hand, by:
    - i. Placing the cover card on the table in front of the deck of cards;

- ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;
  - iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to section (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-16.7, 16.8 or 16.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a Caribbean stud poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-16.3(c) shall be completed.

**13:69F-16.5 Caribbean stud poker rankings**

(a) The rank of the cards used in Caribbean stud poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or "straight" formed with a two, three, four, and five.

(b) The permissible poker hands at the game of Caribbean stud poker, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10, and nine being the highest ranking straight flush and ace, two, three, four, and five being the lowest ranking straight flush;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
4. "Full house" is a hand consisting of "three-of-a-kind" and a "pair," with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
5. "Flush" is a hand consisting of five cards of the same suit;

6. "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two, three);
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a hand containing two "pairs," with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
9. "One pair" is a hand containing two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical poker hand rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand which contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a push.

### **13:69F-16.6 Wagers**

(a) All wagers at Caribbean stud poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All ante wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-16.7, 16.8 or 16.9. Except as provided in N.J.A.C. 13:69F-16.7, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Upon placing an ante wager, a player may, at his or her discretion, place a progressive payout wager either by placing a \$1.00 gaming chip into the progressive wagering device designated for that player or by redeeming a progressive wager coupon in accordance with the rules of the Division. Each player shall be responsible for verifying that his or her respective progressive payout wager has been accepted.

(d) A "bet" wager shall be made in accordance with N.J.A.C. 13:69F-16.10.

(e) A player shall not be permitted to play more than one hand per round of play.

(f) Only players who are seated at the Caribbean stud poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-16.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-16.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automatic shuffling device.

(b) Prior to dealing the cards and once all ante and progressive payout wagers have been placed, the dealer shall then announce "No more bets" and use the table game progressive payout wager system to prevent the placement of any additional progressive payout wagers. The dealer shall then collect any progressive payout wagers and, on the layout in front of the table inventory container, verify that the number of gaming chips wagered equals the number of progressive payout wagers accepted by the table game progressive payout wager system. The dealer shall then place the gaming chips into the table inventory container in accordance with the rules of the Division.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;

2. One card face up to an area directly in front of the table inventory container designated for the dealer's hand;
3. A second card face down to each player directly on top of that player's first card;
4. A second card face down to the dealer to the right of the dealer's first card dealt face up; and
5. A third, fourth, and fifth card, in succession, face down to each player and the dealer directly on top of the preceding card dealt face down.

(e) After five cards have been dealt to each player and the area designated for the hand of the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were

misdealt. If the cards have been misdealt (a player or the area designed for the placement of the dealer's hand has more or less than five cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-16.13. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-16.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Caribbean stud poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-16.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" and press the lock-out button in accordance with N.J.A.C. 13:69F-16.7 prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face up to an area directly in front of the table inventory container designated for the dealer's hand;
3. A second card face down to each player directly on top of that player's first card;
4. A second card face down to the dealer to the right of the dealer's first card dealt face up; and
5. A third, fourth, and fifth card face down to each player and the dealer, in succession, directly on top of the preceding card dealt face down.

(d) After five cards have been dealt to each player and the area designated for the placement of the dealer's hand, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-16.7.

### **13:69F-16.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Caribbean stud poker dealt from an automated dealing shoe which dispenses cards in stacks of five cards.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-16.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" and press the lock-out button in accordance with N.J.A.C. 13:69F-16.7.

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-16.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-16.6. The dealer shall then deliver a stack of five cards face down to the area designated for the dealer's hand.

(d) After each stack of five cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the cards in the discard rack

without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-16.7.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

(g) The stack of five cards comprising the dealer's hand shall then be spread in a row directly in front of the table inventory container with the top card to the dealer's right and the bottom card to the dealer's left. The dealer shall then expose the bottom card of the dealer's hand, or that card farthest to the dealer's left, and the round of play shall proceed in accordance with N.J.A.C. 13:69F-16.10.

**13:69F-16.10 Bet wagers; procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-16.7, 16.8 or 16.9 have been completed but before the dealer exposes the hole cards, each player shall, after examining his or her cards, either place a bet wager in the designated betting area or fold and forfeit the ante wager. If a player folds, the entire ante wager shall be collected by the dealer and placed in the table inventory container. A folded hand shall then be immediately collected by the dealer and placed in the discard rack.

(b) Each player who makes a bet wager shall be responsible for his or her own hand and no other person other than the dealer may touch the cards of that player. Each player shall be required to keep the five cards in full view of the dealer at all times. Once each player has examined his or her cards and placed the five cards face down on the appropriate area of the layout, the player shall not touch the cards again.

(c) No player may exchange or communicate information regarding his or her hand prior to the dealer revealing the hole cards. Any violation shall result in a forfeiture of all wagers on that round by the players communicating.

(d) After all players have either placed a bet wager or folded, the dealer shall turn over and reveal the dealer's hole cards and set the highest ranking poker hand.

(e) Except as otherwise provided in (g) below, after the hole cards are revealed, the dealer shall, starting with the player farthest to his or her right, turn over the player's cards and if the dealer has a qualifying hand:

1. All losing wagers shall immediately be collected by the dealer and

placed in the table inventory container. All losing hands shall then be immediately collected by the dealer and placed in the discard rack. Ante and bet wagers made by a player shall lose if the qualifying hand of the dealer has a hand rank which is higher than the hand of that player.

2. If the hand of the player ties with that of the dealer's qualifying hand, the hand of the player shall be a push. The dealer shall not collect or pay the wagers, but shall immediately collect the cards of that player after all losing wagers and hands have been collected.
3. After all losing wagers and pushes have been settled, all winning wagers shall be paid. All winning hands shall remain face up on the layout until all winning ante, bet wagers and, if applicable, progressive payout wagers are paid. Winning wagers shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-16.12. The dealer shall pay all winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. Any wager made by a player shall win if the hand of the player has a hand rank higher than that of the dealer's qualifying hand. After paying all winning ante and bet wagers, the dealer shall immediately collect the cards of all winning players and place them in the discard rack, together

with the remaining cards in the deck used for that round of play; provided, however, if a player has won a progressive payout which is not being paid from the table inventory container, the cards of that player shall remain on the table until the necessary documentation has been completed pursuant to the rules of the Division.

(f) Except as provided in (g) below, after the hole cards are revealed, if the dealer does not have a qualifying hand:

1. It shall be the option of the casino licensee whether or not the dealer shall turn over the player's cards. If the casino elects not to turn over all the player's cards, the dealer shall be required to turn over the cards of any player who has made a progressive wager pursuant to N.J.A.C. 13:69F-16.11;
2. The dealer shall immediately announce "No hand" and shall pay all ante wagers at payouts odds of 1 to 1. The dealer shall pay all ante wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table;
3. All bet wagers shall be considered void and the dealer shall neither collect nor pay said wagers; and
4. After paying all ante wagers, the dealer shall immediately collect the cards of all players and place them in the discard rack, together with the remaining cards in the deck used for the round

of play; provided, however, if a player has won a progressive payout which is not being paid from the table inventory container, the cards of that player shall not be collected until the necessary documentation has been completed.

(g) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-16.11 Progressive payout**

(a) A progressive payout wager shall be paid pursuant to the payout table listed in N.J.A.C. 13:69F-16.12 and prior to the collection of the cards by the dealer.

(b) Prior to paying a progressive payout hand, the dealer shall:

1. Verify that the hand is a winning hand;
2. Verify that the appropriate light on the acceptor device has been illuminated; and
3. Have a casino supervisor validate the progressive payout pursuant to the casino licensee's internal control procedures.

(c) Any winning progressive payout wager shall be paid irrespective of the rank of the hand of the dealer or even if the dealer does not have a qualifying hand or has a higher ranking hand.

**13:69F-16.12 Payout odds; rate of progression; payout limitation**

(a) The payout odds for winning wagers at Caribbean stud poker printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay out winning ante wagers at payout odds of 1 to 1.

(c) Subject to the payout limitation in (d) below, a casino licensee shall pay off each winning wager at the game of Caribbean stud poker at no less than the odds listed below:

<u>Wager</u>	<u>Payout odds</u>
Royal Flush	100 to 1
Straight Flush	50 to 1
Four-of-a-Kind	20 to 1
Full House	7 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
One Pair or Less	2 to 1

(d) Notwithstanding the payout odds in (c) above, the payout limit on each bet wager for any hand shall be no less than \$5,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater.

(e) A casino licensee shall pay out winning progressive payouts at no less than the amounts listed below:

<u>Hand</u>	<u>Payout</u>
Royal Flush	100 percent of progressive jackpot
Straight Flush	Either 10 percent of progressive jackpot or \$5,000, as designated in the casino licensee's internal control procedures
Four-of-a-Kind	\$500.00
Full House	\$100.00
Flush	\$50.00

(f) The rate of progression for the progressive meter used for the progressive payouts in (e) above shall be no less than 70 percent. The initial and reset amount shall be established by each casino licensee.

(g) Winning progressive payout hands shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with N.J.A.C.

13:69F-16.11; provided, however, if more than one player at a table has a royal flush progressive payout hand, each player shall share equally in the amount on the progressive meter when the first player with a royal flush is to be paid.

### **13:69F-16.13 Irregularities**

(a) If a hole card is exposed prior to the dealer announcing "No more bets" pursuant to N.J.A.C. 13:69F-16.7, all hands shall be void.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If any player is dealt an incorrect number of cards, that player's hand shall be void. If the dealer is dealt four cards of the five card hand, the dealer shall deal an additional card to complete the hand. Any other misdeal to the dealer shall result in all hands being void and the cards shall be reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be

utilized at that table.

## **SUBCHAPTER 17. DOUBLE DOWN STUD**

### **13:69F-17.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Double down wager" means an additional wager made by a player, in an amount not to exceed the amount of the player's original wager, after all cards for the round of play have been dealt but before the dealer exposes the hole card.

"Hand" means the five-card stud hand formed for each player by combining the single card dealt to the player and the four cards dealt in front of the dealer.

"Hole card" means the card which has been dealt face down to the dealer.

"Push" means a tie, as defined in N.J.A.C 13:69F-17.10.

"Rank" or "ranking" means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-17.5.

"Round of play" or "round" means one complete cycle of play during which all players then playing at the table have been dealt a hand, have wagered upon it, and have had their wagers paid off or collected in accordance with this subchapter.

"Suit" means one of the four categories of cards: diamond, spade, club, or heart.

**13:69F-17.2 Cards; number of decks**

(a) Except as provided in (b) below, double down stud shall be played with one deck of cards with backs of the same color and design, one additional cutting card and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-17.4. The cutting card and cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-17.3 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-17.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-17.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above immediately prior to the commencement of play.

**13:69F-17.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a manual dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device which inserts them directly into a dealing shoe, deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-17.8; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r) or were shuffled using an automated card shuffling device which places the deck of cards in a single stack after the shuffle is completed, cut the cards in accordance with the procedures set forth in (c) through (e) below.

(c) If a cut of the cards is required, the dealer shall place the stack of cards on top of the cover card. Thereafter, the dealer shall offer the stack of cards to be cut,

with the backs facing up and the faces facing the layout, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning; or
2. The player at the farthest position to the right of the dealer; provided, however, that if there are two or more consecutive rounds of play, the offer to cut the cards shall rotate in a counterclockwise manner after the player to the far right of the dealer has been offered the cut.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. Thereafter, the dealer shall remove the cover card and place it in the discard rack. The dealer shall then deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-17.8.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) Whenever there is no gaming activity at a double down stud table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-17.3 shall be completed.

### **13:69F-17.5 Double down stud rankings**

(a) The rank of the cards used in double down stud, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two, three, four, and five.

(b) The permissible poker hands at the game of double down stud, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack and 10, all of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank, regardless of suit;
4. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair";
5. "Flush" is a hand consisting of five cards of the same suit;
6. "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit;
7. "Three-of-a-kind" is a hand containing three cards of the same rank regardless of suit;
8. "Two pairs" is a hand containing two "pairs"; and
9. "Pair" is a hand containing two cards of the same rank, regardless

of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

**13:69F-17.6 Wagers**

(a) All wagers at double down stud shall be made by placing gaming chips, plaques or coupons on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-17.8. Except as provided in N.J.A.C. 13:69F-17.8(c) and (d) below, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) A casino licensee may, in its discretion, permit a player to wager on no more than two betting areas at a double down stud table during a round of play, which areas must be adjacent to each other.

**13:69F-17.7 Supervision requirements; required training and license endorsements**

For purposes of complying with the organizational and supervision requirements of the rules of the Division, the number of personnel required for each double down stud table shall be the same as that required for a blackjack table.

**13:69F-17.8 Procedure for dealing the cards**

(a) All cards used in double down stud shall be dealt from a dealing shoe or dealt from the dealer's hand, in accordance with the following procedures:

1. If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-17.4 have been completed, the deck shall be placed in the manual dealing shoe and the dealer shall announce "No more bets." Each card shall be removed from the dealing shoe with the dealer's left hand and placed on the appropriate area of the layout with the dealer's right hand.
2. If the casino licensee chooses to have the cards dealt by hand, the following requirements shall be observed:
  - i. The casino licensee shall use an automated shuffling device to shuffle the cards.
  - ii. Once the procedures required by N.J.A.C. 13:69F-17.4 have been completed, the dealer shall place the deck of cards in either hand, and once the dealer has chosen the hand in which the cards will be held, the dealer shall use that hand whenever holding the cards during that round of play.
  - iii. The cards held by the dealer shall at all times be kept in

front of the dealer and over the table inventory container.

- iv. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it on the appropriate area of the layout.

(b) The dealer shall deal the first card, face up, to the player farthest to the left of the dealer and then, moving clockwise around the table, deal each remaining player a card, face up. The dealer shall then deal one card face down and three cards face up to the designated area directly in front of the table inventory container. These last four cards, together with the single card previously dealt to each player, shall be used to form the five card stud poker hand of each player for that round of play.

(c) After all cards for the round of play have been dealt but before the dealer exposes the hole card, a player may place a double down wager in the designated betting area.

(d) After all double down wagers have been placed, the dealer shall again announce "No more bets," and shall then turn over and reveal the hole card.

(e) No player shall touch any of the cards during a round of play.

**13:69F-17.9 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the hole card is revealed, all losing wagers shall immediately be collected by the dealer and placed in the table inventory container. All losing hands shall then be immediately collected by the dealer and placed in the discard rack. A wager made by a player shall lose if the hand of the player has a poker hand rank which is lower than or equal to a pair of fives.

(b) If the wager made by a player is a push, the dealer shall not collect or pay the wager, but shall immediately collect the cards of that player after all losing wagers and hands have been collected. A wager made by a player shall be a push if the hand of the player has a poker hand rank equal to or higher than a pair of sixes but lower than a pair of jacks.

(c) After all losing wagers and pushes have been settled, all winning wagers shall be paid. All winning hands shall remain face up on the layout until all winning wagers have been paid by the dealer. Winning wagers shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-17.10. The dealer shall pay all winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. A wager by a player shall win if the hand of the player has a poker hand rank equal to or higher than a pair of jacks. After paying all winning wagers, the dealer shall immediately collect the cards of all winning players and place them in the discard rack, together with the remaining cards in the deck used for that round of play.

**13:69F-17.10 Payout odds; payout limitation**

(a) The payout odds for winning wagers at double down stud printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay off winning wagers at no less than the odds listed below, subject to the payout limitation in (c) below:

<u>Wager</u>	<u>Payout Odds</u>
Royal Flush	1,000 to 1
Straight Flush	100 to 1
Four-of-a-Kind	25 to 1
Full House	10 to 1
Flush	8 to 1
Straight	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
Pair of Jacks, Queens, Kings or Aces	1 to 1
Pair of Sixes, Sevens, Eights, Nines, or 10s	Push
Pair of Fives or less	Lose

(c) Notwithstanding the payout odds in (b) above, the payout limit for any

hand shall be no less than \$100,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater.

### **13:69F-17.11 Irregularities**

(a) If a hole card is exposed prior to the dealer announcing "No more bets" pursuant to N.J.A.C. 13:69F-17.8(d), all hands shall be void.

(b) A card found face up in the shoe or the deck shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck, all hands shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) Any automated card shuffling device shall be removed from a gaming table before any other method of shuffling may be utilized at that table.

## **SUBCHAPTER 18. LET IT RIDE POKER**

### **13:69F-18.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Community card" means any card which is initially dealt face down to a designated area in front of the table inventory container and which is used by all players to form a five card poker hand.

"Hand" means the five-card poker hand formed for each player by combining the three cards dealt to the player and the two community cards.

"Let it ride" means that a player chooses not to take back a wager that may be withdrawn in accordance with the provisions of N.J.A.C. 13:69F-18.10.

"Round of play" means one complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with this subchapter.

"Stub" means the remaining portion of the deck after all cards in the round of play have been dealt or delivered.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-18.2 Cards; number of decks**

(a) Except as provided in (b) below, let it ride poker shall be played with one deck of cards with backs of the same color and design and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-18.5. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-18.3 Let it ride poker rankings**

(a) The rank of the cards used in let it ride poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or "straight" formed with a two, three, four, and five. All suits shall be considered equal in rank.

(b) The permissible poker hands at the game of let it ride poker, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank;
4. "Full house" is a hand consisting of "three-of-a-kind" and a "pair";
5. "Flush" is a hand consisting of five cards of the same suit;
6. "Straight" is a hand consisting of five cards of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of

determining a winning hand (for example, queen, king, ace, two, three);

7. "Three-of-a-kind" is a hand consisting of three cards of the same rank;
8. "Two pairs" is a hand consisting of two "pairs"; and
9. "One pair" is a hand containing two cards of the same rank.

(c) For purposes of the optional three-card bonus wager as defined in N.J.A.C. 13:69F-18.6B, the permissible three-card bonus wager hands eligible for a payout in accordance with N.J.A.C. 13:69F-18.11(e) shall be:

1. "Mini-royal" is a hand consisting of an ace, king and queen, all of the same suit;
2. "Straight flush" is a hand, other than a mini-royal, consisting of three cards of the same suit in consecutive ranking;
3. "Flush" is a hand consisting of three cards of the same suit, not in consecutive order;
4. "Straight" is a hand consisting of three cards of consecutive rank; provided, however, that an ace may not be combined with a king and a two;
5. "Three-of-a-kind" is a hand consisting of three cards of the same rank; and
6. "Pair" is a hand consisting of two cards of the same rank.

**13:69F-18.4 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-18.5.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-18.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-18.5 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-18.7, 18.8, or 18.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on top of the cover card pursuant to (c)1ii above; and
- iv. Removing the cover card and placing it in the discard rack; and

2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-18.7, 18.8, or 18.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a let it ride poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-18.4(c) shall be completed.

**13:69F-18.6 Wagers**

(a) All wagers at let it ride poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players who are seated at a let it ride poker table may wager at the game. Once a player has placed his or her wagers and received cards, that player shall remain seated until the completion of the round of play.

(c) All wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-18.7, 18.8, or 18.9. Except as provided in (d) below, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(d) At the beginning of each round of play, each player shall be required to place three equal but separate wagers. The wagers shall be identified as bet number one, bet number two, and bet number three. Bet number one and bet number two may subsequently be removed by the player in accordance with the provisions of N.J.A.C. 13:69F-18.10.

(e) A casino licensee may, in its discretion, permit a player to place wagers at two betting positions during a round of play provided that the two betting positions are adjacent to each other.

**13:69F-18.6A Let it ride bonus wager**

(a) A casino licensee may, in its discretion, offer to each player at a let it ride poker table the option to make an additional "let it ride bonus wager" that the player will receive a poker hand with a rank of three-of-a-kind or better; provided, however, that the casino licensee shall comply with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to withdrawing the option.

(b) Prior to the dealer announcing "No more bets," each player who has placed the three wagers required by N.J.A.C. 13:69F-18.6 may make an additional let it ride bonus wager by placing a \$1.00 gaming chip on or in the approved wagering device designated for that wager.

(c) All winning let it ride bonus wagers shall be paid in accordance with the payout schedule in N.J.A.C. 13:69F-18.11(d).

(d) A let it ride bonus wager shall have no bearing on any other wager made by a player at the game of let it ride poker.

**13:69F-18.6B Three-card bonus wager**

(a) A casino licensee may, in its discretion, offer to each player at a let it ride poker table the option to make an additional "three-card bonus wager" that the three cards dealt to the player will have a rank of pair or better; provided, however, that the casino licensee shall comply with the notice requirements set forth in N.J.A.C 13:69F-8.3 prior to withdrawing the option.

(b) Prior to the dealer announcing "No more bets," each player who has placed the three wagers required by N.J.A.C. 13:69F-18.6 may make an additional three-card bonus wager by placing a wager on the wagering area designated for that wager.

(c) All winning three-card bonus wagers shall be paid in accordance with the payout table in N.J.A.C. 13:69F-18.11(e) pre-selected by the casino licensee.

(d) A three-card bonus wager shall have no bearing on any other wager made by a player at the game of let it ride poker.

**13:69F-18.7 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-18.5 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards. If any let it ride bonus wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and shall then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(c) In dealing the cards, each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6;
2. One card face down to the area designated for the placement of the community cards;

3. A second card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6;
4. A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area;
5. A third card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6; and
6. A third card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first two cards dealt to this area.

(d) After three cards have been dealt to each player and the area designated for the placement of the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.

2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designated for the placement of the community cards has more or less than three cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-18.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-18.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play let it ride poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-18.5 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards. If any let it ride bonus wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and shall then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the

wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(c) The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6;
2. One card face down to the area designated for the placement of the community cards;
3. A second card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6;
4. A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area;
5. A third card face down to each player who has placed three wagers in accordance with N.J.A.C. 13:69F-18.6; and
6. A third card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first two cards dealt to this area.

(d) After three cards have been dealt to each player and the area designated for the placement of the community cards, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-18.7(e) and (f).

**13:69F-18.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play let it ride poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-18.5 have been completed, the cards shall be placed in the automated dealing shoe.
2. Prior to the shoe dispensing any stacks of cards, the dealer shall then announce "No more bets." If any let it ride bonus wagers have been made, the dealer shall also collect these wagers from the approved wagering devices and shall then verify, on the layout in front of the table inventory container, that the number of gaming chips wagered equals the number of wagers acknowledged or accepted by the wagering devices. The dealer shall then place the gaming chips into the table inventory container.

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed three wagers in accordance with N.J.A.C. 13:69F-8.6. As the remaining stacks are

dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed three wagers in accordance with N.J.A.C. 13:69F-8.6. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the community cards, and spread the stack within the designated area so that the top card is to the dealer's right, the middle card is directly in front of the dealer, and the bottom card is to the dealer's left.

(d) After each stack of three cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the cards in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-18.7(e) and (f).

**13:69F-18.10 Procedures for completion of each round of play**

(a) After the dealing procedures required by N.J.A.C. 13:69F-18.7, 18.8, or 18.9 have been completed, each player shall examine his or her cards.

1. Each player who wagers at let it ride poker shall be responsible for his or her own hand and no person other than the dealer may touch the cards of that player.
2. Each player shall be required to keep his or her three cards in full view of the dealer at all times.
3. After each player has made a decision regarding bet number two pursuant to (e) below, each player's cards shall be placed face down on the appropriate area of the layout, the player shall not touch the cards again.

(b) After each player has examined his or her cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he or she wishes to withdraw bet number one or let it ride.

1. If a player chooses to let bet number one ride, that bet shall remain on the appropriate betting area of the layout until the end of the round of play.
2. If a player chooses to withdraw bet number one, the dealer shall move the gaming chips on the betting area designated for bet number one toward the player who shall then immediately remove the gaming chips from the betting area.

(c) After each player has made a decision regarding bet number one, the dealer shall remove ("burn") the community card that is to his or her left, and place the burned card in the discard rack face down.

(d) The dealer shall then turn the community card that is to his or her left face up and place it on top of the remaining card. The exposed card shall become the first community card.

(e) After the first community card is exposed, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he or she wishes to withdraw bet number two or let it ride. This decision shall be made by each player regardless of the decision made concerning bet number one.

1. If a player chooses to let bet number two ride, that bet shall remain on the appropriate betting area of the layout until the end of the round of play.
2. If a player chooses to withdraw bet number two, the dealer shall move the gaming chips on the betting area designated for bet number two toward the player who shall then immediately remove the gaming chips from the betting area.

(f) The dealer shall then move the first community card to the right of the card that remains face down in the community card area. The face down card shall be turned face up by the dealer and become the second community card.

(g) After the second community card is turned face up, the dealer shall, beginning with the player farthest to his or her right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player.

1. The dealer shall turn the three cards of the player face up. The two community cards and the three cards dealt to the player shall form the five card poker hand of that player.
2. The dealer shall examine the cards of the player to determine if the player's hand qualifies for a payout pursuant to N.J.A.C. 13:69F-18.11. Any let it ride poker wager on a hand which has a rank that is lower than a pair of 10's shall be a losing wager.
3. The dealer shall then settle all wagers of that player, including any bonus wagers. All losing wagers by the player shall be immediately collected by the dealer and placed in the table inventory container. After all losing wagers have been collected, all winning wagers shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-18.11 or as otherwise approved by the Division.
4. All hands shall remain face up on the layout until all wagers have been settled by the dealer.

(h) After settling all wagers, the dealer shall immediately collect the cards of all players and the community cards and place them in the discard rack. All cards

collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-18.11 Payout odds; payout limitation**

(a) The payout odds for winning wagers at let it ride poker printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) Subject to the payout limitation in (c) below, a casino licensee shall pay off each winning wager at the game of let it ride poker at no less than the following odds:

<u>Wager</u>	<u>Payout Odds</u>
Royal Flush	1,000 to 1
Straight Flush	200 to 1
Four-of-a-Kind	50 to 1
Full House	11 to 1
Flush	8 to 1
Straight	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
Pair of 10's, Jacks, Queens, Kings or Aces	1 to 1

(c) Notwithstanding the minimum payout odds required in (b) above, a casino licensee may establish a maximum amount as approved by the Division that is

payable to a player on a single hand, which amount shall be at least \$50,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3. Any maximum payout limit established by a casino licensee shall apply only to payouts of let it ride poker wagers placed pursuant to N.J.A.C. 13:69F-18.6 and shall not apply to payouts of let it ride bonus wagers placed pursuant to N.J.A.C. 13:69F-18.6A or three-card bonus wagers placed pursuant to N.J.A.C. 13:69F-18.6B.

(d) A casino licensee shall pay off each winning let it ride bonus wager at no less than the following monetary amounts:

<u>Wager</u>	<u>Payout</u>
Royal Flush	\$ 25,000
Straight Flush	\$ 2,500
Four-of-a-Kind	\$ 400.00
Full House	\$ 200.00
Flush	\$ 50.00
Straight	\$ 25.00
Three-of-a-Kind	\$ 5.00

(e) A casino licensee shall pay off each winning three-card bonus wager at no less than the odds set forth in one alternative pay table below pre-selected by the casino licensee:

	<u>Table A</u>	<u>Table B</u>	<u>Table C</u>
Mini-royal	N/A	N/A	N/A
Straight Flush	40 to 1	40 to 1	40 to 1
Three-of-a-Kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

	<u>Table D</u>	<u>Table E</u>	<u>Table F</u>
Mini-royal	50 to 1	50 to 1	50 to 1
Straight Flush	40 to 1	40 to 1	40 to 1
Three-of-a-Kind	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

### **13:69F-18.12 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(e) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(f) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 19. SPANISH 21**

### **13:69F-19.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Blackjack" shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer, except that this shall not include an ace and a 10 point value card dealt to a player who has split pairs.

"Hard total" shall mean the total point count of a hand which contains no aces or which contains aces that are each counted as one in value.

"Push" shall mean a tie between the hand of the player and that of the dealer, except for hands containing a point count of 21 or a Blackjack.

"Rescue" is defined in N.J.A.C 13:69F-19.9.

"Soft total" shall mean the total point count of a hand which contains an ace that is counted as 11 in value.

"Suit" shall mean one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-19.2 Cards; number of decks; rank of cards**

(a) Spanish 21 shall be played with six or eight decks of cards, with backs of the same color and design and one additional cutting card. The decks shall meet the requirements of N.J.A.C. 13:69E-1.17(a) and shall consist of 48 cards, with the 10 of each suit having been removed from each deck during the inspection required by N.J.A.C. 13:69E-1.18(e) and 13:69F-19.3. The cutting card shall be opaque and a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The point value of the cards contained in each deck shall be as follows:

1. Any card from two to nine shall have its face value;
2. Any jack, queen, or king shall have a value of 10;
3. An ace shall have a value of 11, unless that value would give a player or the dealer a score in excess of 21, in which case it shall have a value of one.

**13:69F-19.3 Opening of the table for gaming**

(a) After receiving the decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) If the decks contain the 10 of any suit, the dealer shall remove these cards from the decks, and the floorperson shall verify that all such cards have been removed from each deck, and shall destroy them in accordance with the casino licensee's internal control procedures. Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. Each deck of cards shall be spread out separately, according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards, and stacked. If during the mixing or the stacking process a card is turned over and exposed to the players, the cards shall be remixed. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-19.4.

**13:69F-19.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, place the stack of cards in the dealing shoe and deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-19.7; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning; or
2. The player at the farthest position to the right of the dealer; provided, however, that if there are two or more consecutive rounds of play, the offer to cut the cards shall rotate in a counter-clockwise manner after the player to the far right of the dealer has been offered the cut.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. The dealer shall then take the entire stack of cards that was just shuffled and align them along the side of the dealing shoe which has the mark required by N.J.A.C. 13:69E-1.19(d)4. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-19.7(j); provided, however, that the casino licensee may determine after each round of play that the cards should be reshuffled.

(h) A casino licensee shall have internal control procedures documenting the proposed shuffle, cut card placement, number of cut cards (to include shuffle techniques without the use of any cut cards), location of where the shuffle takes place, who is responsible for shuffling, shuffling equipment (dealing shoes or other dealing devices), and burn card procedures.

(i) Whenever there is no gaming activity at a Spanish 21 table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-19.3(c) shall be completed.

**13:69F-19.5 Wagers; payout odds**

(a) Prior to the first card being dealt for each round of play, each player at the game of Spanish 21 shall make a wager against the dealer which shall win if:

1. The score of the player is 21 or less and the score of the dealer is in excess of 21;
2. The score of the player exceeds that of the dealer without either exceeding 21;
3. The player has achieved a score of 21 in two cards and the dealer has achieved a score of 21 in two or more cards; or
4. The player has achieved a score of 21 in more than two cards and the dealer has achieved a score of 21 in more than two cards.

(b) Except as otherwise provided in (a)3 and 4 above, a wager made in accordance with this section shall be void if the score of the player is the same as the dealer. However, a wager shall lose if the player has 21 in more than two cards and the dealer has a blackjack.

(c) All wagers at Spanish 21 shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may be accepted, provided it is confirmed by the dealer and casino supervisor, and that such cash is expeditiously converted into gaming chips or plaques.

(d) Except as otherwise provided in this subchapter, no wager shall be made, increased or withdrawn after the first card of the respective round has been dealt.

(e) After each round of play is complete, the dealer shall collect all losing wagers and pay off all winning wagers. Except as provided in (f) and (g) below, winning wagers made in accordance with (a)3 above shall be paid at odds of 3 to 2, and all winning wagers made in accordance with (a)1, 2, or 4 above shall be paid at odds of 1 to 1.

(f) Notwithstanding the provisions of (e) above, a casino licensee shall pay the following payout odds for winning wagers made in accordance with (a) above unless the player has doubled down, in which case all of the following wagers shall only be paid at odds of 1 to 1:

1. Three cards consisting of the six, seven, and eight of mixed suits shall be paid at odds of 3 to 2;
2. Three cards consisting of the six, seven, and eight of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of the six, seven, and eight of spades shall be paid at odds of 3 to 1;
3. Three cards consisting of three sevens of mixed suits shall be paid at odds of 3 to 2;
4. Three cards consisting of three sevens of the same suit shall be paid at odds of 2 to 1, except that three cards consisting of three sevens of spades shall be paid at odds of 3 to 1;
5. Five cards totaling 21 shall be paid at odds of 3 to 2;
6. Six cards totaling 21 shall be paid at odds of 2 to 1; and

7. Seven or more cards totaling 21 shall be paid at odds of 3 to 1.

(g) In addition to the payouts required by (f)4 above, a winning hand that consists of three sevens of the same suit when the dealer's exposed card is also a seven of any suit shall be paid an additional fixed payout of \$1,000 if the player's original wager was \$5.00 or more but less than \$25.00, or \$5,000 if the player's original wager was \$25.00 or more. All other players at the table who placed a wager during that round of play shall also be paid an additional fixed payout of \$50.00. Notwithstanding the foregoing, the additional fixed payouts required by this subsection shall not be applicable if the winning hand had been doubled down pursuant to N.J.A.C. 13:69F-19.9 or had been split pursuant to N.J.A.C. 13:69F-19.10.

(h) Except as expressly permitted by this subchapter, once the first card of any hand has been removed from the shoe by the dealer, no player shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(i) Once an insurance wager, a wager to double down or a wager to split pairs has been made and confirmed by the dealer, no player shall handle, remove or alter such wagers until a decision has been rendered and implemented with respect to that wager, except as expressly permitted by this subchapter.

(j) After the cards have been shuffled pursuant to N.J.A.C. 13:69F-19.4, a casino licensee may, in its discretion, prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table unless

the casino licensee chooses to permit the player to begin wagering or until a reshuffle of the cards has occurred.

**13:69F-19.6 Match-the-dealer wager**

(a) A player at a Spanish 21 table may make an additional “match-the-dealer” wager that either of the player’s initial two cards will match the dealer’s up card in the manner required by (e) below. If both of the player’s initial two cards match the dealer’s up card, the player shall be paid in accordance with (e) below for each matching card.

(b) Prior to the first card being dealt for each round of play, a player who has placed the basic wager required by N.J.A.C. 13:69F-19.5 may make an additional match-the-dealer wager, which shall be in an amount not less than \$1.00 and shall not exceed the lesser of:

1. The amount of the wager made by the player pursuant to N.J.A.C. 13:69F-19.5(a); or
2. A maximum amount established by the casino licensee, which limit shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(c) A match-the-dealer wager shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate area of the Spanish 21 layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player, and that such cash is expeditiously converted into gaming chips or plaques.

(d) Immediately after the second card is dealt to each player and the dealer, and prior to any additional cards being dealt to any player at the table or the dealer and

before any card reader device is utilized, all losing match-the-dealer wagers shall be collected by the dealer, and then all winning match-the-dealer wagers shall be paid by the dealer, in accordance with (e) below.

(e) All winning match-the-dealer wagers shall be paid at no less than the following odds:

1. If six decks of cards are being used:
  - i. Each matching card of a different suit: 4 to 1; and
  - ii. Each matching card of the same suit: 9 to 1; and
2. If eight decks of cards are being used:
  - i. Each matching card of a different suit: 3 to 1; and
  - ii. Each matching card of the same suit: 12 to 1.

(f) A match-the-dealer wager shall have no bearing on any other wager made by a player at the game of Spanish 21.

**13:69F-19.7 Procedure for dealing the cards**

(a) All cards used in Spanish 21 shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of the dealer.

(b) The dealer shall remove cards from the shoe with his or her left hand, turn them face upwards, and then place them on the appropriate area of the layout with his or her right hand, except that the dealer has the option to deal hit cards to the first two betting positions with his or her left hand.

(c) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack, which shall be located on the table immediately to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described in this subchapter before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by a player.

(d) At the commencement of each round of play, the dealer shall, starting on his or her left and continuing around the table, deal the cards in the following order:

1. One card face upwards to each box on the layout in which a wager is contained;
2. One card face upwards to the dealer; and
3. A second card face upwards to each box in which a wager is contained.

(e) After two cards have been dealt to each player, the dealer shall,

beginning from his or her left, announce the point total of each player. As each player's point total is announced, such player shall indicate whether he wishes to surrender, double down, split pairs, stand or draw, as provided for by this subchapter.

(f) As each player indicates his or her decisions, the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decisions consistent with this subchapter and shall announce the new point total of such player after each additional card is dealt.

(g) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a second card face upward to himself or herself; provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card," which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-19.12 shall be dealt face upwards at this time, after which the dealer shall announce his or her total point count. In lieu of the requirements of this subsection, one of the procedures set forth in (i) below may be implemented.

(h) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the players' cards have been collected the dealer shall pick up his or her cards against the bottom of the players' cards and place

them in the discard rack.

(i) In lieu of the procedure set forth in (g) above, a casino licensee may permit the dealer to deal his or her hole card face downward after a second card and before additional cards are dealt to the players; provided, however, that the dealer shall not look at the face of the hole card until after all other cards requested by the players pursuant to those regulations are dealt to them. Notwithstanding the foregoing, if a casino licensee elects to utilize a card reader device and the dealer's first card is an ace, king, queen or jack of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the players at the table, in accordance with the casino licensee's internal control procedures. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled in accordance with N.J.A.C. 13:69F-19.5. Any casino licensee using this alternate dealing procedure shall provide notice thereof in accordance with the requirements set forth in N.J.A.C. 13:69F-8.3.

(i) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed, after which the dealer shall:

1. Collect the cards as provided in (h) above;
2. Remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; and then

3. Shuffle the cards.

(j) No player or spectator shall handle, remove or alter any cards used to game at Spanish 21 except as explicitly permitted by this subchapter and no dealer or other casino employee shall permit a player or spectator to engage in such activity.

(k) Each player at the table shall be responsible for correctly computing the point count of his or her hand, and no player shall rely on the point counts required to be announced by the dealer under this section without checking the accuracy of such announcement himself or herself.

**13:69F-19.8 Surrender**

(a) After the first two cards are dealt to a player and the player's point total is announced, the player may elect to discontinue play on his or her hand for that round by surrendering one-half of his or her wager. All decisions to surrender shall be made prior to such player indicating as to whether he or she wishes to double down, split pairs, stand or draw as provided in this subchapter.

1. If the first card dealt to the dealer was a two, three, four, five, six, seven, eight, or nine, the dealer shall immediately collect one-half of the wager and return one-half to the player.
2. If the first card dealt to the dealer was an ace, king, queen, or jack, the dealer shall place the player's wager on top of the player's cards. When the dealer's second card is revealed, the hand shall be settled by immediately collecting the entire wager if the dealer has blackjack, or by collecting one-half of the wager and returning one-half of the wager to the player if the dealer does not have blackjack.

(b) If the player has made an insurance wager and then elects to surrender, each wager shall be settled separately and one wager shall have no bearing on the other.

**13:69F-19.9 Doubling down; rescue**

(a) Except for blackjack, a player may elect to double down, that is, make an additional wager not in excess of the amount of his or her original wager, on the two or more cards dealt to that player, including any hands resulting from a split pair, on the condition that one and only one additional card shall be dealt to each hand on which the player has elected to double down. In such circumstances, the one additional card shall be dealt face upwards and placed sideways on the layout.

(b) A winning wager on a doubled hand shall be paid in accordance with N.J.A.C 13:69F-19.5(e) only, and the payouts in N.J.A.C 13:69F-19.5(f) and (g) shall not be applicable to such wagers.

(c) If a dealer obtains blackjack after a player doubles down, the dealer shall collect only the amount of the original wager of such player, and shall not collect the additional amount wagered in doubling down.

(d) After the additional card required by (a) above has been dealt to a doubled hand, a player may "rescue" (take back) the double down wager and forfeit his or her original wager, as long as the additional card does not result in the hand having a point count in excess of 21.

### **13:69F-19.10 Splitting pairs**

(a) Whenever the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands, provided that the player makes a wager on the second hand so formed in an amount equal to his or her original wager.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate his or her decision to stand, draw or double down with respect thereto. A player may also split pairs again if the second card dealt to an incomplete hand is identical in value to the split pair; provided, however, that a player may split pairs a maximum of three times, or a total of four hands.

(d) If the dealer obtains blackjack after a player splits pairs, the dealer shall collect only the amount of the original wager of such player, and shall not collect the additional amount wagered in splitting pairs.

(e) The additional payouts provided in N.J.A.C 13:69F-19.5(g) are not applicable to a winning wager on a split hand.

### **13:69F-19.11 Insurance**

(a) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance bet, which shall win if the dealer's second card is a king, queen, or jack and shall lose if the dealer's second card is an ace, two, three, four, five, six, seven, eight, or nine.

(b) An insurance bet shall be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may bet an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be bet. All insurance bets shall be placed immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table. If a card reader device is in use, all insurance wagers shall be placed prior to the dealer inserting his or her hole card into the card reader device.

(c) All winning insurance bets shall be paid at odds of 2 to 1.

(d) All losing insurance bets shall be collected by the dealer immediately after the dealer draws his or her second face up card or discloses his or her hole card and before the dealer draws any additional cards.

(e) Insurance bets shall not apply to the match-the-dealer wager permitted pursuant to N.J.A.C 13:69F-19.6.

**13:69F-19.12 Drawing of additional cards by players and dealers**

(a) A player may elect to draw additional cards whenever his or her point count total is less than 21, except that:

1. A player having blackjack or a hard total of 21 may not draw additional cards; and
2. A player electing to double down shall draw one and only one additional card;

(b) Except as provided in (c) below, a dealer shall draw additional cards to his or her hand until the dealer has a hard or soft total of 17, 18, 19, 20, or 21, at which point no additional cards shall be drawn.

(c) A dealer shall draw no additional cards to his or her hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play.

**13:69F-19.13 More than one player wagering on a box**

(a) Unless otherwise directed by the Division, a casino licensee may permit from one to three people to wager on any one box of the Spanish 21 layout, provided that the first person wagering on that box consents to additional players wagering on such box, and provided further that the casino licensee adheres to such procedures and limitations imposed by the Division as dictated by the particular circumstances.

(b) Whenever more than one player wagers on a box, the player seated at that box shall have the exclusive right to call the decisions with regard to the cards dealt to such box. In the case of no seated player, the person with the highest wager in the box shall have such right.

(c) The player calling the decisions with respect to any box shall place his or her wager in that portion of the box closest to the dealer's side of the table and all other players wagering on such box shall place their wagers immediately behind and in a vertical line with the aforementioned wager.

(d) Whenever more than one player is wagering on a box and the player calling the decisions decides to double down, the other players may also double their wagers but shall not be required to do so. In any event, only one additional card shall be dealt to the hand that is subject to the double down decision.

(e) Whenever more than one player is wagering on a box and the player calling the decisions decides to split pairs, the other players shall either make an additional wager to cover each split pair or designate the split pair to which their initial

wager shall apply.

(f) Whenever more than one player is wagering on a box, each player shall have the right to make an insurance bet, regardless of whether the other players on that box make such a bet.

(g) The Division and its agents shall have the discretion and authority to limit, control and regulate the implementation of this section as is appropriate under the circumstances which shall include, without limitation, the right to limit the number of tables at which this procedure is permitted, the right to limit the number of boxes at each table on which more than one person can wager and the right to require the casino licensee to establish the ability of its dealers to implement this section.

**13:69F-19.14 Player wagering on more than one box**

A player may only wager on one box at a Spanish 21 table unless the casino licensee, in its discretion, permits the player to wager on additional boxes.

### **13:69F-19.15 Irregularities**

(a) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) If a 10 card of any suit is found in the shoe, it shall not be used in the game and shall be removed from the shoe and destroyed by a floorperson in accordance with the casino licensee's internal control procedures. If more than one 10 card is found in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(d) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to him during such round. If the card is refused by the players and the dealer cannot use the card, the card shall be burned.

(e) If the dealer has a point count of 17 or higher and accidentally draws a card for himself or herself, such card shall be burned.

(f) If the dealer misses dealing his or her first or second card to himself or herself, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to himself or herself.

(g) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in N.J.A.C. 13:69F-19.4, the first card shall be drawn face downwards and burned, and the dealer shall complete the round of play.

(h) If no cards are dealt to the player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(i) If after receiving the first two cards, the dealer fails to deal an additional card or cards to a player who has requested such cards, then, at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or shall call the player's hand dead and return the player's original wager.

(j) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with casino licensee's internal control procedures.

(k) Any automated card shuffling device shall be removed from a gaming table before any other method of shuffling may be utilized at that table.

(l) If the dealer inserts his or her hole card into a card reader device when the value of his or her first card is not an ace, king, queen, or jack, the dealer, after notification to a casino supervisor, shall:

1. If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager; or
2. If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(m) If a card reader device malfunctions the dealer may only continue dealing the game of Spanish 21 at that table using the dealing procedures applicable when a card reader device is not in use.

## **SUBCHAPTER 20. THREE-CARD POKER**

### **13:69F-20.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Ante wager" means the wager that a player is required to make prior to any cards being dealt in order to compete against the dealer's hand in a round of play.

"Hand" means the three-card poker hand that is held by each player and the dealer after the cards are dealt.

"Pair plus wager" means the wager that a player is required to make prior to any cards being dealt in order to compete against a posted scale of payouts, regardless of the outcome of the player's hand against the dealer.

"Play wager" means an additional wager, equal in value to his or her ante wager, that a player must make if the player opts to remain in competition against the dealer after the player reviews his or her hand.

"Round of play" means one complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with this subchapter.

"Six-card bonus wager" means an optional wager that a player will be able to form a five-card poker hand listed on a posted payout table from the three cards dealt to the dealer and the three cards dealt to the player during that round of play.

"Stub" means the remaining portion of the deck after all cards in the round of

play have been dealt or delivered.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-20.2 Cards; number of decks**

(a) Except as provided in (b) and (c) below, three-card poker shall be played with one deck of cards with backs of the same color and design and one cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-20.5. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

(c) If an automated dealing shoe is used to deal the cards pursuant to N.J.A.C. 13:69F-20.9, a casino licensee shall be required to use a cover card with the same attributes described in (a) above in accordance with the procedures set forth in N.J.A.C. 13:69F-20.9(c).

### **13:69F-20.3 Three-card poker rankings**

(a) The rank of the cards used in three-card poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" with a two and three.

(b) The permissible poker hands in the game of three-card poker, in order of highest to lowest rank, shall be:

1. "Straight flush" is a hand consisting of three cards of the same suit in consecutive ranking, with ace, king, and queen being the highest ranking straight flush and three, two, and ace being the lowest ranking straight flush.
2. "Three-of-a-kind" is a hand consisting of three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind.
3. "Straight" is a hand consisting of three cards of consecutive rank, regardless of suit, with ace, king, and queen being the highest ranking straight and three, two, and ace being the lowest ranking straight.
4. "Flush" is a hand consisting of three cards of the same suit, regardless of rank.
5. "Pair" is a hand consisting of two cards of the same rank,

regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands that are of identical poker hand rank pursuant to the provisions of (b) above, or that contain none of the hands authorized in (b) above, the hand that contains the highest ranking card as provided in (a) above that is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a draw.

**13:69F-20.4 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-20.5.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-20.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-20.5 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing herein shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-20.7, 20.8, or 20.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-20.7, 20.8, or 20.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a three-card poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-20.4(c) shall be completed.

**13:69F-20.6 Wagers**

- (a) The following wagers may be placed in the game of three-card poker:
1. A player may compete solely against the dealer by placing an ante wager in an amount within the posted minimum and maximum wagers and then placing a play wager in an equal amount;
  2. A player may compete solely against a posted payout ledger by placing a pair plus wager, which wager may be in any amount within the posted minimum and maximum wagers;
    - i. Upon placing a pair plus wager, a player may also compete against a posted payout ledger by placing a six-card bonus wager if such wager is offered by the casino licensee pursuant to N.J.A.C. 13:69F-20.12A;  
or
  3. A player may compete against both the dealer and the posted payout ledger by placing wagers in accordance with the requirements of (a)1 and 2 above.
- (b) All wagers at three-card poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

- (c) Only players who are seated at a three-card poker table may wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.
- (d) All ante wagers and pair plus wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-20.7, 20.8, or 20.9. No wager shall be made, increased, or withdrawn after the dealer has announced "No more bets." All play wagers shall be placed in accordance with N.J.A.C. 13:69F-20.10(b).
- (e) A casino licensee may, in its discretion, permit a player to place wagers at two or three betting positions during a round of play provided that all of the betting positions are adjacent to each other.
- (f) Notwithstanding (a) above, a casino licensee may offer a version of the game of three-card poker requiring:
  1. As a precondition to the placement of a pair plus wager, the placement of an ante wager in an amount at least equal to the pair plus wager;
  2. As a precondition to the placement of a pair plus wager, the placement of an ante wager in an amount at least equal to one-half the pair plus wager; or
  3. The compulsory placement of an ante wager and a pair plus wager, provided that one wager may be placed in an amount up

to a maximum of five times the amount of the other wager  
without regard to which wager is the greater of the two.

**13:69F-20.7 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-20.5 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards. Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal one a card at a time in order to each player who has placed an ante wager or pair plus wager and to the dealer until each player who placed a wager and the dealer each has three cards. All cards shall be dealt face down.

(d) After three cards have been dealt to each player and the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the

cards face down on the layout.

1. 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.
  2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than three cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-20.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.
- (f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-20.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play three-card poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-20.5 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and

continuing around the table in a clockwise manner, deal one card at a time in order to each player who has placed an ante wager or pair plus wager and to the dealer until each player who placed a wager and the dealer each has three cards. All cards shall be dealt face down.

(d) After three cards have been dealt to each player and the dealer, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-20.7(e) and (f).

**13:69F-20.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play three-card poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards, provided that the shoe, its location and the procedures for its use in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-20.5 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-20.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-20.6. The dealer shall then place a cover card on top of the dealer's stack of three cards in the automated dealing shoe and either:

1. Deliver the stack face down with the cover card on top to the area designated for the placement of the dealer's cards; or
2. Deliver the stack face down after each player has made a play wager or forfeited his or her ante wager, the dealer has collected all forfeited wagers and associated cards, and the dealer has placed the cards of forfeited hands in the discard rack pursuant to N.J.A.C. 13:69F-20.10(b).

(d) After each stack of three cards has been dispensed and delivered in accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the cards in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-20.7(e) and (f).

**13:69F-20.10 Procedures for completion of each round of play**

(a) After the dealing procedures required by N.J.A.C. 13:69F-20.7, 20.8, or 20.9 have been completed, each player shall examine his or her cards. Each player who wagers at three-card poker shall be responsible for his or her own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(b) After examination of his or her cards, each player who has placed an ante wager shall have the option to either make a play wager in an amount equal to the player's ante wager or forfeit the ante wager and end his or her participation in the round of play. The dealer shall offer this option to each player, starting with the player farthest to the left of the dealer and moving clockwise around the table in order. If a player has placed an ante wager and a pair plus wager but does not make a play wager, the player shall forfeit the ante wager and the pair plus wager. If a player has placed an ante wager, a pair plus wager and a six-card bonus wager, but does not make a play wager, the player shall forfeit the ante wager and the pair plus wager, but shall not forfeit the six-card bonus wager. After each player has either placed a wager on the table in the play wager area or forfeited his or her wager and hand, the dealer shall collect all forfeited wagers and associated cards, placing them in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking hand. If an automated dealing shoe is used to deal the cards pursuant to N.J.A.C. 13:69F-20.9 and a cover card is used on top of the dealer's

stack removed from the shoe, the cover card shall be removed from the stack and placed on the table layout immediately next to the automated dealing shoe.

(c) The dealer shall then settle the wagers remaining on the table by complying with either (c)1 or 2 below. A casino licensee shall identify in its gaming submission which alternative the dealer shall use. The dealer's cards shall be placed in the discard rack after all players' cards have been collected.

1. The dealer shall, for each of the following procedures, start with the player farthest to the dealer's right and continue counterclockwise around the table until the procedure has been completed as to all players:
  - i. Reveal the three-card hand of each remaining player;
  - ii. Collect all losing wagers;
  - iii. Pay each winning wager in accordance with the payout odds listed in N.J.A.C. 13:69F-20.11; and
  - iv. Collect all player hands and place them in the discard rack.
2. The dealer shall, starting with the player farthest to the dealer's right and continuing counterclockwise around the table, complete all of the following procedures as to each remaining player in succession:
  - i. Reveal the three-card hand of the player;

- ii. Collect losing wagers or pay winning wagers in accordance with the payout odds listed in N.J.A.C. 13:69F-20.11; and
- iii. Collect the player's cards and place them in the discard rack.

(d) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-20.11 Payout odds**

(a) There are three payout types as follows:

1. A player in competition against the dealer shall be paid 1 to 1 on both the ante wager and the play wager if the player's hand is ranked higher than the dealer's hand. Notwithstanding the foregoing, if the dealer does not hold a hand with a "queen high or better" rank, the ante wager shall automatically be paid 1 to 1 and the play wager shall be returned to the player.
2. A player placing a pair plus wager shall be paid in accordance with a posted pay table at no less than the following odds:

<u>Wager</u>	<u>Payout Odds</u>
Pair	1 to 1
Flush	3 to 1
Straight	5 to 1
Three-of-a-Kind	25 to 1
Straight Flush	35 to 1
Mini Royal Flush (Ace, King, Queen)	35 to 1

3. A player placing an ante wager and a play wager shall be paid a bonus if the player's hand consists of the following:

Straight	pays	1 to 1
Three-of-a-Kind	pays	4 to 1

Straight Flush                      pays                      5 to 1

- i.        In the event that a casino licensee offers a version of three-card poker pursuant to N.J.A.C. 13:69F-2.6(f), a player placing an ante wager and play wager shall be paid an ante bonus in accordance with one of the following pay tables pre-selected by the casino licensee:

	<u>A</u>	<u>B</u>	<u>C</u>
Straight	1 to 1		
Three-of-a-Kind	3 to 1	6 to 1	3 to 1
Straight Flush	4 to 1	8 to 1	4 to 1
Mini Royal Flush (Ace, King, Queen)	5 to 1	50 to 1	10 to 1
Mini Royal Flush of Spades (Ace, King, Queen)	50 to 1	50 to 1	

4.        If a casino licensee offers the optional six-card bonus wager pursuant, a player placing a six-card bonus wager shall be paid in accordance with one of the following pay tables pre-selected by the casino licensee:

- i. For the version requiring a player to place a pair plus wager:

<u>Hand</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Five-Card Royal Flush	1,000 to 1	1,000 to 1	1,000 to 1	1,000 to 1
Five-Card Straight Flush	200 to 1	200 to 1	200 to 1	200 to 1
Four-of-a-Kind	50 to 1	50 to 1	100 to 1	100 to 1
Full House	25 to 1	25 to 1	20 to 1	20 to 1
Five-Card Flush	20 to 1	15 to 1	15 to 1	15 to 1
Five-Card Straight	10 to 1	10 to 1	9 to 1	10 to 1
Three-of-a-Kind	5 to 1	5 to 1	8 to 1	7 to 1

- ii. For the version requiring a player to place both an ante and pair plus wager:

<u>Hand</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Six-Card Diamond Royal					\$1,000,000
Six-Card Heart Royal					\$100,000
Six-Card Spade Royal					\$100,000

Six-Card Club Royal					\$100,000
Five-Card Royal Flush	1,000 to 1				
Five-Card Straight Flush	200 to 1				
Four-of-a-Kind	50 to 1	50 to 1	100 to 1	100 to 1	100 to 1
Full House	25 to 1	25 to 1	20 to 1	20 to 1	20 to 1
Five-Card Flush	20 to 1	15 to 1	15 to 1	15 to 1	15 to 1
Five-Card Straight	10 to 1	10 to 1	9 to 1	10 to 1	10 to 1
Three-of-a-Kind	5 to 1	5 to 1	8 to 1	7 to 1	5 to 1

### **13:69F-20.12 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his or her cards as prescribed in N.J.A.C. 13:69F-20.10(b), all hands shall be void and the cards shall be reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-20.12A      Optional six-card bonus wager**

(a) A casino licensee may give each player at a three-card poker table who makes a pair plus wager the option to make an additional wager known as a six-card bonus wager. A six-card bonus wager shall win if the three cards dealt to the player and the three cards dealt to the dealer during that round of play may be used to form one of the following five-card poker hands, listed in order of highest to lowest rank:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack and 10, all of the same suit;
2. "Straight flush" is a hand consisting of five cards all of the same suit and in consecutive ranking;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank, regardless of suit;
4. "Full house" is a hand consisting of a "three of a kind" and a "pair" (two cards of the same rank, regardless of suit);
5. "Flush" is a hand consisting of five cards of the same suit, regardless of rank;
6. "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit; and
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, regardless of suit.

(b) Prior to the first card being dealt for each round of play, a player who has made a pair plus wager may make a 6 card bonus wager by placing gaming chips on the designated betting area at his or her betting position. The dealer shall then announce "No more bets" and deal the hand to all players in accordance with the rules of the Division.

(c) A player who has made a winning six-card bonus wager shall only receive the payout for the highest ranking five-card poker hand that can be formed with the cards of the player and dealer.

(d) A six-card bonus wager shall have no bearing upon the outcome of any other wager made by a player at the game of three-card poker, and no other wager made by a player at the game of three-card poker shall have any bearing upon the outcome of a six-card bonus wager made by a player.

## **SUBCHAPTER 21. FAST ACTION HOLD 'EM**

### **13:69F-21.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise:

“Community card” means any of the five cards that are dealt to the designated areas in the center of the table and are used by both the players at the table and the dealer to form five-card hands.

“Copy hand” means a five-card hand of a player that is identical in rank to the five-card hand of the dealer.

“Dealing marker” means the object used to designate the position to which the first card out of the shoe shall be dealt as set forth in N.J.A.C. 13:69F-21.7.

“Five-card hand” means the highest ranking five-card hand that is possible for each player and the dealer pursuant to N.J.A.C. 13:69F-21.3 using the five community cards and the two cards retained by each player and the dealer after setting his or her hand.

“Natural” means the first four cards dealt to a player or the dealer are a four-of-a-kind.

“Rank” or “ranking” means the relative value of a card or group of cards, as set forth in N.J.A.C. 13:69F-21.3, in determining a winning five-card hand.

“Round of play” or “round” means one complete cycle of play during which all players then playing at the table have placed a wager, been dealt a hand, and have had their wagers paid or collected in accordance with this subchapter.

“Running cards” means two cards of consecutive rank.

“Setting of a hand” means the process by which each player and the dealer selects the two cards from his or her original four cards to be used with the community cards to form the highest ranking five-card hand.

“Suit” shall mean one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-21.2 Cards; number of decks; dealing shoe**

(a) Fast action hold 'em shall be played with six or eight decks of cards with backs of the same color and design and one additional cutting card of a color that is readily distinguishable from the backs of the cards used to play the game. The decks of cards used to play fast action hold 'em shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) All cards to be used in fast action hold 'em shall be dealt from a dealing shoe which shall meet the requirements of N.J.A.C. 13:69E-1.19.

(c) Nothing in this subchapter shall preclude a casino licensee from using an additional cutting card or similar object to conceal the last card of the stack of cards to be placed in the dealing shoe.

(d) If an automated card shuffling device is utilized, fast action hold 'em shall be played with at least 12 decks of cards in accordance with the following requirements:

1. Each deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17;
2. The cards shall be separated into two batches, with an equal number of decks included in each batch;
3. The backs of the cards in each batch shall be of the same color and design, but of a different color than the cards included in the other batch;
4. One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being dealt or used

to play the game;

5. Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe; and
6. The cards from only one batch shall be placed in the discard rack at any given time.

**13:69F-21.3 Fast action hold 'em rankings; cards; poker hands**

(a) The rank of the cards used in fast action hold'em, in order from the highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be combined with a two, three, four, and five to complete a "straight" or a "straight flush." All suits shall be considered equal in value.

(b) The permissible five-card hands at the game of fast action hold'em, in order of highest to lowest rank, shall be:

1. "Flush with five-of-a-kind" is a hand consisting of five cards of the same suit and same rank, with five aces of the same suit being the highest ranking flush with five-of-a-kind, and five twos of the same suit being the lowest ranking flush with five-of-a-kind;
2. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
3. "Flush with four-of-a-kind" is a hand consisting of five cards of the same suit, four of which are also of the same rank, with four aces and a fifth card of varying rank in the same suit being the highest ranking flush with four-of-a-kind, and four twos and a fifth card of varying rank in the same suit being the lowest ranking flush with four-of-a-kind;
4. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with a king, queen, jack, 10, and nine of

the same suit being the highest ranking straight flush, and a five, four, three, two, and ace of the same suit being the lowest ranking straight flush;

5. Flush with full house” is a hand consisting of a “three-of-a-kind” and a “pair” all of the same suit, with three aces and two kings of the same suit being the highest ranking flush with full house, and three twos and two threes of the same suit being the lowest ranking flush with full house;
6. “Five-of-a-kind” is a hand consisting of five cards of the same rank regardless of suit, with five aces being the highest ranking five-of-a-kind, and five twos being the lowest ranking five-of-a-kind;
7. Flush with three-of-a-kind” is a hand consisting of five cards of the same suit, three of which also are of the same rank, with three aces and two other cards of varying rank in the same suit being the highest ranking flush with three-of-a-kind, and three twos and two other cards of varying rank in the same suit being the lowest ranking flush with three-of-a-kind;
8. “Flush with two pairs” is a hand consisting of five cards of the same suit, four of which also form two “pairs,” with a pair of aces, pair of kings and fifth card varying rank in the same suit being the highest ranking flush with two pairs, and a pair of threes, a pair of twos and a fifth card of varying rank in the same suit being the

lowest ranking flush with two pairs;

9. "Flush with one pair" is a hand consisting of five cards of the same suit, two of which also form one pair, with a pair of aces and three other cards of varying rank in the same suit being the highest ranking flush with one pair, and a pair of twos and three other cards of varying rank in the same suit being the lowest ranking flush with one pair;
10. "Four-of-a-kind" is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind, and four twos being the lowest ranking four-of-a-kind;
11. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair," with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
12. "Flush" is a hand consisting of five cards of the same suit but of varying rank;
13. "Straight" is a hand consisting of five cards of consecutive rank, not all of the same suit, with an ace, king, queen, jack, and 10 being the highest ranking straight, and five, four, three, two, and ace being the lowest ranking straight;
14. "Three-of-a-kind" is a hand consisting of three cards of the same

rank, regardless of suit, with three aces being the highest ranking three-of-a-kind, and three twos being the lowest ranking three-of-a-kind;

15. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pairs, and two threes and two twos being the lowest ranking two pairs;
16. "Pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair; and
17. "Highest ranking card" is a hand that does not contain any of the permissible five-card hands listed in (b)1 through 16 above and the value of which is determined by the highest ranking individual card in the hand.

(c) When comparing the hands of a player and the dealer that are of identical five-card hand rank pursuant to (b) above, the hand which contains the highest ranking card as provided in (a) above that is not contained in the other hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this subsection, the player's hand shall be considered a copy hand.

**13:69F-21.4 Opening of the table for gaming**

(a) After receiving six or eight decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-21.5.

(d) If a casino licensee uses an automated card shuffling device to play the game, each deck of cards shall be separately sorted, inspected, verified, spread, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-21.5 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), after any round of play as may be determined by the casino licensee, and after each shoe of cards is dealt, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly in the dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with N.J.A.C. 13:69F-21.7 and 21.8; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to players in the following order:

1. The first player to the table, if the game is just beginning;
2. The player on whose box the cutting card appeared during the last round of play;

3. The player at the farthest point to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or

4. The player at the farthest point to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(d) If the player designated in (c) above refuses to cut, the dealer shall offer the cut to each other player moving clockwise around the table until a player accepts the cut. If no player accepts the cut, the dealer shall cut the cards.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards in from either end.

(f) Once the cutting card has been inserted by the player, the dealer shall take all cards in front of the cutting card and place them on the back of the stack. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(g) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-21.7, except that a casino licensee may determine after the completion of any round of play that the cards should be reshuffled.

(h) If there is no gaming activity at the fast action hold'em table, the cards shall be removed from the dealing shoe and the discard rack, and spread out on the table either face up or face down. If the cards are spread face down, they shall be

turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table.

1. If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing or chemmy shuffle of the cards, stacked, then shuffled and cut in accordance with this section.
2. If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player so requests, the batch of cards removed from the shuffler need not be spread for inspection and reshuffled prior to being dealt, if:
  - i. The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner;  
and
  - ii. The shuffled cards have been secured, released and prepared for play in accordance with the casino licensee's internal control procedures.

**13:69F-21.6 Wagers**

(a) All wagers at fast action hold 'em shall be made by placing gaming chips or plaques on the appropriate betting area of the fast action hold 'em layout. A verbal wager accompanied by cash shall not be accepted at the game of fast action hold'em.

(b) Only players who are seated at the fast action hold 'em table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

(c) Except as provided for in N.J.A.C. 13:69F-21.8(c), all wagers at fast action hold 'em shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures set forth in N.J.A.C. 13:69F-21.7.

**13:69F-21.7 Procedures for dealing the cards**

(a) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face down and place it in the discard rack. Each new dealer who comes to the table shall also discard (“burn”) one card as described in this subsection before the new dealer deals any cards in a round of play. The burn card shall not be disclosed to any players at the table.

(b) Prior to the commencement of each round of play, the dealer shall announce “No more bets.” Upon commencement of the game, the dealing marker shall be placed in front of the dealer’s position. After completion of each round of play, the dealing marker shall rotate clockwise around the table to the next player position or the dealer’s position.

(c) Each card shall be removed from the dealing shoe with the left hand of the dealer, and placed face down on the appropriate area of the layout with the right hand of the dealer. The dealer shall deal the first card to the starting position indicated by the dealing marker as determined in (b) above and, moving clockwise around the table, deal all positions on the layout in which a wager is contained, and the dealer, a card. The dealer shall then return to the starting position and deal a second card in a clockwise rotation and shall continue dealing until each position and the dealer has four cards.

(d) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the cards shall be reshuffled.

**13:69F-21.8 Procedures for completion of each round of play; setting of hands; payment and collection of wagers; payout odds**

(a) Except as provided in (b), (c), and (f) below, after each player and the dealer have received four cards, each player shall set his or her hand by choosing two cards to use with the community cards and placing them face down on the layout immediately in front of the gaming chips or plaques that he or she has wagered. The two cards to be discarded shall be placed face down on the appropriate area of the layout.

(b) If the four cards dealt to a player are a natural, the player shall announce that he or she has a natural and turn the four cards face up on the table for confirmation. If the dealer confirms the player was dealt a natural, the dealer shall thereupon immediately pay the player at odds of 5 to 1, collect the four cards and place them in the discard rack.

(c) A player may elect to split the four cards into two separate hands provided the player makes a wager on the second hand so formed in an amount equal to his or her original wager. If a player elects to split, he or she shall place two cards face down in front of his or her original wager and place the remaining two cards face down in the area designated for discarded cards with the additional wager placed thereon.

(d) Each player at the table shall be responsible for setting his or her own hand and no other person except the dealer may touch the cards of that player. Each player shall be required to keep the four cards in full view of the dealer at all times.

Once each player has set his or her hand and placed the cards face down on the appropriate areas of the layout, the player shall not be permitted to touch the cards again during the round of play.

(e) After all players have placed their cards on the table; the dealer shall collect all discarded cards without exposing them, starting from the right and proceeding counterclockwise around the table, and place them in the discard rack. The dealer shall verify that two cards, except as provided in (b) and (c) above and (f) below, were collected from each player.

(f) A player may elect to discontinue play on his or her hand for that round by placing all four cards face down in the area designated for the discarded cards and announcing his or her decision prior to the dealer collecting the discarded cards pursuant to (e) above. A player who elects to exercise this option shall surrender one-half of his or her original wager, which shall be immediately collected by the dealer and placed in the table inventory. The dealer shall then collect the four cards in the area designated for the discarded cards, without exposing them, and verify that four cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(g) Once all discarded cards have been collected and placed in the discard rack, the four cards of the dealer shall be turned over and, except as provided in (h) below, the dealer shall set his or her hand in accordance with (i) below by choosing two cards to be used with the community cards and placing them face up on the layout in front of the table inventory container. The two cards to be discarded shall be placed in the

discard rack.

(h) If the four cards dealt to the dealer are a natural, then the dealer shall not deal the community cards and shall, starting from the right and proceeding counterclockwise around the table, collect all wagers. The dealer shall only collect the amount of the original wager when a player has split his or her hand in accordance with (c) above. The dealer shall then collect all cards and place them in the discard rack.

(i) The dealer shall set his or her hand in accordance with the following prioritized two-card rankings or "house ways," in order from highest to lowest preference:

1. Suited pair;
2. Highest pair;
3. Ace with highest suited card, 10 or better;
4. Highest suited running cards, 10 and jack or better;
5. Ace with highest card, 10 or better;
6. Highest non-suited running cards, jack and queen or better;
7. Ace with highest suited card;
8. Highest suited cards, 10 or better;
9. Highest cards, jack or better;
10. Ace with highest card;
11. Any suited, running cards;
12. Highest suited cards, not running;
13. Any running cards; and

14. Highest cards.

(j) Once the dealer has set his or her hand, the dealer shall burn the next card out of the shoe and then deal the five community cards face up, placing the first card in the designated area farthest to the dealer's left. The dealer shall deal a card to each of the four remaining designated areas from left to right.

(k) After all five community cards have been dealt, the dealer shall expose the cards of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the hand of each player to the hand of the dealer, using the five community cards and the two retained cards to form the highest possible five-card hand, and shall announce if the wager of that player shall win or lose. A wager made by a player shall win if the five-card hand of the player is higher in rank than the five-card hand of the dealer. A wager made by a player shall lose if the five-card hand of the dealer is higher or equal in rank than the five-card hand of the player. In the event that the player and the dealer have hands of identical rank, the dealer shall announce to that player that his or her hand is a copy hand and the wager is a losing wager.

(l) All losing wagers shall be immediately collected by the dealer and placed in the table inventory container. All losing and copy hands shall also be collected.

(m) All winning hands shall remain face up on the layout. Winning wagers shall be paid after all hands have been exposed and all losing wagers and corresponding hands have been collected. The dealer shall pay winning wagers beginning with the player to the right of the dealer and continuing counterclockwise around the table.

(n) With the exception of a natural, a winning wager shall be paid by a casino licensee at odds of 1 to 1. After a winning wager has been paid, the dealer shall then collect the cards from that player.

(o) The dealer shall collect all cards and place them in the discard rack in an order that they can be readily arranged to reconstruct each hand in case of a question or dispute.

**13:69F-21.9 Irregularities**

(a) A card found face up in the shoe shall not be used in the game and shall be placed in the discard rack.

(b) A card drawn in error from the shoe without its face being exposed shall be used as though it was the next card from the shoe.

(c) If the dealer prematurely exposes any card dealt to a player, the card shall be turned face down and play shall continue.

(d) If the dealer is dealt fewer than four cards, any necessary additional cards shall be dealt to the dealer prior to setting the dealer's hand and play shall continue.

(e) If a player is dealt fewer than four cards, the player shall have the option of declaring his or her hand void or receiving any necessary additional cards after all other players and the dealer have been dealt four cards and prior to dealing the community cards.

(f) If the dealer is dealt more than four cards, all hands shall be void and a new round of play shall commence.

(g) If a player is dealt more than four cards, the player shall discard the cards necessary to set one two-card hand and play shall continue.

(h) If the dealer does not set his or her hand as prescribed in N.J.A.C. 13:69F-21.8, the hand shall be reset in accordance with house ways and the round of play completed.

(i) If there are insufficient cards remaining to complete a round of play, that round shall be void and a new round shall commence after the entire set of cards have

been reshuffled.

(j) If no cards are dealt to a player's wager, the wager shall be void and the player shall be included in the next round of play.

(k) If the dealer fails to move the dealer marker in accordance with N.J.A.C. 13:69F-21.7, the round of play shall be completed and the marker shall be moved to the next position for the next round of play.

**13:69F-21.10 Prohibition against a player wagering on more than one betting area**

A player shall not be permitted to wager on more than one betting area at a fast action hold'em table.

**13:69F-21.11 Continuous shuffling shoe or device**

In lieu of the dealing and shuffling requirements set forth in N.J.A.C. 13:69F-21.5 and 21.7, a casino licensee may utilize a dealing shoe or other device designed to automatically reshuffle the cards, provided that such shoe or device and the procedures for dealing and shuffling the cards through the use of this device are in accordance with the casino licensee's internal control procedures.

## **SUBCHAPTER 22. CASINO WAR**

### **13:69F-22.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Burn card” means a card that the dealer removes from the shoe and places face down in the discard rack without revealing its rank to anyone.

“Initial wager” means the wager that must be made by a player prior to any cards being dealt in order to participate in the round of play.

“Original deal” means the first card that is dealt to each player and the dealer to determine the initial wager in a round of play.

“Round of play” or “round” means one complete cycle of play during which each player then playing at the table has placed an initial wager, has been dealt a card, has surrendered or gone to war, if appropriate, and has had his or her wagers paid or collected in accordance with this subchapter.

“Suit” means one of the four categories of cards: club, diamond, heart or spade.

“Tie hand” means the rank of a player’s card and the rank of the dealer’s card are equal.

“Tie wager” means an optional wager, made at the same time as an initial wager or war wager, that the deal on which the tie wager is made will result in a tie hand.

“War” or “go to war” means the decision of a player, in accordance with the option offered by N.J.A.C. 13:69F-22.8(e), to place a war wager when there is a tie hand on the original deal.

“War deal” means the deal of the cards that follows the placement of a war wager.

“War wager” means a wager, equal in amount to the player’s initial wager, that is required to be made if the player elects to go to war.

**13:69F-22.2 Cards; number of decks; dealing shoe**

(a) Casino war shall be played with six, seven or eight decks of cards with backs of the same color and design. Each deck of cards shall consist of 52 cards that meet the requirements of N.J.A.C. 13:69E-1.17. The game of casino war shall also require one additional cutting card of a color that is readily distinguishable from the backs of the cards used to play the game. The cutting card shall be used in accordance with the procedures set forth in N.J.A.C. 13:69F-22.5.

(b) All cards used in casino war shall be dealt from a manual dealing shoe that meets the requirements of N.J.A.C. 13:69E-1.19. The dealing shoe shall be located on the table to the left of the dealer.

(c) Nothing in this chapter shall preclude a casino licensee from using an additional cutting card or similar object to conceal the last card of the stack of cards to be placed in the dealing shoe.

(d) If an automated card shuffling device is utilized, casino war shall be played with at least 12 decks of cards in accordance with the following requirements:

1. Each deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17;
2. The cards shall be separated into two batches, with an equal number of decks included in each batch;
3. The backs of the cards in each batch shall be of the same color and design, but of a different color than the cards included in the other batch;

4. One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being dealt or used to play the game;
5. Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe; and
6. The cards from only one batch shall be placed in the discard rack at any given time.

**13:69F-22.3 Casino war card rankings**

The rank of the cards used in casino war, for the purpose of determining a winning hand, shall be, in order from the highest to lowest rank: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. The suit of a card shall have no effect on its rank.

**13:69F-22.4 Opening of the table for gaming**

(a) After receiving six, seven or eight decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-22.5.

(d) If a automated shuffling device is utilized, all the decks in one batch of cards shall be spread for inspection on the table separate from the decks in the other batch of cards. After the player or players is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face downward on the table and stacked.

**13:69F-22.5 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards is dealt, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to players in the following order:

1. The first player to the table, if the game is just beginning;
2. The player on whose betting area the cutting card appeared during the last round of play;
3. The player at the farthest point to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or
4. The player at the farthest point to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(c) If the player designated in (b) above refuses to cut, the dealer shall offer the cut to each other player moving clockwise around the table until a player accepts the cut. If no player accepts the cut, the dealer shall cut the cards.

(d) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards in from either end.

(e) Once the cutting card has been inserted, the dealer shall take all cards in front of the cutting card and place them on the back of the stack. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-22.7(d).

(g) If there is no gaming activity at the casino war table, the cards shall be removed from the dealing shoe and the discard rack, and spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table.

1. If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing or chemmy shuffle of the cards, stacked, then shuffled and cut in accordance with this section.
2. If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player so requests, the batch of cards removed from the shuffler need not be spread for inspection and reshuffled prior to being dealt, if:

- i. The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner;  
and
- ii. The shuffled cards have been secured, released and prepared for play in accordance with the casino licensee's internal control procedures.

**13:69F-22.6 Wagers**

(a) All wagers at casino war shall be made by placing gaming chips or plaques and, if applicable, match play coupons on the appropriate betting area of the casino war layout. A verbal wager accompanied by cash shall not be accepted at the game of casino war.

(b) Except as provided in N.J.A.C. 13:69F-22.8(e), all wagers at casino war shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures set forth in N.J.A.C. 13:69F-22.7. Once a wager has been placed, no player shall handle, remove or alter the wager unless and until the dealer indicates that the wager has been decided in the player's favor as provided in this subchapter.

**13:69F-22.7 Procedure for dealing the cards**

(a) Prior to starting the first round of play after the cards have been cut and placed in the dealing shoe pursuant to N.J.A.C. 13:69F-22.5, the dealer shall remove the first card from the shoe face down and, without revealing its rank to anyone, place it in the discard rack, which shall be located on the table in front of or to the right of the dealer. Each new dealer who comes to the table shall also discard one burn card before dealing any cards in a round of play.

(b) Prior to dealing any cards, the dealer shall announce "No more bets." Each card shall be removed from the dealing shoe with the left hand of the dealer and placed face up on the appropriate area of the layout with the right hand of the dealer.

(c) The dealer shall, starting with the player farthest to the dealer's left and continuing in a clockwise manner, deal the cards as follows:

1. One card face up to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-22.6; and
2. One card face up to the dealer.

(d) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the cards shall be reshuffled.

(e) No player shall touch any card used in the game of casino war other than the cutting card.

**13:69F-22.8 Procedures for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-22.7 have been completed, the dealer shall, beginning from the dealer's left and proceeding around the table in a clockwise direction, compare the rank of each player's card with that of the dealer's card and settle all initial and tie wagers.

1. If a player's card is lower in rank than the dealer's card, the player shall lose his or her initial wager and, if applicable, tie wager.
2. If a player's card is higher in rank than the dealer's card, the player shall win his or her initial wager and, if applicable, lose his or her tie wager.
3. If the player's card and the dealer's card are of equal rank (a tie hand), the player shall be afforded the options specified in (c) below as to his or her initial wager and, if applicable, win his or her tie wager.

(b) All losing initial wagers and tie wagers shall be collected by the dealer and placed in the table inventory container. All winning initial wagers and tie wagers shall be paid by the dealer in accordance with the payout odds provided in N.J.A.C.

13:69F-22.9.

(c) In a player has a tie hand, the player shall be offered one of the following options:

1. The player may surrender one-half of his or her initial wager and end his or her participation in that round of play. If a player

selects this option, the dealer shall collect one-half of the player's initial wager and place it in the table inventory container. The dealer shall return the remaining one-half of the initial wager to the player. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player with a tie hand who selects this option.

2. The player may surrender his or her entire initial wager and place a war wager pursuant to (e) below.

(d) After settling all initial wagers and tie wagers on the original deal, the dealer shall collect the cards of all players except for the cards of those players with a tie hand who have elected to go to war. The collected cards shall be placed in the discard rack in a manner that permits the reconstruction of each hand of the original deal in case of a question or dispute.

(e) If any player elects to make a war wager upon the occurrence of a tie hand, the dealer shall confirm the placement of the war wager and collect the full amount of the player's initial wager and place it in the table inventory container. The player's card and the dealer's card from the original deal shall remain exposed during the war deal. The dealer shall offer any player who has elected to go to war the opportunity to place a tie wager on the war deal.

(f) The war deal shall begin with the dealer discarding three burn cards and then dealing the next card face up to the player farthest to the dealer's left who has placed a war wager. The player's war deal card shall be placed on the table adjacent to

the player's card from the original deal. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player who has placed a war wager and the dealer.

(g) After the dealing procedures required by (f) above have been completed, the dealer shall, beginning from the dealer's left and proceeding around the table in a clockwise direction, compare the rank of each player's card from the war deal to the dealer's card from the war deal and settle all war and tie wagers.

1. If the player's card in the war deal is lower in rank than the dealer's card in the war deal, the player shall lose his or her war wager and, if applicable, tie wager.
2. If the player's card in the war deal is higher in rank than the dealer's card in the war deal, the player shall win his or her war wager and, if applicable, lose his or her tie wager.
3. If the player's card and the dealer's card in the war deal are of equal rank, the player shall win his or her war wager and, if applicable, tie wager.

(h) All losing war wagers and tie wagers shall be collected by the dealer and placed in the table inventory container. All winning war wagers and tie wagers shall be paid in accordance with the payout odds set forth in N.J.A.C. 13:69F-22.9. After the collection of all losing wagers and the payment of all winning wagers from the war deal, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand of the war deal in case of

a question or dispute.

**13:69F-22.9 Payout odds**

(a) Winning wagers shall be paid as follows:

1. An initial wager shall be paid at odds of 1 to 1.
2. A tie wager shall be paid at odds of 10 to 1.
3. A war wager shall be paid at odds of 2 to 1, unless the war deal results in a tie hand, in which case a war wager shall be paid at odds of 3 to 1.

### **13:69F-22.10 Irregularities**

(a) A card found face up in the shoe while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe while the cards are being dealt, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn from the shoe in error without its face being exposed shall be used as though it was next card from the shoe.

(c) If a card is not dealt to a player's initial wager or tie wager in the original deal, the wager shall be void and the player shall be included in the next round of play.

(d) If an automated shuffling device is being used and the device jams, stops shuffling during the shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

## **SUBCHAPTER 23. COLORADO HOLD 'EM POKER**

### **13:69F-23.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante wager” or “initial wager” means the first wager placed prior to any cards being dealt in order to participate in the round of play.

“Bet wager” means an additional wager made by a player in an amount equal to the player’s ante wager when the player continues play by discarding one of the three cards dealt to him or her but before the three community cards are exposed.

“Community card” means any of the three cards that are initially dealt face down to a designated area in front of the table inventory container and are used by the players at the table to form a five-card hand.

“Discard” means the card selected by the player from the three cards initially dealt the player which is not to be used to form the player’s five-card hand, and placed face down in the designated area in front of the player.

“Hand” means the five-card hand formed by each player by combining the two cards retained by the player after the player’s discard and the three community cards.

“Instant winner” means the three cards dealt to a player are either a “three-of-a-kind” or a “three-card straight flush,” which, upon player declaration, qualify for a payout.

“Push” means a hand that results in neither a winning or losing wager in accordance with this subchapter.

“Round of play” or “round” means one complete cycle of play during which all players then playing at the table have placed a wager, been dealt a hand, and have had their wagers paid, collected or declared a push in accordance with this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt or delivered.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

**13:69F-23.2 Cards; number of decks; dealing shoe**

(a) Except as provided in (b) below, Colorado hold 'em poker shall be played with one deck of cards with backs of the same color and design and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-23.5. The cover card shall be opaque and in a solid color readily distinguishable from the backs and edges of the playing cards. The deck of cards used to play Colorado hold 'em poker shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different colors;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-23.3 Colorado hold 'em poker rankings; cards; poker hands**

(a) The rank of the cards used in Colorado hold 'em poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be combined with a two, three, four, and five to complete a "straight" or a "straight flush." All suits shall be considered equal in rank.

(b) The permissible five card hands at the game of Colorado hold 'em poker, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank;
4. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair;"
5. "Flush" is a hand consisting of five cards of the same suit;
6. "Straight" is a hand consisting of five cards of consecutive rank, not all of the same suit;
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank;
8. "Two pairs" is a hand consisting of two "pairs;" and

9. "Pair" is a hand consisting of two cards of the same rank.

(c) The three-card hands which are recognized as instant winners at the game of Colorado hold 'em poker shall be:

1. "Three-card straight flush" is a hand consisting of three cards of the same suit in consecutive ranking; and
2. "Three-of-a-kind" is a hand consisting of three cards of the same rank.

**13:69F-23.4 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-23.5.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-23.2, each deck of cards shall be separately sorted, inspected, verified, spread, mixed, stacked, and shuffled in accordance with (a) through (c) above.

**13:69F-23.5 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly in the dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with N.J.A.C. 13:69F-23.7, 23.8, or 23.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand:
  - i. Placing the cover card on the table in front of the deck of cards;

- ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;
  - iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on top of the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures in N.J.A.C. 13:69F-23.7, 23.8, or 23.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is not gaming activity at a Colorado hold 'em table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures in N.J.A.C. 13:69F-23.4(c) shall be completed.

### **13:69F-23.6 Wagers**

(a) All wagers at Colorado hold 'em poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting area of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players who are seated at a Colorado hold 'em poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

(c) All initial wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-23.7, 23.8 and 23.9. Except as provided in N.J.A.C. 13:69F-23.10(c)1 or 23.11(b)1, no wager shall be made, increased or withdrawn after the dealer has announced "No more bets."

(d) At the beginning of each round of play, each player shall be required to place an initial wager in the betting area designated "ante" on the table layout in front of the player. The wagers shall be identified as ante and bet on the table layout.

(e) A casino licensee may, in its discretion, permit a player to place wagers at two betting positions during a round of play provided that the two betting positions are adjacent to each other.

(f) A casino licensee may, in its discretion, offer one of two versions of Colorado hold 'em poker: a version with a required bet wager or a version with a permissible bet wager. The same version shall be played at each Colorado hold 'em poker table if a casino licensee has two or more Colorado hold 'em poker tables.

**13:69F-23.6A Optional bonus wager**

(a) A casino licensee may, in its discretion, offer to each player at a Colorado hold 'em poker table the option to make an additional bonus wager that the player will receive a poker hand with a rank of a pair of jacks or better; provided, however, that the casino licensee shall comply with the notice requirements set forth in N.J.A.C. 13:69F-8.3 prior to withdrawing the option.

(b) Prior to the dealer announcing "No more bets," each player who has placed the ante wager required by N.J.A.C. 13:69F-23.6 may make an additional bonus wager by placing a \$1.00 gaming chip on the area of the table layout designated for that wager.

(c) All winning bonus wagers shall be paid in accordance with the payout schedule in N.J.A.C. 13:69F-23.12(d) or 23.13(d).

(d) A bonus wager shall have no bearing on any other wager made by a player at the game of Colorado hold 'em poker.

**13:69F-23.7 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-23.5 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by a dealer or by an automated card shuffling device.

(b) Prior to the commencement of each round of play, the dealer shall announce "No more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6;
2. One card face down to the area designated for the placement of the community cards;
3. A second card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6;
4. A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area;

5. A third card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6; and
6. A third card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first two cards dealt to this area.

(d) After three cards have been dealt to each player and the area designated for the placement of the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designated for the placement of the community cards has more or less than three cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-23.14. If the cards have

not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-23.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Colorado hold'em poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-23.5 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during the round of play.
  - ii. The cards held by the dealer shall at times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards.

(c) The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal

the cards as follows:

1. One card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6;
2. One card face down to the area designated for the placement of the community cards;
3. A second card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6;
4. A second card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first card dealt to this area;
5. A third card face down to each player who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6; and
6. A third card face down to the area designated for the placement of the community cards, which card shall be placed to the right of the first two cards dealt to this area.

(d) After three cards have been dealt to each player and the area designated for the placement of the community cards, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The stub shall be counted in accordance with N.J.A.C. 13:69F-23.7(e) or (f), as applicable.

**13:69F-23.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Colorado hold 'em poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-23.5 have been completed, the cards shall be placed in the automated dealing shoe.
2. Prior to the shoe dispensing any stacks of cards, the dealer shall announce "No more bets."

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an initial wager in accordance with N.J.A.C. 13:69F-23.6. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the community cards, and spread the stack within the designated area so that the top card is to the dealer's right, the middle card is directly in front of the dealer, and the bottom card is to the dealer's left.

(d) After each stack of three cards has been dispensed and delivered in accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the cards in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The stub shall be counted in accordance with N.J.A.C. 13:69F-23.7(e) or (f), as applicable.

**13:69F-23.10 Procedures for completion of each round of play for version with required bet wager**

(a) After the dealing procedures required by N.J.A.C. 13:69F-23.7, 23.8, or 23.9 have been completed, each player shall examine his or her cards.

1. Each player who wagers at Colorado hold 'em poker shall be responsible for his or her own hand and no other person other than the dealer may touch the cards of that player.
2. Each player shall be required to keep his or her cards in full view of the dealer at all times.

(b) After each player has examined his or her cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he or she wishes to play, fold or declare an instant winner.

1. If a player chooses to continue play, the player must place an additional wager ("bet wager") exactly equal to the amount of the player's initial wager in the betting area designated "bet." The player must then select one card from the three cards initially dealt to him or her, and discard the selected card by placing it face down in the designated area in front of the player.
2. If a player chooses to fold, then he or she must place the three cards initially dealt to the player face down in the designated area in front of the player. The initial wager is considered a losing wager, and shall be immediately collected by the dealer and placed in the table inventory container. The three cards initially

dealt to the player who elected to fold shall be collected by the dealer and placed in the discard rack.

3. If the three cards initially dealt to the player qualify as a three-card instant winner in accordance with N.J.A.C. 13:69F-23.3, the player may:
  - i. Choose to declare an instant winner by turning all three cards face up. A player declaring and qualifying for an instant winner may not make any additional wager for that round of play. The dealer shall verify that the player's hand qualifies for a payout as an instant winner. The dealer shall thereupon pay the initial wager in accordance with N.J.A.C. 13:69F-23.11(b), collect the cards dealt to the player and place them in the discard rack before exposing any community card; or
  - ii. Choose not to declare an instant winner, in which event he or she may continue the current round of play in accordance with this section.

(c) After each player has made a decision to play, fold or declare an instant winner, the dealer shall turn the three community cards face up in the designated area in front of the dealer.

(d) Except as otherwise provided in (h) below after the community cards are

exposed, the dealer shall, beginning with the player farthest to his or her right and continuing counterclockwise around the table, turn face up the two cards of each player who has placed a wager in accordance with (b)1 above.

1. The three community cards and two remaining cards dealt to each player shall form the five-card hand of each player.
2. The dealer shall examine the cards of each player to determine if the player's hand qualifies for a payout pursuant to N.J.A.C.

13:69F-23.12.

(e) Any wager on a hand which has a rank that is lower than a pair of sevens shall be a losing wager. All losing wagers shall be immediately collected by the dealer and placed in the table inventory container. The cards of any player who has made a losing wager shall be collected and placed in the discard rack.

(f) Any wager on a hand which has a rank of a pair of sevens, eights or nines shall be a push. If the hand of the player is a push, the dealer shall not collect or pay the wager but shall immediately collect the cards of that player after all losing wagers and hands have been collected.

(g) After all losing wagers and pushes have been settled, all winning wagers shall be paid. All winning hands shall remain face up on the layout until the dealer has paid all winning wagers. Each winning wager that remains on the table shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-23.12 or as otherwise approved by the Division.

1. The dealer shall pay all winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table.
2. After paying all winning wagers, the dealer shall immediately collect the cards of all winning players and the community cards and place them in the discard rack.

(h) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-23.11 Procedures for completion of each round of play for version with permissible bet wager**

(a) After the dealing procedures required by N.J.A.C. 13:69F-23.7, 23.8, or 23.9 have been completed, each player shall examine his or her cards.

1. Each player who wagers at Colorado hold 'em poker shall be responsible for his or her own hand and no other person other than the dealer may touch the cards of that player.
2. Each player shall be required to keep his or her cards in full view of the dealer at all times.

(b) After each player has examined his or her cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he or she wishes to play or declare an instant winner.

1. If a player chooses to continue play, the player may place an additional wager ("bet wager") exactly equal to the amount of the player's initial wager in the betting area designated "bet." The player must then select one card from the three cards initially dealt to him or her, and discard the selected card by placing it face down in the designated area in front of the player.
2. If the three cards initially dealt to the player qualify as a three-card instant winner in accordance with N.J.A.C. 13:69F-23.3, the player may:
  - i. Choose to declare an instant winner by turning all three cards face up. A player declaring and qualifying for an

instant winner may not make any additional wager for that round of play. The dealer shall verify that the player's hand qualifies for a payout as an instant winner. The dealer shall thereupon pay the initial wager in accordance with N.J.A.C. 13:69F-23.13(b), collect the cards dealt to the player and place them in the discard rack before exposing any community card; or

- ii. Choose not to declare an instant winner, in which event he or she may continue the current round of play in accordance with this section.

(c) After each player has made a decision to play or declare an instant winner, the dealer shall turn the three community cards face up in the designated area in front of the dealer.

(d) Except as otherwise provided in (h) below after the community cards are exposed, the dealer shall, beginning with the player farthest to his or her right and continuing counterclockwise around the table, turn face up the two cards of each player who has placed a wager in accordance with (b)1 above.

1. The three community cards and two remaining cards dealt to each player shall form the five-card hand of each player.
2. The dealer shall examine the cards of each player to determine if the player's hand qualifies for a payout pursuant to N.J.A.C. 13:69F-23.13.

(e) Any wager on a hand which has a rank that is lower than a pair of nines shall be a losing wager. All losing wagers shall be immediately collected by the dealer and placed in the table inventory container. The cards of any player who has made a losing wager shall be collected and placed in the discard rack.

(f) Any wager on a hand which has a rank of a pair of nines or 10's shall be a push. If the hand of the player is a push, the dealer shall not collect or pay the wager but shall immediately collect the cards of that player after all losing wagers and hands have been collected.

(g) After all losing wagers and pushes have been settled, all winning wagers shall be paid. All winning hands shall remain face up on the layout until the dealer has paid all winning wagers. Each winning wager that remains on the table shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-23.13 or as otherwise approved by the Division.

1. The dealer shall pay all winning wagers beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table.
2. After paying all winning wagers, the dealer shall immediately collect the cards of all winning players and the community cards and place them in the discard rack.

(h) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-23.12 Payout odds for version with required bet wager**

(a) The payout odds for winning wagers at Colorado hold 'em poker printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) Subject to the payout limitation in (c) below, a casino licensee offering the version with a required bet wager shall pay off each winning wager at the game of Colorado hold 'em poker at no less than the following odds:

<u>Wager</u>	<u>Payout Odds</u>
Royal Flush	500 to 1
Straight Flush	100 to 1
Four-of-a-Kind	40 to 1
Full House	11 to 1
Flush	8 to 1
Straight	5 to 1
Three-Card Straight Flush	
(Instant Winner)	5 to 1
Three-of-a-Kind (Instant Winner)	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
Pair of 10's, Jacks, Queens,	

Kings or Aces

1 to 1

(c) Notwithstanding the minimum payout odds required by (b) above, a casino licensee may establish a maximum amount of \$50,000 or such greater amount as approved by the Division that is payable to a player on a single hand, exclusive of any amount payable on a winning bonus wager. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3.

(d) A casino licensee shall pay off each winning bonus wager at no less than the following odds:

<u>Wager</u>	<u>Bonus Payout</u>
Royal Flush	10,000 to 1
Straight Flush	1000 to 1
Four-of-a-Kind	100 to 1
Full House	50 to 1
Flush	25 to 1
Straight	15 to 1
Three-Card Straight Flush	
(Instant Winner)	5 to 1
Three-of-a-Kind (Instant Winner)	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	1 to 1

Pair of Jacks or Better

Push

**13:69F-23.13 Payout odds for version with permissible bet wager**

(a) The payout odds for winning wagers at Colorado hold 'em poker printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) Subject to the payout limitation in (c) below, a casino licensee offering the version with a permissible bet wager shall pay off each winning wager at the game of Colorado hold 'em poker at no less than the following odds:

<u>Wager</u>	<u>Payout Odds</u>
Royal Flush	500 to 1
Straight Flush	100 to 1
Four-of-a-Kind	25 to 1
Full House	10 to 1
Flush	8 to 1
Straight	5 to 1
Three-Card Straight Flush	
(Instant Winner)	5 to 1
Three-of-a-Kind (Instant Winner)	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
Pair of Jacks, Queens, Kings or Aces	1 to 1

(c) Notwithstanding the minimum payout odds required by (b) above, a casino licensee may establish a maximum amount of \$50,000 or such greater amount as approved by the Division that is payable to a player on a single hand, exclusive of any amount payable on a winning bonus wager. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3.

(d) A casino licensee shall pay off each winning bonus wager at no less than the following odds:

<u>Wager</u>	<u>Bonus Payout</u>
Royal Flush	10,000 to 1
Straight Flush	1000 to 1
Four-of-a-Kind	100 to 1
Full House	50 to 1
Flush	25 to 1
Straight	15 to 1
Three-Card Straight Flush	
(Instant Winner)	5 to 1
Three-of-a-Kind (Instant Winner)	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	1 to 1
Pair of Jacks or Better	Push

### **13:69F-23.14 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If a player erroneously declares an immediate winner, that player's hand shall be void and that player shall lose his or her initial wager.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 24. BOSTON 5 STUD POKER**

### **13:69F-24.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicated otherwise:

“Ante bonus wager hand” means a player’s five-card hand as defined in N.J.A.C. 13:69F-24.11(d).

“Ante wager” means the wager placed at the same time as the first wager prior to any cards being dealt in order to participate in the round of play. The amount of the ante wager shall be exactly one-half of the amount of the first wager.

“First wager” means the initial wager placed at the same time as the ante wager prior to any cards being dealt in order to participate in the round of play. The amount of the first wager shall be exactly twice the amount of the ante wager.

“Fold” means the withdrawal of a player from a round of play by discarding his or her hand after the first three cards have been dealt and prior to placing the second wager.

“Hand” means the five-card hand dealt to each player.

“Optional bonus wager” means the optional wager on the first three cards dealt to a player as defined in N.J.A.C. 13:69F-24.6(c).

“Push” means a tie, as defined in N.J.A.C. 13:69F-24.10(f).

“Rank” or “ranking” means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-24.5.

“Round of play” or “round” means one complete cycle of play during which all

players playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid off or collected in accordance with the rules of this subchapter.

“Second wager” means the wager placed after the player has reviewed his or her first three cards but prior to the final two cards being dealt in order to complete the round of play. The amount of the second wager shall be exactly the amount of the first wager and twice the amount of the ante wager.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart or spade, with no suit being higher in rank than another.

**13:69F-24.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of Boston 5 stud poker shall be played with one deck of cards with backs of the same color and design, one additional solid yellow or green cutting card and one additional solid yellow or green cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-24.4. The deck of cards used shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continually alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-24.3 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-24.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-24.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-24.4 Shuffle of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards by use of an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-24.7, 24.8, or 24.9.

(c) Whenever there is no gaming activity at a Boston 5 stud poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-24.3(c) shall be completed.

**13:69F-24.5 Boston 5 stud poker rankings**

(a) The rank of the cards used in Boston 5 stud poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a “straight flush” or “straight” formed with a two, three, four, and five.

(b) The permissible five-card poker hands at the game of Boston 5 stud poker, in order of highest to lowest rank, shall be:

1. “Royal flush” is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. “Straight flush” is a hand consisting of five cards of the same suit in consecutive ranking, with ace, king, queen, jack, and 10 being the highest ranking five-card straight flush and ace, two, three, four, and five being the lowest five-card straight flush;
3. “Four of a kind” is a hand consisting of four cards of the same rank, with four aces being the highest ranking four of a kind and four twos being the lowest ranking four of a kind;
4. “Full house” is a hand consisting of a “three of a kind” and a “pair” with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
5. “Flush” is a hand consisting of five cards of the same suit, not in

consecutive order, with ace, king, queen, jack, and nine being the highest ranking five-card flush and two, three, four, five, and seven being the lowest ranking five-card flush;

6. "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking five-card straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two, and three);
7. "Three of a kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three of a kind and three twos being the lowest ranking three of a kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
9. "One pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical poker rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand which contains the highest ranking card as provided in (a) above which

is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a push.

(d) For purposes of the optional bonus wager as defined in N.J.A.C. 13:69F-24.6(c), the permissible three-card hands at the game of Boston 5 stud poker recognized for a payout in accordance with N.J.A.C. 13:69F-24.11(d) shall be:

1. "Three-card straight flush" is a hand consisting of three cards of the same suit in consecutive ranking;
2. "Three-of-a-kind" is a hand consisting of three cards of the same rank;
3. "Three-card straight" is a hand consisting of three unsuited cards of consecutive rank; provided, however, that an ace may not be combined with a king and two;
4. "Three-card flush" is a hand consisting of three cards of the same suit, not in consecutive order; and
5. "One pair" is a hand consisting of two cards of the same rank.

**13:69F-24.6 Wagers**

(a) All wagers at Boston 5 stud poker shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All ante and first wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-24.7, 24.8 or 24.9. Except as provided in N.J.A.C. 13:69F-24.10, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Upon placing an ante and first wager, a player may, at his or her discretion, make an optional bonus wager by placing a gaming chip in the minimum denomination of \$1.00 on the designated betting area of the layout.

(d) A second wager shall be made in accordance with N.J.A.C. 13:69F-24.10.

(e) Only players who are seated at the Boston 5 stud poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-24.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-24.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automatic card shuffling device.

(b) Prior to dealing the cards and once all ante and first wagers and, if applicable, all optional bonus wagers have been placed, the dealer shall announce "No more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. Three consecutive cards face down to each player; and
2. Three consecutive cards face down to an area directly in front of the table inventory container designated for the dealer's hand.

(e) After the final two cards have been dealt to each player who placed a second wager and the area designated for the hand of the dealer as provided in N.J.A.C. 13:69F-24.10(d), the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the area designed for the placement of the dealer's hand has more or less than five cards) but 52 cards remain in the deck, all hands are void pursuant to N.J.A.C. 13:69F-24.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(g) The five cards comprising the dealer's hand shall be spread in a row and then placed in the designated area directly in front of the table inventory container with the top card to the dealer's right and the bottom card to the dealer's left.

**13:69F-24.8 Procedure for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Boston 5 stud poker from his or her hand.

(b) Once the procedures required by N.J.A.C. 13:69F-24.4 have been completed, the following requirements shall be observed if a casino licensee chooses to have the cards dealt from the dealer's hand:

1. The dealer shall place the stacked deck of cards in either hand.
2. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
3. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
4. The dealer shall then announce "No more bets."
5. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. Three consecutive cards face down to each player; and
2. Three consecutive cards face down to an area directly in front of

the table inventory container designated for the dealer's hand.

(d) After the final two cards have been dealt to each player who placed a second wager and the area designated for the hand of the dealer as provided in N.J.A.C. 13:69F-24.10(d), the dealer shall place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-24.7.

(f) The five cards comprising the dealer's hand shall be spread in a row and then placed in the designated area directly in front of the table inventory container with the top card to the dealer's right and the bottom card to the dealer's left.

### **13:69F-24.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Boston 5 stud poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards, provided that the shoe, its location and the procedures for its use in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-24.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets."

(c) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-24.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-24.6. The dealer shall then deliver a stack of three cards face down to the area designated for the dealer's hand.

(d) After each stack of three cards has been dispensed and delivered in accordance with this section and all second wagers have been placed, the dealer shall remove the remaining cards from the automated dealing shoe and then shall place

these cards in either hand and shall deal the final two cards in accordance with N.J.A.C. 13:69F-24.10(d) and the provisions of N.J.A.C. 13:69F-24.8(b). After all final cards have been dealt, the dealer shall place the stub in the discard rack without exposing the cards and the round of play shall proceed in accordance with N.J.A.C. 13:69F-24.10.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-24.7.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

(g) The stack of five cards comprising the dealer's hand shall be spread in a row and then placed in the designated area directly in front of the table inventory container with the top card to the dealer's right and the bottom card to the dealer's left.

**13:69F-24.10 Boston 5 stud poker second wagers; procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-24.7, 24.8, or 24.9 have been completed but before the final two cards are dealt as provided in (d) below, any player who has placed an optional bonus wager may elect to expose those cards in order to qualify for the optional bonus payout as defined in N.J.A.C. 13:69F-24.11. The dealer shall collect all losing optional bonus wagers from players with three-card hands who elect not to expose three-card hands or from players who elect to expose three-card hands that do not qualify for the optional bonus wager payout. The dealer shall then pay all winning optional bonus wagers as set forth in N.J.A.C. 13:69F-24.11(d).

(b) After the resolution of all optional bonus wagers, each player shall either place a second wager equal in amount to the first wager in the designated betting area or fold and forfeit the ante and first wager. If a player folds, the entire ante and first wager shall be collected by the dealer and placed in the table inventory container. A folded hand of a player shall then be collected by the dealer and placed in the discard rack without exposing the cards.

(c) Each player who makes a second wager shall be responsible for his or her own hand and no other person other than the dealer may touch the cards of that player. A player may withdraw his or her second wager at any time prior to the deal of the final two cards pursuant to (d) below. Each player shall be required to keep all cards in full view of the dealer at all times.

(d) The dealer shall, starting with the player farthest to his or her left who

has placed and not withdrawn a second wager and continuing around the table in a clockwise manner, deal the cards as follows:

1. Two consecutive cards face down (the fourth and fifth cards) to each player who has placed a second wager; and
2. Two consecutive cards face down (the fourth and fifth cards) to the area designated for the dealer's hand.

(e) The dealer shall then turn over and reveal all five cards of his or her hand simultaneously and shall set the highest ranking poker hand.

(f) The dealer shall, starting with the player farthest to his or her right and continuing counterclockwise around the table, turn over each player's cards. The wagers of each player shall be resolved in order, regardless of outcome.

1. Losing wagers shall immediately be collected by the dealer and placed in the table inventory container. Losing hands shall then be immediately collected by the dealer and placed in the discard rack. Ante, first and second wagers shall lose if the hand of the dealer has a hand rank higher than that of the player.
2. If the hand rank of the player ties with that of the dealer, the hand of the player shall be a push. The dealer shall not collect or pay the wagers, but shall immediately collect the cards of that player.
3. Winning wagers shall be paid in accordance with N.J.A.C. 13:69F-24.11. First and second wagers made by a player shall win if the

hand of the player has a hand rank higher than that of the dealer. After paying a player's winning first and second wagers, the dealer shall determine whether the player has a hand that qualifies for an ante bonus payout as set forth in N.J.A.C. 13:69F-24.11(d). Winning ante bonus payout hands shall be paid in accordance with N.J.A.C. 13:69F-24.11(c). If a player does not have an ante bonus payout hand, the player's ante shall be returned to the player. A player is entitled to an ante bonus payout regardless of whether the hand of the player is higher in rank than that of the dealer. After all winning wagers of the player are paid, the dealer shall immediately collect the cards of that player and place them in the discard rack.

(g) All cards collected by the dealer shall be picked up on order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-24.11 Payout odds**

(a) The payout odds for winning wagers at Boston 5 stud poker printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) A casino licensee shall pay out winning first and second wagers at payout odds of 1 to 1.

(c) A casino licensee shall payoff each winning ante bonus wager at the game of Boston 5 stud poker at no less than the odds listed below:

<u>Hand</u>	<u>Payout Odds</u>
Royal Flush	1000 to 1
Straight Flush	200 to 1
Four-of-a-Kind	100 to 1
Full House	25 to 1
Flush	15 to 1
Straight	8 to 1
Three-of-a-Kind	4 to 1
Two Pair	2 to 1

(d) A casino licensee shall pay off each winning optional bonus wager at the game of Boston 5 stud poker at no less than the odds listed below:

<u>Hand</u>	<u>Payout Odds</u>
-------------	--------------------

Three-card Straight Flush	40 to 1
Three-of-a-Kind	25 to 1
Three-Card Straight	6 to 1
Three-Card Flush	3 to 1
One Pair	1 to 1

(e) Notwithstanding the minimum payout odds in (b) through (d) above, a casino licensee may establish a maximum amount as approved by the Division that is payable to a player on a single hand, which amount shall be at least \$50,000 or the maximum amount that could be won when betting the minimum permissible wager, whichever is greater. The payout limit shall either be included on the layout or posted at the table pursuant to N.J.A.C. 13:69E-1.13P. If the payout limit is not included on the layout, each casino licensee shall provide notice of any increase in the payout limit in accordance with N.J.A.C. 13:69F-8.3. Any maximum payout limit established by a casino licensee shall apply only to payouts for winning first and second wagers and the ante bonus wager and shall not apply to payouts for winning optional bonus wagers.

### **13:69F-24.12 Irregularities**

(a) If any of the dealer's first three cards is exposed prior to each player having either folded or placed a second bet wager pursuant to N.J.A.C. 13:69F-24.10, all hands shall be void, except for those three-card hands that qualify for an ante bonus or an optional bonus wager payout.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void. If the dealer is dealt four cards of the five card hand, the dealer shall deal an additional card to complete the hand. Any other misdeal to the dealer shall result in all hands being void and the cards shall be reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards after the first three cards are dealt to a player, the round of play shall be void, except for those three-card hands that qualify for an ante bonus or an optional bonus wager payout.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 25. DOUBLE CROSS POKER**

### **13:69F-25.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means the initial wager required to be made prior to any cards being dealt in order to participate in the round of play.

“Community card” means any of the five cards that are initially dealt face down in a cross formation in the designated area to the right of the table inventory container, with the three community cards contained in either axis of the cross being used by each player and the dealer to form a five-card poker hand.

“Fold” means the withdrawal of a player from a round of play by discarding his or her hand after the first two cards have been dealt to the player and prior to placing raise wagers.

“Hand” means the five-card poker hand formed by combining the two cards dealt to a player or the dealer and the three cards contained in either axis of the community card cross.

“Raise” or “raise wagers” means the two wagers, each equal in amount to the ante wager, required to be placed by a player prior to the dealer turning over the last three community cards that may be used to form a five-card poker hand.

“Rank” or ranking means the relative value of a card or group of cards as set forth in N.J.A.C. 13:69F-25.5

“Round of play” means one complete cycle of play during which all wagers have

been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt or delivered.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade.

“Three-card wager” shall mean the optional, supplemental wager on the three-card hand comprised of a player’s two cards and the community card farthest from the dealer in the vertical array of the community card cross.

**13:69F-25.2 Cards; number of decks**

(a) Except as provided in (b) below, double cross poker shall be played with one deck of cards with backs of the same color and design and one additional cover card. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-25.3 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer, and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-25.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-25.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-25.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer, or device, shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using a automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-25.7, 25.8, or 25.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;

- ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;
  - iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on top of the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-25.7, 25.8, or 25.9.

(d) Notwithstanding (c) above, after the cards have been cut, and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly, or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a double cross poker table, which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-25.3(c) shall be completed.

**13:69F-25.5 Double cross poker rankings**

(a) The rank of the cards used in double cross poker for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be combined with a two, three, four, and five to complete a “straight” or a “straight flush.” All suits shall be considered equal in rank.

(b) The permissible hands at the game of double cross poker, in order of highest to lowest rank, shall be:

1. “Royal flush” is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. “Straight flush” is a hand consisting of five cards of the same suit in consecutive ranking;
3. “Four-of-a-kind” is a hand consisting of four cards of the same rank;
4. “Full house” is a hand consisting of “three-of-a-kind” and a “pair”;
5. “Flush” is a hand consisting of five cards of the same suit;
6. “Straight” is a hand consisting of five cards of consecutive rank, not all of the same suit;
7. “Three-of-a-kind” is a hand consisting of three cards of the same rank;
8. “Two pairs” is a hand consisting of two “pairs”;
9. “Pair” is a hand containing two cards of the same rank; and

10. “High card” is a hand that does not contain any of the permissible five-card hands listed in (b)1 through 9 above and the value of which is determined by the highest ranking individual card in the hand.

(c) For purposes of the optional three-card wager, the permissible three-card hands in the game of double cross poker recognized for a payout in accordance with N.J.A.C. 13:69F-25.11(c) shall be:

1. “Three-card straight flush” is a hand consisting of three cards of the same suit in consecutive ranking;
2. “Three-of-a-kind” is a hand consisting of three cards of the same rank regardless of suit;
3. “Three-card straight” is a hand consisting of three unsuited cards of consecutive rank; provided, however, that an ace may not be combined with a king and two;
4. “Three-card flush” is a hand consisting of three cards of the same suit, not in consecutive order; and
5. “One pair” is a hand is a hand consisting of two cards of the same rank.

**13:69F-25.6 Wagers**

(a) All wagers at double cross poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players who are seated at a double cross poker table may wager at the game. Once a player has placed his or her ante wager and received cards, that player must remain seated until the completion of the round of play.

(c) All ante wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-25.7, 25.8, or 25.9. Except as provided in N.J.A.C. 13:69F-25.10, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(d) Upon placing an ante wager, a player may, at his or her discretion, make an optional three-card wager on the designated area of the layout in an amount ranging from \$1.00 to \$100.00.

(e) Raise wagers shall be made in accordance with N.J.A.C. 13:69F-25.10.

**13:69F-25.7 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-25.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards and once all ante wagers have been placed, the dealer shall announce "No more bets."

(c) In dealing the cards, each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. Two consecutive cards face down to each player;
2. Two consecutive cards face down to the area designated for the placement of the dealer's cards; and
3. Five consecutive cards face down in a cross formation to the area designated for the placement of the community cards, with the first three community cards being dealt from the dealer's left to right in a horizontal array and the remaining two community cards being dealt to the top and bottom of the center card in the horizontal array to complete a vertical array of three cards.

(d) After two cards have been dealt to each player and the dealer, and five cards have been dealt to the area designated for the placement of the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct numbers of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the area designated for the placement of the dealer's cards has more or less than two cards, or the area designated for the community cards has more or less than five cards), but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-25.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(f) Notwithstanding the provisions of (e) above, the counting of the stub

shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-25.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play double cross poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-25.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards.

(c) The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal

the cards as follows:

1. Two consecutive cards face down to each player;
2. Two consecutive cards face down to the area designated for the placement of the dealer's cards; and
3. Five consecutive cards face down in a cross formation to the area designated for the placement of community cards, with the first three community cards being dealt from the dealer's left to right in a horizontal array and the remaining two community cards being dealt to the top and bottom of the center card in the horizontal array to complete a vertical array of three cards.

(d) After two cards have been dealt to each player and the dealer, and five cards have been dealt to the area designated for the placement of the community cards, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct numbers of cards are still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-25.7(e).

**13:69F-25.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play double cross poker dealt from an automated dealing shoe, which dispenses cards in stacks of two cards.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-25.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. Prior to the shoe dispensing any stacks of cards, the dealer shall then announce "No more bets."

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed an ante wager in accordance with N.J.A.C. 13:69F-25.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an ante wager in accordance with N.J.A.C. 13:69F-25.6. The dealer shall then deliver a stack of two cards face down to the area designated for the dealer's hand. These two cards shall remain in a stack with one on top of the other face down until each player has elected to fold or made a raise wager. The dealer shall then remove the remaining cards from the automated dealing shoe and deal from his or her hand five

consecutive community cards face down in a cross formation to the area designated for the placement of community cards, with the first three community cards being dealt from the dealer's left to right in a horizontal array and the remaining two community cards being dealt to the top and bottom of the center card to complete a vertical array of three cards. After all cards have been dispensed, delivered and dealt in accordance with this section, the dealer shall place the stub in the discard rack without exposing the cards.

(d) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct numbers of cards are still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-25.7(e).

**13:69F-25.10 Procedures for completion of each round of play**

(a) After the dealing procedures required by N.J.A.C. 13:69F-25.7, 25.8, or 25.9 have been completed, the dealer shall turn over the community card in the vertical array farthest from the dealer and the community card in the horizontal array to the right of the dealer. Any player who has placed a three-card wager may elect to expose his or her two cards in order to qualify for the payout for the three-card wager. The dealer shall determine whether the player's two cards and the community card in the vertical array farthest from the dealer constitute a winning three-card wager hand. The dealer shall collect all losing three-card wagers from players who elect not to expose their two cards or from players who expose their two cards that do not qualify for the three-card wager payout. The dealer shall then pay all winning three-card wagers as set forth in N.J.A.C. 13:69F-25.11(c). The dealer shall turn face down the two cards of players who exposed them.

(b) After the resolution of all three-card wagers, each player shall make a decision regarding the fold option or the designation of an array of community cards to use pursuant to (c) below. Each player shall be responsible for his or her own hand, and shall be required to keep his or her two cards in full view of the dealer at all times. Each player's cards shall then be placed face down on the appropriate area of the layout and the player shall not touch the cards again.

(c) The dealer shall, beginning with the player to the dealer's left and moving clockwise around the table, ask each player if he or she wishes to fold or to play the hand.

1. If a player folds, the player shall lose his or her ante. After the dealer collects the player's ante and places it in the table inventory container, the dealer shall then immediately collect the player's cards and place them face down in the discard rack.
2. If a player elects to play the hand, the player shall use the two cards dealt to the player and three community cards in either a designated vertical or horizontal alignment of the cross formation to form a five card poker hand. The player shall verbally inform the dealer that he or she intends to use the three community cards in the vertical or horizontal alignment. The player shall place two additional wagers, both in equal amounts to the ante, in the same alignment (vertical or horizontal) of the community cards the player intends to use to form his or her five-card poker hand.

(d) After the player farthest to the dealer's right has made his or her decision, the dealer shall then turn over the remaining three community cards.

(e) After the dealer turns over the remaining three community cards, the dealer shall then turn over the dealer's two cards. The dealer shall determine the alignment of community cards, vertical or horizontal, that will yield the higher ranking poker hand. The dealer shall then place the dealer's two cards in the same alignment of the three community cards used to form the higher five-card poker hand.

(f) After the dealer determines the alignment of community cards for the

dealer's hand in accordance with (e) above, the dealer shall start with the player farthest to his or her right, and continuing counterclockwise around the table, turn the two cards of each remaining player face up.

(g) Each remaining player who has not folded shall play his or her pre-designated five-card poker hand against the dealer's higher ranking five-card hand in accordance with the double cross poker hand rankings set forth at N.J.A.C. 13:69F-25.5.

1. The dealer shall compare the ranking of the player's five-card hand designated by the alignment of the player's wagers to the ranking of the dealer's five-card hand.
2. If the ranking of a player's five-card hand is lower than the dealer's hand, the player shall lose all three wagers. All three wagers shall be collected and placed into the table inventory container, and the player's cards shall be immediately collected by the dealer and placed face down in the discard rack.
3. If the ranking of a player's five-card hand is higher than the dealer's five-card hand, the player shall be paid 1 to 1 on the ante and an amount on the two raise wagers in accordance with the payout table set forth at N.J.A.C. 13:69F-25.11. In the event that a player's five-card hand and the dealer's five-card hand are of equal ranking ("tie hand"), the player's hand shall be considered a push, and the wager is neither paid nor collected. All winning

five-card hands shall remain face up on the layout until all winning wagers have been paid by the dealer.

(h) After paying all winning wagers, the dealer shall immediately collect the cards of all players and place them in the discard rack, together with the remaining cards in the deck used for the round of play. All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-25.11 Payout odds; payout limitation**

(a) The payout odds for winning wagers at double cross poker, printed on any layout, sign, brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win” and no odds shall be stated through the use of the word “for.”

(b) Subject to the payout limitation in (c) below, a casino licensee shall pay off each winning raise wager at the game of double cross poker at no less than the following odds:

<u>Hand</u>	<u>Payout Odds</u>
Royal Flush	300 to 1
Straight Flush	50 to 1
Four-of-a-Kind	15 to 1
Full House	7 to 1
Flush	6 to 1
Straight	5 to 1
Three-of-a-Kind	3 to 1
Two Pair	3 to 2
One Pair	1 to 1
High Card	1 to 1

(c) A casino licensee shall pay off each winning three-card wager at the game of double cross poker at no less than the following odds:

<u>Hand</u>	<u>Payout Odds</u>
Three-card Straight Flush	40 to 1
Three-of-a-Kind	30 to 1
Three-card Straight	6 to 1
Three-card Flush	4 to 1
One pair	1 to 1

(d) Notwithstanding the minimum payout odds required in (b) above, a casino licensee may establish a maximum amount as approved by the Division that is payable to a player on a single hand, which amount shall be at least \$60,000 or the maximum amount that one patron could win per round when betting the minimum permissible wager, whichever is greater. The payout limit shall either be included on the layout or posted at the table pursuant to N.J.A.C. 13:69E-1.13N. If the established payout limit is not included on the layout, each casino licensee shall provide notice of any decrease in the payout limit in accordance with N.J.A.C. 13:69F-8.3.

### **13:69F-25.12 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(e) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(f) Any automated card shuffling device, or automated dealing shoe, shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 26. DOUBLE ATTACK BLACKJACK**

### **13:69F-26.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Blackjack" shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer, except that this shall not include an ace and a 10-point value card dealt to a player who has split pairs.

"Double attack wager" shall mean an optional wager, in an amount not to exceed the amount of the initial wager, afforded to each player after the dealer is dealt a card face upwards.

"Hard total" shall mean the total point count of a hand which contains no aces or which contains aces that are each counted as one in value.

"Initial wager" shall mean the wager required to be made prior to any cards being dealt in order to participate in the round of play.

"Soft total" shall mean the total point count of a hand which contains an ace that is counted as 11 in value.

"Suit" shall mean one of the four categories of cards:  
club, diamond, heart, and spade.

**13:69F-26.2 Cards; number of decks; rank of cards**

(a) Double attack blackjack shall be played with six or eight decks of cards, with backs of the same color and design and one additional cutting card. The decks shall meet the requirements of N.J.A.C. 13:69E-1.17(a) and shall consist of 48 cards, with the 10 of each suit having been removed from each deck during the inspection required by N.J.A.C. 13:69F-26.3. The cutting card shall be opaque and a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) The point value of the cards contained in each deck shall be as follows:

1. Any card from two to nine shall have its face value;
2. Any jack, queen, or king shall have a value of 10;
3. An ace shall have a value of 11, unless that value would give a player or the dealer a point total in excess of 21, in which case an ace shall have a value of one.

**13:69F-26.3 Opening of the table for gaming**

(a) After receiving the decks of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (c) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) If the decks contain the 10 of any suit, the dealer shall remove these cards from the decks, and the floorperson shall verify that all such cards have been removed from each deck, and shall destroy them in accordance with the casino licensee's internal control procedures. Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. Each deck of cards shall be spread out separately, according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards, and stacked. If during the mixing or the stacking process a card is turned over and exposed to the players, the cards shall be remixed. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-26.4.

**13:69F-26.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each shoe of cards has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, place the stack of cards in the dealing shoe and deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-26.7; provided, however, that nothing herein shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning;

2. The player on whose box the cutting card appeared during the last round of play;
3. The player at the farthest position to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or
4. The player at the farthest position to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. The dealer shall then take the entire stack of cards that was just shuffled and align them along the side of the dealing shoe which has the mark required by N.J.A.C. 13:69E-1.19(d)4. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one-quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe as provided for in N.J.A.C. 13:69F-26.7(j); provided, however, that the casino licensee may determine after each round of play that the cards should be reshuffled.

(h) A casino licensee shall have internal control procedures documenting the proposed shuffle, cut card placement, number of cut cards (to include shuffle techniques without the use of any cut cards), location of where the shuffle takes place, who is responsible for shuffling, shuffling equipment (dealing shoes or other dealing devices), and burn card procedures.

(i) Whenever there is no gaming activity at a double attack blackjack table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-26.3(c) shall be completed.

**13:69F-26.5 Wagers; payout odds**

- (a) An initial wager and a double attack wager shall win if:
1. The point total of the player is 21 or less and that of the dealer is in excess of 21;
  2. The point total of the player exceeds that of the dealer without either exceeding 21; or
  3. The player has a blackjack and the dealer has a point total of 21 in three or more cards.

(b) Except as otherwise provided in (a)3 above, a wager made in accordance with this section shall be void if the point value of the player's hand equals the point value of the dealer's hand or if both player and dealer have blackjack. However, an initial wager shall lose and a double attack wager shall be void if the dealer has a blackjack and the player does not have blackjack.

(c) All wagers at double attack blackjack shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may be accepted, provided it is confirmed by the dealer and casino supervisor, and that such cash is expeditiously converted into gaming chips or plaques.

(d) Except as otherwise provided in this subchapter, no wager shall be made, increased or withdrawn after the first card of the respective round has been dealt.

(e) After each round of play is complete, the dealer shall collect all losing

initial and double attack wagers and pay off all winning initial and double attack wagers at odds of 1 to 1.

(f) Except as expressly permitted by this subchapter, once the first card of any hand has been removed from the shoe by the dealer, no player shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(g) Once an insurance wager, a wager to double down or a wager to split pairs has been made and confirmed by the dealer, no player shall handle, remove or alter such wagers until a decision has been rendered and implemented with respect to that wager, except as expressly permitted by this subchapter.

(h) After the cards have been shuffled pursuant to N.J.A.C. 13:69F-26.4, a casino licensee may, in its discretion, prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table unless the casino licensee chooses to permit the player to begin wagering or until a reshuffle of the cards has occurred.

**13:69F-26.6 Optional bonus wager**

(a) A player at a double attack blackjack table may make an optional bonus wager that the dealer will exceed a point total of 21 with exactly three cards.

(b) Prior to the first card being dealt for each round of play, a player who has placed the initial wager may make an additional bonus wager, which shall be in an amount not less than \$1.00 and shall not exceed the lesser of:

1. The amount of the player's initial wager; or
2. A maximum amount established by the casino licensee, which limit shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(c) An optional bonus wager shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate area of the double attack blackjack layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player, and that such cash is expeditiously converted into gaming chips or plaques.

(d) If the dealer's first two cards yield a point count of 17 or higher or immediately after the dealer has drawn a third card to a point count of less than 17, and before any other wagers are paid or collected, the dealer shall settle all optional bonus wagers as follows:

1. If the dealer's point total does not exceed 21 with exactly three cards all optional bonus wagers lose and shall be immediately collected by the dealer.

2. If the dealer's point total exceeds 21 with exactly three cards the dealer shall immediately pay all optional bonus wagers starting with the player immediately to the dealer's right and proceeding counterclockwise around the table. Except as provided in (d)3 below, the dealer shall pay each player who has placed an optional bonus wager based on the value of the third card drawn by the dealer in accordance with the following pay table:

<u>Dealer's Third Card Value</u>	<u>Payout Odds</u>
10	3 to 1
Nine	6 to 1
Eight	8 to 1
Seven	10 to 1
Six	15 to 1

3. If the value of the dealer's third card is an eight of the same color or suit of the dealer's first two cards which are also each an eight, a casino licensee shall pay each player who has placed an optional bonus wager as follows:
- i. Three eights of the same color: 50 to 1;
  - ii. Three eights of the same suit: 200 to 1.

(e) The optional bonus wager shall have no bearing on any other wager made by a player at the game of double attack blackjack.

**13:69F-26.7 Procedure for dealing the cards**

(a) All cards used at double attack blackjack shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of the dealer.

(b) The dealer shall remove cards from the shoe with his or her left hand, turn them face upwards, and then place them on the appropriate area of the layout with his or her right hand, except that the dealer has the option to deal hit cards to the first two betting positions with his or her left hand.

(c) After the full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack, which shall be located on the table immediately to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described in this subsection before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by a player.

(d) At the commencement of each round of play and after all players are given the opportunity to make an initial wager in the area marked "BET", the dealer shall deal a card to himself or herself face up and offer all players the opportunity to place an additional wager in the area marked "Double Attack" in an amount equal to the player's initial wager. The remaining cards are to be dealt in the following order.

1. One card face upwards to each box on the layout in which a wager is contained; and
2. A second card face upwards to each box in which a wager is

contained.

(e) After two cards have been dealt to each player, the dealer shall, beginning from his or her left, announce the point total of each player. As each player's point total is announced, such player shall indicate whether he or she wishes to surrender, double down, split pairs, stand or draw, as provided for by this subchapter.

(f) As each player indicates his or her decisions, the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decisions consistent with this subchapter and shall announce the new point total of such player after each additional card is dealt.

(g) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a second card face upward to himself or herself; provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card," which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-26.12 shall be dealt face upwards at this time, after which the dealer shall announce his or her total point count. In lieu of the requirements of this subsection, one of the procedures set forth in (i) below may be implemented.

(h) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall

pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the players' cards have been collected, the dealer shall pick up his or her cards against the bottom of the players' cards and place them in the discard rack.

(i) In lieu of the procedure set forth in (g) above, a casino licensee may permit the dealer to deal his or her hole card face downward after a second card and before additional cards are dealt to the players; provided, however, that the dealer shall not look at the face of the hole card until after all other cards requested by the players pursuant to those regulations are dealt to them. Notwithstanding the foregoing, if a casino licensee elects to utilize a card reader device and the dealer's first card is an ace, king, queen or jack of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the players at the table, in accordance with the casino licensee's internal control procedures. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager(s) shall be settled in accordance with N.J.A.C. 13:69F-26.5 and 26.6, as applicable. Any casino licensee using this alternate dealing procedure shall provide notice thereof in accordance with the requirements set forth in N.J.A.C. 13:69F-8.3.

(j) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed, after which the

dealer shall:

1. Collect the cards as provided in (h) above;
2. Remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; and
3. Shuffle the cards.

(k) No player or spectator shall handle, remove or alter any cards used to game at double attack blackjack except as explicitly permitted by this subchapter, and no dealer or other casino employee shall permit a player or spectator to engage in such activity.

(l) Each player at the table shall be responsible for correctly computing the point count of his or her hand, and no player shall rely on the point counts required to be announced by the dealer under this section without checking the accuracy of such announcement himself or herself.

**13:69F-26.8 Surrender**

(a) After the first two cards are dealt to a player and the player's point total is announced, the player may elect to discontinue play on his or her hand for that round by surrendering one-half the amount of his or her wager(s). A player may also elect to surrender after additional cards are drawn, after a hand is split and after doubling down. A player may not elect to surrender after he or she decides to stand.

1. If the first card dealt to the dealer is a two, three, four, five, six, seven, eight, or nine, the dealer shall immediately collect one-half the amount of the player's wager(s) and return one-half to the player.
2. If the first card dealt to the dealer is an ace, king, queen, or jack, the dealer shall place the player's wager(s) on top of the player's cards. When the dealer's second card is revealed, the hand shall be settled by immediately collecting the entire wager if the dealer has blackjack, or by collecting one-half the amount of the player's wager(s) and returning one-half to the player if the dealer does not have blackjack.
3. If a card reader device is employed on the game, the casino licensee shall have the option to, when a player elects to surrender, collect one-half the amount of the player's wager(s) and return one-half to the player immediately regardless of the dealer's up card, provided that the dealer has already determined

that he or she does not have a blackjack.

(b) If the player has made an insurance wager and then elects to surrender, each wager shall be settled separately, and one wager shall have no bearing on the other.

**13:69F-26.9 Doubling down**

(a) Except for when a player is dealt a blackjack, a player may elect to double down, that is, make an additional wager not in excess of the amount of his or her wager(s), on the two or more cards dealt to that player, including any hands resulting from a split pair, on the condition that only one additional card shall be dealt to each hand on which the player has elected to double down. In such circumstances, the one additional card shall be dealt face upwards and placed sideways on the layout.

(b) Winning wager(s) on a doubled hand shall be paid in accordance with N.J.A.C. 13:69F-26.5(e).

(c) If a dealer has a blackjack after a player doubles down, the dealer shall collect only the amount of the original wager(s) of such player, and shall not collect the additional amount(s) wagered in doubling down.

### **13:69F-26.10 Splitting pairs**

(a) Whenever the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands, provided that the player makes a wager on the second hand so formed in an amount equal to his or her initial wager. If a player has also placed a double attack wager, the player shall make a wager on the second hand so formed in an amount equal to his or her initial wager and double attack wager.

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate his or her decision to stand, draw or double down with respect thereto. A player may also split pairs again if the second card dealt to an incomplete hand is identical in value to the split pair; provided, however, that a player may split pairs a maximum of two times (total of three hands) at a table with seven player positions or a maximum of three times (total of four hands) at a table with six player positions.

(d) If the dealer obtains blackjack after a player splits pairs, the dealer shall collect only the amount of the original wager(s) of such player, and shall not collect the additional amount(s) wagered in splitting pairs.

(e) If a player elects to split a pair of aces, each ace shall receive only one card. Aces may be split only once and cannot be resplit.

### **13:69F-26.11 Insurance**

(a) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance wager, which shall win if the dealer's second card is a king, queen or jack and shall lose if the dealer's second card is an ace, two, three, four, five, six, seven, eight, or nine.

(b) An insurance wager shall be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may wager an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be wagered. All insurance wagers shall be placed immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table. If a card reader device is in use, all insurance wagers shall be placed prior to the dealer inserting his or her hole card into the card reader device.

(c) All winning insurance wagers shall be paid at odds of 5 to 2.

(d) All losing insurance wagers shall be collected by the dealer immediately after the dealer draws his or her second face up card or discloses his or her hole card and before the dealer draws any additional cards.

**13:69F-26.12 Drawing of additional cards by players and the dealer**

(a) A player may elect to draw additional cards whenever his or her point count total is less than 21, except that:

1. A player having blackjack or a hard total of 21 may not draw additional cards; and
2. A player electing to double down shall draw only one additional card.

(b) Except as provided in (c) below, a dealer shall draw additional cards to his or her hand until the dealer has a hard or soft total of 17, 18, 19, 20, or 21, at which point no additional cards shall be drawn.

(c) A dealer shall draw no additional cards to his or her hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play including the resolution of any optional bonus wagers.

**13:69F-26.13 More than one player wagering on a box**

(a) Unless otherwise directed by the Division, a casino licensee may permit from one to three people to wager on any one box of the double attack blackjack layout, provided that the first person wagering on that box consents to additional players wagering on such box, and provided further that the casino licensee adheres to such procedures and limitations imposed by the Division as dictated by the particular circumstances.

(b) Whenever more than one player wagers on a box, the player seated at that box shall have the exclusive right to call the decisions with regard to the cards dealt to such box. In the case of no seated player, the person with the highest wager in the box shall have such right.

(c) The player calling the decisions with respect to any box shall place his or her wager in that portion of the box closest to the dealer's side of the table and all other players wagering on such box shall place their wagers immediately behind and in a vertical line with the aforementioned wager.

(d) Whenever more than one player is wagering on a box and the player calling the decisions decides to double down, the other players may also double their wagers but shall not be required to do so. In any event, only one additional card shall be dealt to the hand that is subject to the double down decision.

(e) Whenever more than one player is wagering on a box and the player calling the decisions decides to place an additional bet in the double attack box, the other players may also place an additional bet in the double attack box, but shall not be

required to do so.

(f) Whenever more than one player is wagering on a box and the player calling the decisions decides to split pairs, the other players shall either make an additional wager to cover each split pair or designate the split pair to which their initial wager shall apply.

(g) Whenever more than one player is wagering on a box, each player shall have the right to make an insurance wager, regardless of whether the other players on that box make such a wager.

(h) The Division and its agents shall have the discretion and authority to limit, control and regulate the implementation of this section as is appropriate under the circumstances which shall include, without limitation, the right to limit the number of tables at which this procedure is permitted, the right to limit the number of boxes at each table on which more than one person can wager and the right to require the casino licensee to establish the ability of its dealers to implement this section.

**13:69F-26.14 Player wagering on more than one box**

A player may only wager on one box at a double attack blackjack table unless the casino licensee, in its discretion, permits the player to wager on additional boxes.

### **13:69F-26.15 Irregularities**

(a) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) If a 10 card of any suit is found in the shoe, it shall not be used in the game and shall be removed from the shoe and destroyed by a floorperson in accordance with the casino licensee's internal control procedures. If more than one 10 card is found in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(d) If the dealer fails to deal the first card to himself or herself before dealing the first two cards to each player, the round of play shall be void.

(e) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to him or her during such round. If the card is refused by the player and the dealer cannot use the card, the card shall be burned.

(f) If the dealer has a point count of 17 or higher and accidentally draws a card for himself or herself, such card shall be burned.

(g) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut according to the procedures in N.J.A.C. 13:69F-26.4, the first card shall be drawn face down and burned, and the dealer shall complete the round of play.

(h) If no cards are dealt to the player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(i) If after receiving the first two cards, the dealer fails to deal an additional card or cards to a player who has requested such cards, then, at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or shall call the player's hand dead and return the player's original wager.

(j) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(k) Any automated card shuffling device shall be removed from a gaming table before any other method of shuffling may be utilized at that table.

(l) If the dealer inserts his or her hole card into a card reader device when the value of his or her first card is not an ace, king, queen, or jack, the dealer, after notification to a casino supervisor, shall:

1. If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager; or
2. If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(m) If a card reader device malfunctions, the dealer may only continue dealing the game of Double Attack Blackjack at that table using the dealing procedures applicable when a card reader device is not in use.

## **SUBCHAPTER 27. FOUR-CARD POKER**

### **13:69F-27.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Aces up wager" means the optional wager that a player may make prior to any cards being dealt that the player's best four-card poker hand will be a pair of aces or better, with a winning aces up wager being paid in accordance with a posted payable regardless of the outcome of the player's hand against the dealer's hand.

"Ante wager" means the wager that a player is required to make prior to any cards being dealt in order to compete against the dealer's hand in a round of play.

"Hand" means the best four-card poker hand that can be formed by each player and the dealer from the cards they are dealt.

"Play wager" means an additional wager, in an amount from one to three times the amount of the player's ante wager that a player is required to make if the player opts to remain in competition against the dealer.

"Round of play" means one complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been settled in accordance with the rules of this subchapter.

"Stub" means the remaining portion of the deck after all cards in the round of play have been dealt or delivered.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-27.2 Cards; number of decks**

(a) Except as provided in (b) below, four-card poker shall be played with one deck of cards with backs of the same color and design and one additional cover card to be used in accordance with the procedures set forth in N.J.A.C. 13:69F-27.5. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. The deck of cards shall meet the requirements of N.J.A.C. 13:69E-1.17.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

### **13:69F-27.3 Four-card poker rankings**

(a) The rank of the cards used in four-card poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" with a two, three, and four.

(b) The permissible poker hands in the game of four-card poker, in order of highest to lowest rank, shall be:

1. "Four-of-a-kind" is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
2. "Straight flush" is a hand consisting of four cards of the same suit in consecutive ranking, with ace, king, queen, and jack being the highest ranking straight flush and four, three, two, and ace being the lowest ranking straight flush;
3. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
4. "Flush" is a hand consisting of four cards of the same suit, regardless of rank;
5. "Straight" is a hand consisting of four cards of consecutive rank, regardless of suit, with ace, king, queen, and jack being the

highest ranking straight and four, three, two, and ace being the lowest ranking straight;

6. "Two pair" is a hand consisting of two "pairs"; and
7. "Pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands that are of equal rank pursuant to the provisions of (b) above, or that contain none of the hands authorized in (b) above, the hand that contains the highest ranking card as provided in (a) above that is not contained in the other hand shall be considered the higher ranking hand. If, after application of the foregoing, the hands are of equal rank, the hands shall be considered a tie.

**13:69F-27.4 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-27.5.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-27.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-27.5 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-27.7, 27.8, or 27.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to section (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-27.7, 27.8, or 27.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a four-card poker table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-27.4(c) shall be completed.

**13:69F-27.6 Wagers**

(a) The following wagers may be placed in the game of four-card poker:

1. A player may compete solely against the dealer by placing an ante wager in an amount within the posted minimum and maximum wagers and then placing a play wager in an amount from one to three times the amount of the ante wager;
2. A player may compete solely against a posted payout table by placing an aces up wager in any amount within the posted minimum and maximum wagers; or
3. A player may compete against both the dealer and the posted payout table by placing wagers in accordance with the requirements of (a)1 and 2 above.

(b) All wagers at four-card poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(c) Only players who are seated at a four-card poker table may wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

(d) All ante wagers and aces up wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures in N.J.A.C. 13:69F-27.7, 27.8, or 27.9. No wager shall be made, increased, or withdrawn after the dealer has announced "No more bets." All play wagers shall be placed in accordance

with N.J.A.C. 13:69F-27.10(b).

(e) A casino licensee may, in its discretion, permit a player to place wagers at two betting positions during a round of play provided that the two betting positions are adjacent to each other.

### **13:69F-27.7 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-27.5 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards. Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal one card at a time, in order, to each player who has placed an ante wager and/or an aces up wager and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players shall be dealt face down. The first five cards dealt to the dealer shall be face down and the sixth card shall be dealt face up. The dealer's fifth and sixth cards shall be dealt consecutively.

(d) After five cards have been dealt to each player and six to the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in

the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player has more or less than five cards or the dealer has more or less than six cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-27.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-27.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play four-card poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-27.5 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal one card at a time in order to each player who has placed an ante wager and/or an aces up wager and to the dealer until each player who placed a wager has five cards and the dealer has six cards. All cards dealt to the players shall be dealt face down. The first five cards dealt to the dealer shall be face down and the sixth card shall be dealt face up. The dealer's fifth and sixth cards shall be dealt consecutively.

(d) After five cards have been dealt to each player and six cards have been dealt to the dealer, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-27.7(e) and (f).

**13:69F-27.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play four-card poker dealt from an automated dealing shoe which dispenses cards in stacks of five cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-27.5 have been completed, the cards shall be placed in the automated dealing shoe; and
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-27.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-27.6. The dealer shall then deliver a stack of five cards face down to himself or herself. When the automated dealing shoe dispenses the next stack of five cards, the dealer shall remove the stack

from the shoe and place the stack on the layout next to his or her hand. The dealer shall spread the cards in the stack face down, with the bottom card of the stack to the dealer's far left and the top card of the stack to the dealer's far right. The dealer shall turn the bottom card of the stack (on the dealer's far left) face up on the dealer's hand. The dealer shall collect the remaining four cards of that stack and place them in the discard rack without revealing them.

(d) After each stack of five cards has been dispensed and delivered in accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the cards in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-27.7(e) and (f).

**13:69F-27.10 Procedures for completion of each round of play**

(a) After the dealing procedures required by N.J.A.C. 13:69F-27.7, 27.8, or 27.9 have been completed, each player shall examine his or her cards. Each player who wagers at four-card poker shall be responsible for his or her own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(b) The dealer shall, starting with the player farthest to his or her left and continuing clockwise around the table, offer each player who has placed an ante wager the option to either make a play wager or forfeit his or her ante wager. A play wager shall be made in an amount from one to three times the amount of the player's ante wager. If a player has placed an ante wager and an aces up wager but does not make a play wager, the player shall forfeit the ante wager but shall not forfeit the aces up wager.

(c) After each player has either placed a play wager on the designated area of the layout or forfeited his or her ante wager, the dealer shall collect all forfeited ante wagers. The dealer shall collect the cards of any player who forfeited his or her ante wager and also did not make an aces up wager, placing the cards in the discard rack.

(d) The dealer shall then reveal the dealer's cards and select the four cards that form the highest possible ranking hand. The dealer shall then, starting with the player farthest to his or her right whose hand is still active, reveal the cards of each player and select the four cards that form the highest possible ranking hand for each

player. The dealer shall then collect all losing ante, play and aces up wagers.

(e) The dealer shall then settle the wagers remaining on the table by complying with either (e)1 or 2 below. A casino licensee shall identify in its gaming submission which alternative the dealer shall use. The dealer's cards shall be placed in the discard rack after all players' cards have been collected.

1. The dealer shall, for each of the following procedures, start with the player farthest to the dealer's right and continue counterclockwise around the table until the procedure has been completed as to all players:
  - i. Reveal the best four-card poker hand of each player;
  - ii. Collect all losing wagers;
  - iii. Pay each winning wager in accordance with the payout odds listed in N.J.A.C. 13:69F-27.11; and
  - iv. Collect all player hands and place them in the discard rack.
2. The dealer shall, starting with the player farthest to the dealer's right and continuing counterclockwise around the table, complete all of the following procedures as to each remaining player in succession:
  - i. Reveal the best four-card poker hand of the player;
  - ii. Collect losing wagers or pay winning wagers in accordance with the payout odds listed in N.J.A.C. 13:69F-27.11; and
  - iii. Collect the player's cards and place them in the discard

rack.

(f) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-27.11 Payout odds**

(a) There are three payout types as follows:

1. A player in competition against the dealer shall be paid 1 to 1 on both the ante wager and the play wager if the player's hand is either ranked higher than the dealer hand's or is of equal rank with the dealer's hand.
2. A player placing an ante wager and a play wager who has a three-of-a-kind or better shall be paid a bonus on the ante wager, regardless of whether the player's hand outranks the dealer's hand, at no less than the following odds:

<u>Hand Type</u>	<u>Payout Odds</u>
Four-of-a-Kind	25 to 1
Straight Flush	20 to 1
Three-of-a-Kind	2 to 1

3. A player shall be paid for an aces up wager if the player's best four-card poker hand is a qualifying hand type below, regardless of whether the player's hand outranks the dealer's hand, at no less than the odds in accordance with one of the following payout tables:

<u>Hand Type</u>	<u>Table I</u>	<u>Table II</u>	<u>Table III</u>	<u>Table IV</u>
Four-of-a-Kind	50 to 1	50 to 1	50 to 1	50 to 1

Straight Flush	40 to 1	40 to 1	30 to 1	30 to 1
Three-of-a-Kind	9 to 1	7 to 1	9 to 1	7 to 1
Flush	6 to 1	6 to 1	6 to 1	6 to 1
Straight	4 to 1	5 to 1	4 to 1	5 to 1
Two Pair	2 to 1	2 to 1	2 to 1	2 to 1
Pair of Aces	1 to 1	1 to 1	1 to 1	1 to 1

<u>Hand Type</u>	<u>Table V</u>	<u>Table VI</u>	<u>Table VII</u>
Four-of-a-Kind	50 to 1	50 to 1	50 to 1
Straight Flush	40 to 1	40 to 1	40 to 1
Three-of-a-Kind	8 to 1	8 to 1	7 to 1
Flush	5 to 1	6 to 1	5 to 1
Straight	4 to 1	4 to 1	4 to 1
Two Pair	3 to 1	2 to 1	3 to 1
Pair of Aces	1 to 1	1 to 1	1 to 1

### **13:69F-27.12 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If one or more of the dealer's cards is inadvertently exposed prior to the dealer revealing his or her cards as prescribed in N.J.A.C. 13:69F-27.10(d), all hands shall be void and the cards shall be reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be

utilized at that table.

## **SUBCHAPTER 28. TEXAS HOLD 'EM BONUS POKER**

### **13:69F-28.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means the initial wager required to be made prior to any cards being dealt in order to participate in the round of play.

“Bonus wager” means the optional, supplemental wager on the two cards dealt to a player.

“Burn” means to remove the top or next card from the deck and place it face down in the discard rack without revealing it to anyone.

“Community cards” means any of the five cards dealt face up in the center of the table that are used by each player and the dealer with their own two cards to form the best possible five-card poker hand.

“Flop” means the first three community cards dealt face up to the area designated for the placement of the community cards.

“Flop wager” means the second wager, equal to twice the amount of the player’s ante, that is required to be made prior to the flop being dealt in order to continue participation in the round of play.

“Fold” means the withdrawal of a player from a round of play by discarding his or her two cards prior to placing the flop wager.

“Hand” means the highest ranking five-card hand that can be formed from the five community cards and the two cards dealt to the dealer or a player.

“Push” means a tie, as defined in N.J.A.C. 13:69F-28.10(h)3.

“Rank” or “ranking” means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-28.5.

“River” or “river card” means the fifth and final community card dealt face up to the designated area of the layout.

“River wager” means the fourth wager, equal to the amount of the player’s ante, that the player may place prior to the river card being dealt.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected in accordance with the rules of this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

“Turn” or “turn card” means the fourth community card dealt face up to the designated area of the layout.

“Turn wager” means the third wager, equal to the amount of the player’s ante, that a player may place prior to the turn card being dealt.

**13:69F-28.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of Texas hold 'em bonus poker shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and two additional solid yellow or green cover cards.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of N.J.A.C. 13:69E-1.17;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continually alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-28.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-38.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-28.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

#### **13:69F-28.4 Shuffle and cut of the cards**

(a) Immediately prior to commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-28.7, 28.8, or 28.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-28.7, 28.8, or 28.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a Texas hold 'em bonus poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-28.3(c) and, if applicable, (d) shall be completed.

**13:69F-28.5 Texas hold 'em bonus poker hand rankings**

(a) The rank of the cards used in Texas hold 'em bonus poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or "straight" formed with a two, three, four, and five.

(b) The permissible five-card poker hands at the game of Texas hold 'em bonus poker, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with ace, king, queen, jack, and 10 being the highest ranking straight flush and ace, two, three, four, and five being the lowest straight flush;
3. "Four of a kind" is a hand consisting of four cards of the same rank, with four aces being the highest ranking four of a kind and four twos being the lowest ranking four of a kind;
4. "Full house" is a hand consisting of a "three of a kind" and a "pair" with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
5. "Flush" is a hand consisting of five cards of the same suit, not in

consecutive order, with ace, king, queen, jack and nine being the highest ranking flush and two, three, four, five, and seven being the lowest ranking flush;

6. "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two, and three);
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three of a kind and three twos being the lowest ranking three of a kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
9. "One pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical poker rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand which contains the highest ranking card as provided in (a) above which

is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a push.

**13:69F-28.6 Wagers**

(a) All wagers at Texas hold 'em bonus poker shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-28.7, 28.8, or 28.9. Except as provided in N.J.A.C. 13:69F-28.10, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Upon placing an ante wager, a player may also place a bonus wager by placing, at a minimum, a \$1.00 gaming chip on the designated betting area of the layout. The outcome of the bonus wager shall have no bearing on any other wager made by the player at the game of Texas hold 'em bonus poker.

(d) Flop, turn and river wagers shall be made in accordance with the provisions of N.J.A.C. 13:69F-28.10.

(e) Only players who are seated at the Texas hold 'em bonus poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-28.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-28.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to the area designated for the dealer's hand under a cover card.

(e) After two cards have been dealt to each player and to the area designated for the hand of the dealer, and after all community cards have been dealt in accordance with the provisions of N.J.A.C. 13:69F-28.10, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub

in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the area designated for the placement of the dealer's cards has more or less than two cards) but 52 cards remain in the deck, all hands are void pursuant to N.J.A.C. 13:69F-28.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(g) Notwithstanding the provisions of (f) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in

accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-28.8 Procedure for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Texas hold 'em bonus poker from his or her hand.

(b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-28.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to the area designated for the dealer's hand under a cover card.

(d) After two cards have been dealt to each player and to the area designated for the hand of the dealer and after all community cards have been dealt in accordance with the provisions of N.J.A.C. 13:69F-28.10, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-28.7(f).

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-28.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Texas hold 'em bonus poker dealt from an automated dealing shoe which dispenses cards in stacks of two cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-28.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-28.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-28.6. The dealer shall then place a cover card on top of the dealer's stack of two cards in the automated dealing shoe and deliver the stack face down with the cover card on top to the area designated for the dealer's hand.

(d) After each stack of two cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures set forth in N.J.A.C. 13:69F-28.8(b)2 and 3, deal from his or hand the five community cards in accordance with the provisions of N.J.A.C. 13:69F-28.10. After all community cards have been dealt, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-28.7(f).

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-28.10 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-28.7, 28.8, or 28.9 have been completed, each player shall examine his or her cards without exposing them to any person, replace the cards face down on the layout and either place a flop wager or fold and forfeit the ante wager.

1. If a player chooses to place a flop wager, the wager shall be placed in the designated flop betting area.
2. If a player folds, the player's ante shall be collected by the dealer and placed in the table inventory container.
  - i. If the player has also placed a bonus wager, the player's cards shall remain on the table pending resolution of the bonus wager at the conclusion of the round of play.
  - ii. If no bonus wager has been made, the dealer shall immediately spread the cards of the folded hand face down, collect the cards and place them in the discard rack.

(b) Once all players have either placed a flop wager or folded, the dealer shall burn the next card face down. The dealer shall then turn face up the next three cards in the deck (the flop) and place them in the designated area for the community cards.

(c) Prior to revealing the turn card, the dealer shall, starting with the player farthest to the dealer's left who has placed a flop wager and proceeding around the table in a clockwise manner, ask each player who has placed a flop wager if he or she

wishes to place a turn wager or check (not place a turn wager). If a player wishes to place a turn wager, the wager shall be placed in the designated turn betting area.

(d) Once all remaining players have either placed a turn wager or checked, the dealer shall burn the next card face down. The dealer shall then turn face up the next card in the deck (the turn) and place it in the designated area for the community cards.

(e) Prior to revealing the river card, the dealer shall, starting with the player farthest to the dealer's left who has placed a flop wager and proceeding around the table in a clockwise manner, ask each player if he or she desires to place a river wager or check (not place a river wager). If a player wishes to place a river wager, the wager shall be placed in the designated river betting area.

(f) Once all remaining players have either placed a river wager or checked, the dealer shall burn the next card face down. The dealer shall then turn the next card in the deck (the river) face up and place it in the designated area for the community cards.

(g) The dealer shall remove the cover card on top of the dealer's cards and place it on the table layout. The dealer shall then turn the dealer's two cards face up, and announce and place the cards to indicate the best possible five-card poker hand that can be formed using the dealer's two cards and the five community cards.

(h) Starting with the player farthest to the dealer's right who has placed a flop wager and proceeding in a counterclockwise manner around the table, the dealer

shall turn face up the two cards of each player who has placed a flop wager and announce the best possible five-card poker hand that can be formed using the two player cards and the five community cards. The wagers of each player shall be resolved one player at a time regardless of outcome. Unless a player has placed a bonus wager, the hand of the player shall then be immediately collected by the dealer and placed in the discard rack.

1. If the player's five-card poker hand has a lower rank than the dealer's five-card poker hand, the player shall lose and the dealer shall immediately collect any ante, flop, turn and river wagers made by the player and place the wagers in the table inventory container.
2. If the player's five-card poker hand has a higher rank than the dealer's five-card poker hand, the player shall win and the dealer shall pay any ante, flop, turn and river wagers made by the player in accordance with the payout odds set forth in N.J.A.C. 13:69F-28.11; provided, however, that the ante wager shall not be paid unless the player's winning hand has a rank, at the election of the casino licensee, of straight or higher or flush or higher.
3. If the player's five-card poker hand and the dealer's five-card poker hand are of equal rank, the player's hand shall be a push. In such case, the dealer shall not collect or pay the player's wagers.
4. After settling a player's ante, flop, turn, and river wagers, the

dealer shall settle any bonus wager made by the player by determining whether the player's two cards qualify for a payout in accordance with N.J.A.C. 13:69F-28.11(c). A winning bonus wager shall be paid without regard to the outcome of any other wager made by the player. After the bonus wager of the player is settled, the dealer shall immediately collect the cards of that player and place them in the discard rack.

(i) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-28.11 Payout odds**

(a) The payout odds for winning wagers at Texas hold ‘em bonus poker printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) A casino licensee shall pay each winning ante, flop, turn and river wager at odds of 1 to 1.

(c) A casino licensee shall pay each winning bonus wager at the game of Texas hold ‘em bonus poker at no less than the odds set forth below:

<u>Player’s Two Cards</u>	<u>Payout Odds</u>
Ace-Ace	30 to 1
Ace-King (same suit)	25 to 1
Ace-Queen or Ace-Jack (same suit)	20 to 1
Ace-King (different suits)	15 to 1
King-King, Queen-Queen or Jack-Jack	10 to 1
Ace-Queen or Ace-Jack (different suits)	5 to 1
10-10 through Two-Two (pair)	3 to 1

(d) A casino licensee may, in its discretion, supplement the pay table set forth in (c) above to include a payout for when both a player and the dealer have a pair of aces. In such case, the player shall be paid at odds of no less than 1,000 to 1.

(e) Notwithstanding the payout odds set forth in (b) through (d) above, the

aggregate payout limit on all winning ante, flop, turn, river and bonus wagers for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

### **13:69F-28.12 Irregularities**

(a) If any card dealt to the dealer in Texas hold 'em bonus poker is exposed prior to each player having either folded or placed a flop, turn or river wager pursuant to N.J.A.C. 13:69F-28.10, all hands shall be void. Notwithstanding the foregoing, if a player has placed a bonus wager, such wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-28.11(c).

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. Notwithstanding the foregoing, if the card(s) are found face up after each player and the dealer has received their initial two cards, any bonus wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-28.11(c).

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void and the cards shall be reshuffled. If the dealer is dealt an incorrect number of cards, all players' hands shall be void unless the dealer can deal himself or herself the correct number of cards in sequence, provided that such cards have not already been turned face up.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-28.13 Prohibition against a player wagering on more than one player position**

A player shall not be permitted to wager on more than one player position at a Texas hold 'em bonus poker table.

## **SUBCHAPTER 29. FLOP POKER**

### **13:69F-29.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means the initial wager, required to be made by a player prior to any cards being dealt, that the player’s hand will qualify for a posted payout.

“Community cards” means the three cards dealt face down in the center of the table, two of which shall be used by each player with his or her own three cards to form the best possible player hand.

“Flop wager” means the optional additional wager, equal in amount to the player’s ante wager and placed prior to exposure of the community cards by the dealer that the player’s hand will qualify for a posted payout.

“Hand” or “player hand” means the highest ranking five-card poker hand that can be formed using two of the three community cards and the three cards dealt to a player.

“Pot wager” means the initial wager, required to be made by a player prior to any cards being dealt, that the player’s hand will be the highest ranking player hand at the table during the round of play.

“Rank” or “ranking” means the relative position of a card or hand as set forth in N.J.A.C. 13:69F-29.5.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have placed their wagers, been dealt a hand and had their

wagers paid or collected in accordance with the rules of this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

“Surrender” means the decision of a player to forfeit his or her ante wager prior to the dealer exposing the community cards.

“Three-card bonus wager” means the optional wager a player may make prior to any cards being dealt to the player that will qualify for a payout in accordance with a posted pay table regardless of the outcome of any other wager made by the player.

“Tie hand” means a five-card poker hand that is of equal rank with another five-card poker hand during a round of play.

**13:69F-29.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of flop poker shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and one additional solid yellow or green cover card.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game provided that:

1. Each deck of cards complies with the requirements of N.J.A.C. 13:69E-1.17;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-29.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-29.4

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-29.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-29.4 Shuffle and cut the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack, provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-29.7, 29.8, or 29.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-29.7, 29.8, or 29.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a flop poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-29.3(c) and, if applicable, (d) shall be completed.

### **13:69F-29.5 Flop poker hand rankings**

(a) The rank of the cards used in flop poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a “straight flush” or a “straight” formed with a two, three, four, and five. An ace may not be used, however, with any other sequence of cards to form a “straight” (for example, queen, king, ace, two, and three).

(b) The permissible hands at the game of flop poker, in order of highest to lowest rank, shall be:

1. “Royal flush” is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. “Straight flush” is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and nine being the highest ranking straight flush and ace, two, three, four, and five being the lowest ranking straight flush;
3. “Four-of-a-kind” is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
4. “Full house” is a hand consisting of “three-of-a-kind” and a “pair,” with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;

5. "Flush" is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack, and nine being the highest ranking flush and two, three, four, five, and seven being the lowest ranking flush;
6. "Straight" is a hand consisting of five cards of consecutive rank, not all of the same suit, with ace, king, queen, jack, and 10 being the highest ranking straight and ace, two, three, four, and five being the lowest ranking straight;
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pairs and two threes and two twos being the lowest ranking two pairs; and
9. "Pair" is a hand containing two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands

are of identical rank after the application of this subsection, the hands shall be considered a tie.

(d) For purposes of the three-card bonus wager, the permissible three-card hands in the game of flop poker recognized for a payout in accordance with N.J.A.C.

13:69F-29.11(d) shall be:

1. "Royal 3" is a hand consisting of an ace, king, and queen of the same suit;
2. "Three-card straight flush" is a hand consisting of three cards of the same suit in consecutive ranking;
3. "Three-of-a-kind" is a hand consisting of three cards of the same rank regardless of suit;
4. "Three-card straight" is a hand consisting of three unsuited cards of consecutive rank; provided, however, that an ace may not be combined with a king and two;
5. "Three-card flush" is a hand consisting of three cards of the same suit, not in consecutive order; and
6. "One pair" is a hand is a hand consisting of two cards of the same rank.

**13:69F-29.6 Wagers**

(a) All wagers at flop poker shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Except as provided in N.J.A.C. 13:69F-29.10, all wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-29.7, 29.8, or 29.9, and no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Each player shall be required to place an ante wager and, unless there is only one player at the flop poker table, a pot wager.

(d) If a casino licensee offers a three-card bonus wager, each player may place a three-card bonus wager at the flop poker table.

(e) The outcome of any ante wager, three-card bonus wager, or any flop wager made by a player shall have no bearing on the pot wager of that player.

(f) Only players who are seated at a flop poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-29.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-29.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the community cards;
3. A second card face down to each player;
4. A second card face down to the area designated for the community cards;
5. A third card face down to each player; and
6. A third card face down to the area designated for the community cards.

(e) After three cards have been dealt to each player and to the area designated for the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the area designated for the placement of the community cards has more or less than three cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-29.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-29.8 Procedure for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play flop poker from his or her hand.

(b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-29.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the community cards;
3. A second card face down to each player;
4. A second card face down to the area designated for the community cards;
5. A third card face down to each player; and
6. A third card face down to the area designated for the community cards.

(d) After three cards have been dealt to each player and the area designated for the community cards, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-29.7(e) and (f).

**13:69F-29.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play flop poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-29.4 have been completed, the cards shall be placed in the automated dealing shoe; and
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-29.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-29.6. The dealer shall then deliver a stack of three cards face down to the area designated for the community cards.

(d) After each stack of three cards has been dispensed and delivered in

accordance with this section, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-29.7(e) and (f).

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-29.10 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-29.7, 29.8, or 29.9 have been completed, each player shall examine his or her cards without exposing them to any person, replace the cards face down on the layout and either place a flop wager or surrender the ante wager.

1. If a player chooses to place a flop wager, the wager shall be placed in the designated flop wager betting area.
2. If a player chooses to surrender his or her ante wager, the player's ante shall be collected by the dealer and placed in the table inventory container.

(b) Once each player has either placed a flop wager or surrendered his or her ante wager, the dealer shall turn the three community cards (the flop) face up in the designated area for the community cards.

(c) Starting with the player farthest to the dealer's right and proceeding in a counterclockwise manner around the table, the dealer shall, one player at a time, turn the three cards of each player face up, announce the best possible five-card hand that can be formed using the three cards of the player and two of the three community cards. In addition, if the casino licensee offers the three-card bonus wager, the dealer shall announce for each player who has placed such wager the best possible three-card hand that can be formed using only the three cards of the player. The dealer shall then

collect or pay any three card bonus wagers, if placed, and any ante and flop wagers remaining on the table in order as follows:

1. Three-card bonus wagers shall win and be paid by the dealer if the player's three cards form a hand recognized for payout in accordance with N.J.A.C. 13:69F-29.11(d). Losing three-card bonus wagers shall be collected by the dealer and placed in the table inventory container.
2. Ante and flop wagers shall lose if the best possible five-card hand that can be formed has a rank lower than a pair of jacks. Losing ante and flop wagers shall be collected by the dealer and placed in the table inventory container.
3. Ante and flop wagers shall win if the best possible five-card hand that can be formed has a rank of jacks or better. Winning ante and flop wagers shall be paid by the dealer in accordance with the payout odds set forth in N.J.A.C. 13:69F-29.11.

(d) After settling all remaining three-card bonus wagers, ante wagers and flop wagers, the dealer shall determine the player at the table with the highest ranking five-card hand and award that player the pot bets of all players. If the five-card hands of two or more players are of equal rank, the hand of each such player shall be a tie hand. In such case, the dealer shall award the pot wagers of all players in equal amounts to those players with a tie hand.

(e) After the pot wagers of all players have been awarded in accordance with

(d) above, the dealer shall immediately collect the cards of all players and the community cards and place them in the discard rack. All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-29.11 Payout odds**

(a) The payout odds for winning ante, flop and three-card bonus wagers printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) Each winning ante wager shall be paid at odds of 1 to 1.

(c) Each winning flop wager shall be paid once for the highest ranking qualifying hand that can be formed and at no less than the odds set forth below:

<u>Hand</u>	<u>Payout Odds</u>
Royal Flush	1,000 to 1
Straight Flush	500 to 1
Four-of-a-Kind	100 to 1
Full House	30 to 1
Flush	20 to 1
Straight	10 to 1
Three-of-a-Kind	4 to 1
Two Pair	2 to 1
Pair, Jacks or Better	1 to 1

(d) Each winning three-card bonus wager shall be paid once for the highest ranking qualifying three-card hand that can be formed and at no less than the odds set forth below:

<u>Hand</u>	<u>Payout Odds</u>
Royal 3	100 to 1
Straight Flush	50 to 1
Three-of-a-Kind	25 to 1
Straight	6 to 1
Flush	3 to 1
Pair	1 to 1

(e) Notwithstanding the payout odds set forth in (b) and (c) above, the aggregate payout limit for a player on winning ante and flop wagers on any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

### **13:69F-29.12 Irregularities**

(a) If any community card is exposed after each player has placed an ante and pot wager but prior to each player having either placed a flop wager or surrendered his or her ante wager, all ante and flop wagers shall be void. Notwithstanding the foregoing, the pot wagers of all players shall be awarded in accordance with the provisions of N.J.A.C. 13:69F-29.10.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. Notwithstanding the foregoing, if the card(s) are found face up after all cards have been dealt, the pot wagers of all players shall be awarded in accordance with the provisions of N.J.A.C. 13:69F-29.10.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already

dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-29.13 Prohibition against a player wagering on more than one player position**

A player shall not be permitted to wager on more than one player position at a flop poker table.

## **SUBCHAPTER 30. TWO-CARD JOKER POKER**

### **13:69F-30.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means a wager a player may make prior to any cards being dealt that the hand of the player will have a higher rank than the hand of the dealer.

“Call wager” means an additional wager a player who has placed an ante wager is required to make after receiving his or her two cards if the player elects to remain in competition against the hand of the dealer.

“Hand” means the two-card joker poker hand that is held by each player and the dealer after the cards are dealt.

“Rank” or “ranking” means the relative position of a card or hand as set forth in N.J.A.C. 13:69F-30.5.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have placed one or more wagers, been dealt a hand, and had their wagers paid or collected in accordance with the rules of this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

“Tie hand” means the two-card joker hand of a player is equal in rank to the two-

card joker poker hand of the dealer during a round of play.

**13:69F-30.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of two-card joker poker shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and two additional solid yellow or green cover cards.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game provided that:

1. Each deck of cards complies with the requirements of N.J.A.C. 13:69E-1.17;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

### **13:69F-30.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-30.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-30.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-30.4 Shuffle and cut the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack, provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-30.7, 30.8, or 30.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-30.7, 30.8, or 30.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a two-card joker poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-30.3(c) and, if applicable, (d) shall be completed.

### **13:69F-30.5 Two-card joker poker hand rankings**

(a) The rank of the cards used in two-card joker poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two. A joker may only be used to form a pair with the other joker or a non-joker card.

(b) The permissible hands at the game of two-card joker poker, in order of highest to lowest rank, shall be:

1. "Two jokers" is a hand consisting of two jokers;
2. "Royal flush" is a hand consisting of an ace and a king of the same suit;
3. "Straight flush" is a hand consisting of two cards of the same suit in consecutive ranking, other than an ace and a king, with a king and a queen being the highest ranking straight flush and an ace and a two being the lowest ranking straight flush;
4. "Straight" is a hand consisting of two cards, not of the same suit, in consecutive ranking, with an ace and a king being the highest ranking straight and an ace and a two being the lowest ranking straight;
5. "Pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair; provided, however,

that a hand consisting of one joker and one non-joker shall be ranked as a pair of the non-joker card;

6. "Flush" is a hand consisting of two cards of the same suit but not of consecutive rank, with an ace and a queen being the highest ranking flush and an ace and a three being the lowest ranking flush; and

7. "High card" is a hand that is not listed in (b)1 through 6 above, the value of which is determined by the higher ranking card in the hand.

(c) When comparing two hands which are of identical rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a tie.

### **13:69F-30.6 Wagers**

(a) All wagers at two-card joker poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Except as provided in N.J.A.C. 13:69F-30.10, all wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-30.7, 30.8, or 30.9, and no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) The following wagers may be placed in the game of two-card joker poker:

1. A player may compete solely against the dealer by placing an ante wager and, unless the player chooses to fold after receiving his or her cards, a call wager in accordance with N.J.A.C. 13:69F-30.10;
2. A player may compete solely against a posted pay table by placing a pair up wager and/or a super flush bonus wager; or
3. A player may compete against both the dealer and the posted pay table by placing wagers in accordance with (c)1 and 2 above.

(d) The outcome of an ante wager and, if placed, a call wager shall have no bearing on a pair up wager or a super flush bonus wager made by a player at the game of two-card joker poker.

(e) Only players who are seated at a two-card joker poker table may place a wager at the game. Once a player has placed a wager and received cards, that player

must remain seated until the completion of the round of play.

**13:69F-30.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-30.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to the area designated for the dealer's hand under a cover card.

(e) After two cards have been dealt to each player and to the area designated for the hand of the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. If the count of the stub indicates that 54 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the dealer has more or less than two cards) but 54 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-30.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-30.8 Procedure for dealing the cards from the hand**

- (a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play two-card joker poker from his or her hand.
- (b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:
  - 1. The casino licensee shall use an automated shuffling device to shuffle the cards.
  - 2. Once the procedures required by N.J.A.C. 13:69F-30.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
    - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
    - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
  - 3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.
- (c) The dealer shall, starting with the player farthest to his or her left and

continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to the area designated for the dealer's hand under a cover card.

(d) After two cards have been dealt to each player and the dealer, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-30.7(f).

**13:69F-30.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play two-card joker poker dealt from an automated dealing shoe which dispenses cards in stacks of two cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-30.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-30.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-30.6. The dealer shall then place a cover card on top of the dealer's stack of two cards in the automated dealing shoe and deliver the stack face down with the cover card on top to the area designated for the dealer's hand.

(d) After each stack of two cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the stub from the automated dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-30.7(f).

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 54 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-30.10 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-30.7, 30.8, or 30.9 have been completed, each player shall examine his or her cards without exposing them to any person and replace the cards face down on the layout.

(b) The dealer shall then, starting with the player farthest to the left of the dealer and moving clockwise around the table, offer each player who has placed an ante wager the option to either make a call wager in an amount equal to the player's ante or fold the hand and forfeit his or her ante wager.

(c) After each player has either placed a call wager or folded his or her hand, the dealer shall, starting with the player farthest to the right of the dealer and moving counterclockwise around the table, complete the following procedures in succession for each player:

1. If the player has placed either a pair up wager or a super flush wager, reveal the cards of the player and settle the pair up wager and/or the super flush wager in accordance with the provisions of N.J.A.C. 13:69F-30.11(d) and (e); and
2. If the player has folded his or her hand, collect the ante wager and cards of the player and place the cards in the discard rack.

(d) The dealer shall then remove the cover card from the dealer's hand, reveal his or her cards and, starting with the player farthest to the right of the dealer and continuing counterclockwise around the table, complete the following applicable procedures in succession for each player with wagers remaining on the table:

1. If the dealer does not have a qualifying hand of queen or higher, the dealer shall:
  - i. Pay the player 1 to 1 on the ante wager;
  - ii. Return the call wager of the player; and
  - iii. Collect the cards of the player and place them in the discard rack; or
2. If the dealer has a qualifying hand of queen or higher, the dealer shall:
  - i. Unless the hand of the player was revealed pursuant to (c)1 above, reveal the cards of the player;
  - ii. Collect the ante and call wagers of the player if the hand of the dealer is ranked higher than the hand of the player;
  - iii. Pay the ante and call wagers of the player in accordance with the payout odds listed N.J.A.C. 13:69F-30.11 if the hand of the player is ranked higher than the hand of the dealer; and
  - iv. Collect the cards of the player and place them in the discard rack.

(e) Upon completion of the procedures in (d)1 or 2 above, the dealer shall place the cards of the dealer in the discard rack.

(f) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each

hand in the event of a question or dispute.

**13:69F-30.11 Payout odds**

(a) The payout odds for winning ante, call, pair up, and super flush bonus wagers printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word “to” or “win,” and no odds shall be stated through the use of the word “for.”

(b) A player shall be paid 1 to 1 on an ante wager if:

1. The player placed a call wager and the dealer does not have a qualifying hand rank of “queen or higher;” or
2. The dealer has a qualifying hand rank of “queen or higher” and the hand of the player is ranked higher than the hand of the dealer.

(c) If the dealer does not have a qualifying hand rank of “queen or higher,” the call wager of a player shall be returned to the player. If the dealer has a qualifying hand rank of “queen or higher,” the call wager of a player shall be paid in accordance with the following pay table if the hand of the player is ranked higher than the hand of the dealer:

<u>Player’s Hand</u>	<u>Payout Odds</u>
Pair of Jokers	8 to 1
Royal Flush	5 to 1
Straight Flush	3 to 1
Straight or less	1 to 1

(d) A winning pair up wager shall be paid in accordance with the one of following pay tables pre-selected by the casino licensee:

<u>Player's Hand</u>	<u>Table 1</u>	<u>Table 2</u>	<u>Table 3</u>
Pair of Jokers	40 to 1	50 to 1	40 to 1
Royal Flush	20 to 1	25 to 1	30 to 1
Straight Flush	5 to 1	4 to 1	4 to 1
Straight	3 to 1	3 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1

(e) A winning super flush bonus wager shall be paid in accordance with the following pay table:

<u>Player's Hand</u>	<u>Payout Odds</u>
Royal Flush	30 to 1
Straight Flush	5 to 1
Ace high Flush	3 to 1
King high Flush	2 to 1
Flush	1 to 1
Straight	Push
Pair (including pair of jokers)	Push

(f) If a player and the dealer have a tie hand, the player's ante and call wagers are a push and shall be returned to the player.

### **13:69F-30.12 Irregularities**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(b) A card dealt in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(c) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards shall be reshuffled.

(d) If one or both of the dealer's cards is inadvertently exposed prior to the dealer revealing his or her cards as prescribed in N.J.A.C. 13:69F-30.10(d), all hands shall be void and the cards shall be reshuffled.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be

utilized at that table.

## **SUBCHAPTER 31. ASIA POKER**

### **13:69F-31.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Copy hand” means either a high hand, medium hand or low hand of a player that is identical in rank to the corresponding high hand, medium hand or low hand of the dealer.

“High hand” means the four-card hand formed by the player or dealer from the seven cards that he or she is dealt, so that the four-card hand is higher in rank than the medium hand and low hand.

“Low hand” means the one-card hand formed by the player or dealer from the seven cards that he or she is dealt, so that the one-card hand is lower in rank than the high hand and the medium hand.

“Medium hand” means the two-card hand formed by the player or dealer from the seven cards that he or she is dealt so that the two-card hand is lower in rank than the high hand and higher in rank than the low hand.

“Rank or ranking” means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-31.3.

“Set or setting the hands” means the process of forming a high hand, medium hand, and low hand from the seven cards that are dealt to a player or the dealer.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade.

**13:69F-31.2 Cards; number of decks**

(a) Except as provided in (b) below, Asia poker shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17, including one joker, and one additional cutting card and one additional cover card. The cutting card and cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. Nothing in this section or N.J.A.C. 13:69E-1.17 shall prohibit a casino licensee from using decks that are manufactured with two jokers provided that only one joker is used for gaming at Asia poker.

(b) If an automated card shuffling device is used for Asia poker, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from one deck only shall be placed in the discard rack at any given time.

**13:69F-31.3 Asia poker rankings; cards; poker hands**

(a) The rank of the cards used in Asia poker, in order from highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a “straight flush” or a “straight” formed with a two, three and four. Except as otherwise provided in (c) below, the joker shall be used and ranked as an ace.

(b) The permissible poker hands at the game of Asia poker, in order from highest to lowest rank, shall be:

1. “Four aces” is a high hand consisting of all four aces or three aces and the joker;
2. “Royal flush” is a high hand consisting of an ace, king, queen, and jack of the same suit;
3. “Straight flush” is a high hand consisting of four cards of the same suit in consecutive ranking, with ace, two, three, and four being the highest ranking straight flush; king, queen, jack, and 10 being the second highest ranking straight flush, and five, four, three, and two being the lowest ranking straight flush;
4. “Four-of-a-kind” is a high hand consisting of four cards of the same rank regardless of suit, with four kings being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;

5. "Flush" is a high hand consisting of four cards of the same suit, and when comparing two flushes, the provisions of (e) below shall be applied;
6. "Straight" is a high hand consisting of four cards of consecutive rank, regardless of suit, with an ace, king, queen, and jack being the highest ranking straight; an ace, two, three, and four being the second highest ranking straight, and a five, four, three, and two being the lowest ranking straight;
7. "Three-of-a-kind" is a high hand containing three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a high hand containing two pairs, with two aces and two kings being the highest ranking two pairs and two threes and two twos being the lowest ranking two pairs; and
9. "Pair" is either a high hand or a medium hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) For purposes of setting the hands, a joker may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(d) Notwithstanding the provisions of (b) above, a casino licensee may, in its discretion, determine that a straight flush formed with an ace, two, three, and four of the same suit shall be the lowest ranking straight flush and that a straight formed with an ace, two, three, and four, regardless of suit, shall be the lowest ranking straight. If a casino licensee chooses to exercise this option, it shall so indicate in its Rules of the Games Submission.

(e) When comparing two high hands, two medium hands, or two low hands that are of identical poker hand rank pursuant to the provisions of this section, or that contain none of the poker hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above not contained in the other hand shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this subsection, the hands shall be considered a copy hand.

**13:69F-31.4 Asia poker shaker and dice; computerized random number generator; button**

(a) The starting position for the dealing or delivery of cards in Asia poker shall be determined by using one of the following methods:

1. Three dice and an Asia poker shaker, which shall meet the requirements of N.J.A.C. 13:69E-1.15 and 1.13T(d), respectively, and be used in accordance with N.J.A.C. 13:69E-1.13T(d) and 13:69F-31.11(b).
  - i. The three dice shall be maintained at all times within the Asia poker shaker.
  - ii. The Asia poker shaker and the dice contained therein shall be the responsibility of the dealer and shall never be left unattended while at the table.
  - iii. No dice that have been placed in an Asia poker shaker for use in gaming shall remain on a table for more than 24 hours;
2. A computerized random number generator that, in accordance with N.J.A.C. 13:69E-1.13T(e) and 13:69F-31.11(c), shall automatically select and display a number from 1 through 7 inclusive; or
3. If an automated card shuffling device and dealing shoe is used pursuant to N.J.A.C. 13:69F-31.10 and 31.11(d), a button that is

moved by the dealer clockwise around the table as each round of play is completed.

**13:69F-31.5 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) If the deck of cards used by the casino licensee contains two jokers, the dealer and a casino supervisor shall ensure that only one joker is utilized and that the other joker is torn in half and discarded. Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence and shall include one joker.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing or chemmy shuffle of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-31.6.

(d) If a casino licensee uses an automated card shuffling device to play the game of Asia poker and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-31.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above immediately prior to the commencement of play.

**13:69F-31.6 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards either manually or by use of an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the cards directly into an automated or manual dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-31.8, 31.9, or 31.10; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;

- ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;
  - iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-31.8, 31.9, or 31.10.

(d) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at an Asia poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures set forth in N.J.A.C. 13:69F-31.5(c) shall be completed.

**13:69F-31.7 Wagers**

(a) All wagers at Asia poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting area of the Asia poker layout. A verbal wager accompanied by cash shall not be accepted at the game of Asia poker.

(b) Only players who are seated at the Asia poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

(c) All wagers at Asia poker shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures set forth in N.J.A.C. 13:69F-31.8, 31.9 or 31.10. No wager at Asia poker shall be made, increased or withdrawn after the dealer has announced “no more bets.”

**13:69F-31.8 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-31.6 have been completed, the cards shall be placed in the manual dealing shoe and the dealer shall announce “no more bets.”

(b) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-31.11, determine the starting position for dealing the cards.

(c) After the starting position for dealing the cards has been determined, each card shall be removed from the dealing shoe with the left hand of the dealer and placed face down on the appropriate area of the layout with the right hand of the dealer. The dealer shall deal the first card to the starting position as determined in (b) above and, moving clockwise around the table, deal a card to all other positions, including the dealer, regardless of whether there is a wager at the position. The dealer shall then return to the starting position and deal a second card in a clockwise rotation and shall continue dealing until each position, including the dealer, has seven cards.

(d) After seven cards have been dealt to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left.

1. If four cards remain, the four cards shall not be exposed to anyone and shall be placed in the discard rack. The dealer shall then collect any cards dealt to a position where there is no wager and place them in the discard rack without exposing the cards.

2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a player or the dealer has more or less than seven cards, all hands shall be void pursuant to N.J.A.C. 13:69F-31.14. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-31.9 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Asia poker from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-31.6 have been completed, the dealer shall place the deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
2. The dealer shall then announce "no more bets" prior to dealing seven stacks of seven cards each to the area in front of the table inventory container. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall deal the first seven cards moving from left to right and the second seven cards moving from right to left and shall continue alternating in this manner until there are seven stacks of seven cards.

(d) After seven stacks of seven cards have been dealt, the dealer shall determine whether exactly four cards are left by spreading them face down on the layout.

1. If four cards remain, the cards shall not be exposed to anyone at the table and shall be placed in the discard rack.
2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void and the cards reshuffled. If the cards have not been misdealt, the round of play shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C.

13:69E-1.18.

(e) Once the dealer has completed dealing the seven stacks and placed the four remaining cards in the discard rack, the dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-31.11, determine the starting position for delivering the stacks of cards.

(f) After the starting position for delivering the stacks of cards has been determined, the dealer shall deliver the first stack to the starting position as determined in (e) above and, moving clockwise around the table, deliver the remaining stacks in order to all positions, including the dealer, regardless of whether there is a wager at the position. In delivering the stacks, the stack farthest to the left of the dealer shall be

considered the first stack, and the stack farthest to the right of the dealer shall be considered the seventh stack. The dealer shall deliver each stack face down.

(g) After the seven stacks have been delivered to each position, including the dealer, the dealer shall collect any stacks dealt to a player position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-31.10 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Asia poker dealt from an automated dealing shoe that dispenses cards in stacks of seven cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-31.6 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "no more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-31.11, determine the starting position for delivering the stacks of cards.

(d) Once the starting position has been determined in accordance with (c) above, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall deliver a stack in turn to each of the other positions, including the dealer, moving clockwise around the table, whether or not there is a wager at the position. The dealer shall deliver each stack face down.

(e) After the seven stacks of seven cards have been dispensed and delivered to each position, including the dealer, the dealer shall remove the remaining cards from the shoe and determine whether exactly four cards are left by spreading them face down on the layout.

1. If four cards remain, the cards shall not be exposed to anyone at the table and shall be placed in the discard rack. The dealer shall then collect any stacks dealt to a position where there is no wager and place them in the discard rack without exposing the cards.
2. If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt and a stack has more or less than seven cards, the round of play shall be void and the cards reshuffled. If the cards have not been misdealt, the round of play shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C.

13:69E-1.18.

**13:69F-31.11 Procedure for determining the starting position for dealing cards or delivering stacks of cards**

(a) In order to determine the starting position for the dealing of cards or the delivery of stacks of cards for the game of Asia poker, a casino licensee may, in its discretion, use the procedure authorized in (b), (c), or (d) below.

(b) The dealer shall shake the Asia poker shaker and dice described in N.J.A.C. 13:69F-31.4 at least three times so as to cause a random mixture of the dice.

1. The dealer shall then remove the lid covering the Asia poker shaker, total the dice and announce the total.
2. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the total of the three dice.
3. Examples are as follows:
  - i. If the dice total eight, the dealer would receive the first card or stack of cards; or
  - ii. If the dice total 14, the sixth betting position would receive the first card or stack of cards.
4. After the dealing or delivery of the cards has been completed in accordance with the procedures set forth in N.J.A.C. 13:69F-31.8, 31.9, or 31.10, the dealer shall place the cover on the Asia poker

shaker and shake the shaker once. The Asia poker shaker shall then be placed to the right of the dealer.

(c) The dealer may use a computerized random number generator approved by the Division to select and display a number from 1 through 7 inclusive, and verbally announce the number. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the number displayed by the random number generator.

(d) If an automated card shuffling device and dealing shoe is used pursuant to N.J.A.C. 13:69F-31.10, the dealer may use a flat disc button approved by the Division to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(e) After the starting position for a round of play has been determined, a casino licensee may, in its discretion, mark that position by the use of an additional cut card or similar object.

**13:69F-31.12 Procedures for completion of each round of play; setting of hands; payment and collection of wagers**

(a) After the dealing of the cards has been completed, each player shall set his or her hands by arranging the cards into a high hand, medium hand, and low hand. When setting the three hands, the high hand shall be higher in rank than the medium hand, and the medium hand shall higher in rank than the low hand. For example, if the medium hand contains a pair of sevens, the high hand must contain at least a pair of sevens and the two remaining cards.

(b) Each player at the table shall be responsible for setting his or her own hands and no other person except the dealer may touch the cards of that player. Notwithstanding the foregoing, if a player requests assistance in the setting of his or her hands, the dealer may inform the requesting player of the manner in which the casino licensee requires the hands of the dealer to be set in its Rules of the Games Submission. Each player shall be required to keep the seven cards in full view of the dealer at all times. Once each player has set a high, medium and low hand and placed the three hands face down on the appropriate area of the layout, the player shall not touch the cards again.

(c) After all players have set their hands and placed the cards on the table, the seven cards of the dealer shall be turned over and the dealer shall set his or her hands by arranging the cards into a high, medium, and low hand. The dealer shall then place the three hands face up on the appropriate area of the layout.

(d) Each casino licensee shall submit to the Division in its Rules of the Games Submission the manner in which it will require the hands of the dealer to be set.

(e) A player may announce that he or she wishes to surrender his or her wager prior to the dealer exposing any of the three hands of that player pursuant to (f) below. Once the player has announced his or her intention to surrender, the dealer shall:

1. Immediately collect the wager from that player; and
2. Collect the seven cards dealt to that player without exposing the cards to anyone at the table. The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(f) Once the dealer has set a high hand, medium hand and low hand pursuant to (d) above, the dealer shall expose all three hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the high, medium and low hand of each player to the high, medium, and low hand of the dealer and shall announce if the Asia poker wager of that player shall win or lose.

(g) All losing Asia poker wagers shall be immediately collected by the dealer and put in the table inventory container. All losing Asia poker hands shall also be collected. An Asia poker wager made by a player shall lose if:

1. Any two of the player's three hands are identical (copy hand) or lower in rank than the dealer's corresponding hands;
2. Any one of the player's three hands is identical in rank to the corresponding hand of the dealer and one of the player's

remaining hands is lower in rank than the dealer's corresponding hand;

3. The high hand of the player was not set so as to rank higher than his or her medium hand, or the medium hand of the player was not set so as to rank higher than his or her low hand; or
4. The three hands of the player were not otherwise set correctly in accordance with the rules of the game (for example, a player forms a one-card medium hand and a five-card high hand).

(h) All hands that result in a winning Asia poker wager shall be immediately paid by the dealer from the table inventory container. After being paid, winning Asia poker hands shall also be collected. The dealer shall pay all winning wagers and collect all losing wagers, in order, beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. An Asia poker wager made by a player shall win if any two of the player's three hands are higher in rank than the dealer's corresponding hands.

(i) A winning Asia poker wager shall be paid off by a casino licensee at odds of 1 to 1.

(j) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

**13:69F-31.13 A player wagering on more than one betting area**

(a) A casino licensee may, in its discretion, permit a player to wager on no more than two betting areas at an Asia poker table, which areas must be adjacent to each other.

(b) If a casino licensee permits a player to wager on two adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall be required to rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked and set and placed face down on the appropriate area of the layout, the hand may not be changed.

**13:69F-31.14 Irregularities; invalid roll of the dice**

(a) If the dealer uncovers the Asia poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a “no roll” and reshake the dice.

(b) If the dealer uncovers the Asia poker shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card or delivers the first stack to the wrong position, all hands shall be called dead and the dealer shall reshuffle the cards.

(d) If the dealer exposes any of the cards dealt to a player, the player has the option of voiding the hand. Without looking at the unexposed cards, the player shall make the decision either to play out the hand or to void the hand.

(e) If a card or cards in the hand of the dealer is exposed, all hands shall be void and the cards shall be reshuffled.

(f) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found turned face up in the shoe, all hands shall be void and the cards shall be reshuffled.

(g) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe.

(h) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(i) If the dealer does not set his or her hands in the manner submitted to the Division pursuant to N.J.A.C. 13:69F-31.12, the hands must be reset in accordance with this submission and the round of play completed.

(j) If a card is exposed while the dealer is dealing the seven stacks in accordance with N.J.A.C. 13:69F-31.9, the cards shall be reshuffled.

(k) If cards are being dealt from the hand and the dealer fails to deal the seven stacks in accordance with N.J.A.C. 13:69F-31.9(c), the cards shall be reshuffled.

(l) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(m) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void, and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(n) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 32. ULTIMATE TEXAS HOLD 'EM**

### **13:69F-32.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means an initial wager, separate from but equal in amount to the player’s blind wager, required to be made prior to any cards being dealt in order to participate in the round of play.

“Blind” or “blind wager” means an initial wager, separate from but equal in amount to the player’s ante, required to be made prior to any cards being dealt in order to participate in the round of play.

“Burn” means to remove the top or next card from the deck and place it face down in the discard rack without revealing it to anyone.

“Check” means that the player waives the right to place a play wager but remains in the round of play.

“Community card” means any of the five cards dealt face up in the center of the table, all of which may be used by each player and the dealer together with his or her own two cards to form the best possible five-card poker hand.

“Flop” means the first three community cards dealt face up in the area designated for the placement of the community cards.

“Fold” means the withdrawal of a player from a round of play by discarding his or her two cards and not making a play wager.

“Hand” or “poker hand” means the highest ranking five-card hand that can be formed from the five community cards and the two cards dealt to the dealer or a player.

“Play wager” means a wager made after two cards have been dealt to each player and the dealer, which wager can be made before the flop is dealt, after the flop is dealt but before the final two community cards are dealt, or after the final two community cards are dealt but before the dealer reveals his or her two cards.

“Push” means a tie, as defined in N.J.A.C. 13:69F-32.10(h)3.

“Rank” or “ranking” means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-32.5.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected in accordance with the rules of this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart or spade, with no suit being higher in rank than another.

“Trips wager” means an optional wager that a player may make prior to any cards being dealt that the player’s best five-card hand will be a three-of-a-kind or better, with a winning trips wager being paid in accordance with a posted pay table regardless of the outcome of the player’s hand against the dealer’s hand.

**13:69F-32.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of ultimate Texas hold 'em shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and two additional solid yellow or green cover cards.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of N.J.A.C. 13:69E-1.17;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continually alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-32.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-32.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-32.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-32.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack, provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-32.7, 32.8, or 32.9; or
2. If the cards were shuffled manually, cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of a cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-32.7, 32.8, or 32.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at an ultimate Texas hold 'em table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures set forth in N.J.A.C. 13:69F-32.3(c) and, if applicable, (d) shall be completed.

**13:69F-32.5 Ultimate Texas hold 'em hand rankings**

(a) The rank of the cards used in ultimate Texas hold 'em, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two, three, four, and five.

(b) The permissible poker hands at the game of ultimate Texas hold 'em, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with ace, king, queen, jack, and 10 being the highest ranking five-card straight flush and ace, two, three, four, and five being the lowest ranking five-card straight flush;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
4. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair" with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;

5. "Flush" is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack, and nine being the highest ranking flush and two, three, four, five, and seven being the lowest ranking flush;
6. "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, two and three);
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
9. "One pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical poker rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a push.

**13:69F-32.6 Wagers**

(a) All wagers at ultimate Texas hold 'em shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All ante, blind and trips wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-32.7, 32.8 or 32.9. Except as provided in N.J.A.C. 13:69F-32.10, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Upon placing an ante wager and a blind wager, a player may also place a trips wager by placing a wager on the designated betting area of the layout. The outcome of the trips wager shall have no bearing on any other wager made by the player at the game of ultimate Texas hold 'em.

(d) Play wagers shall be made in accordance with the provisions of N.J.A.C. 13:69F-32.10.

(e) Only players who are seated at the ultimate Texas hold 'em poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-32.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-32.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) The dealer shall announce “No more bets” prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player who has placed wagers in accordance with N.J.A.C. 13:69F-32.6;
2. One card face down to the area designated for the dealer’s hand under a cover card;
3. A second card face down to each player who has placed wagers in accordance with N.J.A.C. 13:69F-32.6; and
4. A second card face down to an area designated for the dealer’s hand under a cover card.

(e) After two cards have been dealt to each player and to the area designated for the dealer’s hand, and after all community cards have been dealt in

accordance with the provisions of N.J.A.C. 13:69F-32.10, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the area designated for the placement of the dealer's hand has more or less than two cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-32.13. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-32.8 Procedure for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play ultimate Texas hold 'em from his or her hand.

(b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-32.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player who has placed wagers in accordance with N.J.A.C. 13:69F-32.6;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player who has placed wagers in accordance with N.J.A.C. 13:69F-32.6; and
4. A second card face down to the area designated for the dealer's hand under a cover card.

(d) After two cards have been dealt to each player and the area designated for the hand of the dealer and all community cards have been dealt in accordance with the provisions of N.J.A.C. 13:69F-32.10, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-32.7(f).

**13:69F-32.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play ultimate Texas hold 'em dealt from an automated dealing shoe which dispenses cards in stacks of two cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-32.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed wagers in accordance with N.J.A.C. 13:69F-32.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed wagers in accordance with N.J.A.C. 13:69F-32.6. The dealer shall then place a cover card on top of the dealer's stack of two cards in the automated dealing shoe and deliver the stack face down with the cover card on top to the area designated for the dealer's hand.

(d) After each stack of two cards has been dispensed and delivered in accordance with this subsection, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures set forth in N.J.A.C. 13:69F-32.8(b)2 and 3, deal from his or her hand the five community cards in accordance with the provisions of N.J.A.C. 13:69F-32.10. After all community cards have been dealt, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-32.7(f).

**13:69F-32.10 Procedures for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-32.7, 32.8, or 32.9 have been completed, each player shall examine his or her cards without exposing them to any person and replace the cards face down on the layout. The dealer shall then, starting with the player farthest to his or her left and proceeding in a clockwise manner around the table, ask each player if the player wishes to place a play wager prior to the dealing of the first three community cards. The player may either check or place a play wager in an amount equal to three or four times the amount of the player's ante wager.

1. If a player places a play wager, the wager shall be placed in the designated play betting area.
2. If a player checks, the player shall remain in the game and defer his or her decision to place a play wager to the next betting opportunity.

(b) Once all players have either placed a play wager or checked, the dealer shall burn the next card. The dealer shall then deal the next three cards in the deck (the flop) face up to the designated area for the community cards.

(c) After the flop has been dealt, the dealer shall, starting with the player farthest to his or her left and proceeding in a clockwise manner around the table, ask each player who has not placed a play wager if he or she wishes to place a play wager prior to the dealing of the final two community cards. The player may either check or

place a play wager in an amount equal to two times the amount of the player's ante wager.

1. If a player places a play wager, the wager shall be placed in the designated play betting area.
2. If a player checks, the player shall remain in the game and defer his or her decision to place a play wager to the next betting opportunity.

(d) Once all players have either placed a play wager or checked, the dealer shall burn the next card. The dealer shall then deal the next two cards in the deck face up to the designated area for the community cards.

(e) After the final two community cards have been dealt, the dealer shall, starting with the player farthest to his or her left and proceeding in a clockwise manner around the table, ask each player who has not yet placed a play wager whether he or she wishes to fold his or her hand or place a play wager equal in amount to his or her ante wager.

1. If a player places a play wager, the wager shall be placed in the designated play betting area.
2. If a player folds, the ante and blind wagers of the player shall be collected by the dealer and placed in the table inventory container.

- i. If the player has also placed a trips wager, the dealer shall place the cards of the player face down underneath the player's trips wager pending its resolution at the conclusion of the round of play.
- ii. If the player has not placed a trips wager, the dealer shall immediately spread the cards of the folded hand face down and place them in the discard rack.

(f) After each player has either folded or placed a play wager, the dealer shall remove the cover card from the top of the dealer's cards and place it on the table layout. The dealer shall then turn his or her two cards face up, position his or her cards near the three community cards that can be used to form the best possible five-card hand and announce the dealer's hand to the players.

(g) If the dealer's best possible five-card hand is lower than a pair, the dealer shall, starting with the player farthest to the dealer's right who has placed a play wager and proceeding in a counterclockwise manner around the table, return each player's ante wager and resolve all other wagers in accordance with (h) below.

(h) If the dealer's best possible five-card hand is a pair or above, the dealer shall, starting with the player farthest to the dealer's right who has placed a play wager and proceeding in a counterclockwise manner around the table, turn the two cards of each player who has placed a play wager face up and announce the best possible five-card poker hand that can be formed using the player's two cards and the five community cards. The wagers of each player shall be resolved one player at a time

regardless of outcome. After all wagers placed by a player are settled, the player's cards shall then be immediately collected by the dealer and placed in the discard rack.

1. If the player's five-card hand is ranked lower than the dealer's five-card hand, the player shall lose and the dealer shall immediately collect any ante, blind and play wagers made by the player and place the wagers in the table inventory container.
2. If the player's five-card hand is ranked higher than the dealer's five-card hand, the player shall win and the dealer shall pay any ante, blind and play wagers made by the player in accordance with the payout odds set forth in N.J.A.C. 13:69F-32.11; provided, however, that the blind wager shall not be paid unless the player's winning hand has a rank of straight or higher.
3. If the player's five-card hand and the dealer's five-card hand are of equal rank, the player's hand shall be a push. In such case, the dealer shall not collect or pay the player's ante, blind or play wagers.
4. After settling a player's ante, blind and play wagers, the dealer shall settle any trips wager made by the player by determining whether the player's five-card hand qualifies for a payout in accordance with N.J.A.C. 13:69F-32.11(d). A winning trips wager shall be paid without regard to the outcome of any other wager made by the player.

(i) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-32.11 Payout odds**

(a) The payout odds for winning wagers at ultimate Texas hold 'em printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay each winning ante and play wager at odds of 1 to 1.

(c) If a player's five-card hand ranks higher than the dealer's five card hand, a casino licensee shall pay the player's blind wager in accordance with the following odds:

<u>Player's Five-Card Hand</u>	<u>Payout Odds</u>
Royal Flush	500 to 1
Straight Flush	50 to 1
Four-of-a-Kind	10 to 1
Full House	3 to 1
Flush	3 to 2
Straight	1 to 1
Less than a Straight	Push

(d) A casino licensee shall pay each winning trips wager at the game of ultimate Texas hold 'em at no less than the odds set forth in the alternative pay table set forth below that was pre-selected by the casino licensee:

<u>Hand</u>	<u>Paytable A</u>	<u>Paytable B</u>	<u>PaytableC</u>	<u>Paytable D</u>
Royal Flush	50 to 1	50 to 1	50 to 1	50 to 1
Straight Flush	40 to 1	40 to 1	40 to 1	40 to 1
Four-of-a-Kind	30 to 1	30 to 1	30 to 1	20 to 1
Full House	9 to 1	8 to 1	8 to 1	7 to 1
Flush	7 to 1	6 to 1	7 to 1	6 to 1
Straight	4 to 1	5 to 1	4 to 1	5 to 1
Three-of-a-Kind	3 to 1	3 to 1	3 to 1	3 to 1

(e) Notwithstanding the payout odds set forth in (b) through (d) above, the aggregate payout limit on all winning ante, play, blind and trips wagers for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

### **13:69F-32.12 Prohibition against a player wagering on more than one player position**

A player shall not be permitted to wager on more than one player position at an ultimate Texas hold 'em table.

### **13:69F-32.13 Irregularities**

(a) If any card dealt to the dealer in ultimate Texas hold 'em is exposed prior to each player having either folded or placed a play wager pursuant to N.J.A.C. 13:69F-32.10, all hands shall be void. Notwithstanding the foregoing, if a player has placed a trips wager, the community cards shall be dealt and each trips wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-32.11(d).

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. Notwithstanding the foregoing, if the card(s) are found face up after each player and the dealer has received their initial two cards, the community cards shall be dealt and any trips wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-32.11(d).

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void. If the dealer is dealt an incorrect number of cards, all players' hands shall be

void unless the dealer can deal himself or herself the correct number of cards in sequence, provided that such cards have not already been turned face up and the deck contains the correct number of cards.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 33. WINNER'S POT POKER**

### **13:69F-33.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Ante” or “ante wager” means the initial wager in a fixed dollar amount established by the casino licensee that a player and the dealer are required to make prior to any cards being dealt in order to participate in a round of play.

“Bet” or “bet wager” means the second wager, equal in amount to the ante wager, that the dealer shall make and that a player may make in order to remain in the round of play. A bet wager by a player shall be placed after each player and the dealer has been dealt three cards.

“Burn” means to remove the top or next card from the deck and place it face down in the discard rack without revealing it to anyone.

“Double” or “double wager” means the third wager, equal in amount to double the ante wager, that the dealer shall make and that a player may make in order to remain in the round of play. A double wager by a player shall be placed after each remaining player and the dealer has been dealt a fourth card.

“Fold” means the decision of a player to discontinue his or her participation in a round of play and to forfeit his or her ante wager and, if placed, bet wager and double wager.

“Hand” means the highest ranking poker hand that can be formed from the cards of a player or the dealer.

“Jacks plus bonus wager” means the optional supplemental wager that a player may place prior to any cards being dealt that the hand of the player will qualify for a posted payout.

“Rank” or “ranking” means the relative position of a card or hand as set forth in N.J.A.C. 13:69F-33.5.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have placed their wagers, been dealt a hand, and have had their wagers paid or collected in accordance with the rules of this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

“Tie hand” means a hand that is of equal rank with the hand of another player or the dealer during a round of play.

“Winner’s pot” or “pot” means the aggregate ante, bet and double wagers of all players and the dealer, except for the ante wager of any player who declines to make a bet wager and folds his or her hand after the first three cards are dealt.

**13:69F-33.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of winner's pot poker shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and one additional solid yellow or green cover card.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of N.J.A.C. 13:69E-1.17;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continually alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-33.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-33.4

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-33.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

**13:69F-33.4 Shuffle and cut the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-33.7, 33.8, or 33.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
  - iv. Removing the cover card and placing it in the discard rack; and
2. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-33.7, 33.8, or 33.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a winner's pot poker table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-33.3(c) and, if applicable, (d) shall be completed.

### **13:69F-33.5 Winner's pot poker hand rankings**

(a) The rank of the cards used in winner's pot poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two, three, four, and five. An ace may not be used, however, with any other sequence of cards to form a "straight" (for example, queen, king, ace, two, and three).

(b) The permissible poker hands at the game of winner's pot poker, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and nine being the highest ranking straight flush and ace, two, three, four, and five being the lowest ranking straight flush;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
4. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair," with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;

5. "Flush" is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and nine being the highest ranking flush and two, three, four, five, and seven being the lowest ranking flush;
6. "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight;
7. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
8. "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pairs and two threes and two twos being the lowest ranking two pairs; and
9. "Pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands which are of identical poker rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand which contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the

hands are of identical rank after the application of this subsection, the hands shall be considered a tie.

**13:69F-33.6 Wagers**

(a) All wagers at winner's pot poker shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Except as provided in N.J.A.C. 13:69F-33.10, all wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C. 13:69F-33.7, 33.8, or 33.9, and no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) At the beginning of each round of play, each player shall be required to place an ante wager. At the beginning of each round of play, the dealer shall be required to place an ante, bet and double wager.

(d) The outcome of the jacks plus bonus wager made by a player shall have no bearing on any other wager of that player.

(e) Only players who are seated at a winner's pot poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-33.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-33.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automatic card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) In the first round of play, the dealer shall place a button in front of the dealer's position indicating that the dealing shall commence with the player farthest to his or her left and continue around the table in a clockwise manner. For each ensuing round of play, the button shall rotate clockwise to the next player or, if the button has rotated to the player farthest to the dealer's right, the dealer. Dealing shall commence with the player or dealer, as applicable, positioned immediately after the button in clockwise rotation.

(e) The dealer shall burn the top card of the deck and shall then deal the cards as follows:

1. One card face down to each player and the dealer;
2. A second card face down to each player and the dealer; and

3. A third card face up to each player and the dealer.

(f) After all cards have been dealt to each player and the dealer as provided in (e) above and N.J.A.C. 13:69F-33.10, the dealer shall remove the stub from the manual dealing shoe and place the stub face down in the discard rack without exposing the cards.

(g) The dealer shall be required to count the cards in the deck at least once every five rounds of play in order to determine that the correct number of cards is still in the deck.

**13:69F-33.8 Procedure for dealing the cards from the hand**

(a) Notwithstanding any other provisions of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play winner's pot poker from his or her hand.

(b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-33.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) In the first round of play, the dealer shall place a button in front of the dealer's position indicating that the dealing shall commence with the player farthest to his or her left and continue around the table in a clockwise manner. For each ensuing round of play, the button shall rotate clockwise to the next player or, if the button has rotated to the player farthest to the dealer's right, the dealer. Dealing shall commence with the player or dealer, as applicable, positioned immediately after the button in clockwise rotation.

(d) The dealer shall burn the top card of the deck and shall then deal the cards as follows:

1. One card face down to each player and the dealer;
2. A second card face down to each player and the dealer; and
3. A third card face up to each player and the dealer.

(e) After all cards have been dealt to each player and the dealer as provided in (d) above and N.J.A.C. 13:69F-33.10, the dealer shall place the stub face down in the discard rack without exposing the cards.

(f) The dealer shall be required to count the cards in the deck at least once every five rounds of play in order to determine that the correct number of cards is still in the deck.

**13:69F-33.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play winner's pot poker dealt from an automated dealing shoe which dispenses cards in stacks of three cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by N.J.A.C. 13:69F-33.4 have been completed and the dealer has burned the top card of the deck, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) In the first round of play, the dealer shall place a button in front of the dealer indicating that the dealing shall commence with the player farthest to his or her left and continue around the table in a clockwise manner. For each ensuing round of play, the button shall rotate clockwise to the next player or, if the button has rotated to the player farthest to the dealer's right, the dealer. Dealing shall commence with the player or dealer, as applicable, positioned immediately after the button in clockwise rotation.

(d) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed an ante wager in accordance with N.J.A.C. 13:69F-33.6. Once the stack is delivered to the player position, the dealer shall turn face up the top card of the stack. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each player who has placed a wager in accordance with N.J.A.C. 13:69F-33.6 and the dealer, turning face up the top card on the stack of each player and the dealer.

(e) After each stack of three cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and, following the applicable procedures set forth in N.J.A.C. 13:69F-33.8(b)2 and 3, deal from his or hand any cards required to be dealt in accordance with the provisions of N.J.A.C. 13:69F-33.10. After all required cards have been dealt, the dealer shall place the stub face down in the discard rack without exposing the cards.

(f) The dealer shall be required to count the cards in the deck at least once every five rounds of play in order to determine that the correct number of cards is still in the deck.

(g) Notwithstanding the provisions of (f) above, the counting of the cards once every five rounds of play shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling

device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-33.10 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-33.7, 33.8, or 33.9 have been completed, each player shall examine his or her two down cards without exposing them to any person and either place a bet wager or elect to fold. The dealer shall neither examine nor expose his or her down cards until each remaining player and the dealer is dealt a fifth and final card.

1. If a player chooses to place a bet wager, the wager shall be placed in the designated bet wager betting area.
2. If a player elects to fold after receiving the initial three cards, the player's ante shall be collected by the dealer and placed in the table inventory container. The three cards of the player shall be collected and placed face down in the discard rack unless the player has placed a jacks plus bonus wager, in which case the three cards shall be placed face down underneath the jacks plus bonus wager of the player.
3. The dealer shall, moving in a clockwise rotation starting with the player next to the button, ascertain the decision of each player to either place a bet wager or fold.

(b) Once each player has either placed a bet wager or elected to fold, the dealer shall burn a card and then deal a fourth card face up to each

remaining player who has placed a bet wager and the dealer in clockwise rotation, beginning with the first player after the button.

- (c) After each remaining player who has placed a bet wager and the dealer have been dealt a fourth card, each player shall either place a double wager or elect to fold.
1. If a player chooses to place a double wager, the wager shall be placed in the designated double wager betting area.
  2. If a player elects to fold after receiving a fourth card, the ante and bet wagers of the player shall be collected by the dealer and placed in the area of the table designated for the winner's pot. The four cards of the player shall be collected and placed face down in the discard rack unless the player has placed a jacks plus bonus wager, in which case the four cards shall be placed face down underneath the jacks plus bonus wager of the player.
  3. The dealer shall, moving in a clockwise rotation starting with the first remaining player after the button, ascertain the decision of each player to either place a double wager or fold.
- (d) Once each remaining player has either placed a double wager or elected to fold, the dealer shall burn a card and then deal a fifth and final card face up to each remaining player who has placed a double wager and the dealer in clockwise rotation, beginning with the first player after the button.

(e) After each remaining player and the dealer have been dealt a fifth and final card, the dealer shall collect all ante, bet and double wagers remaining on the table and place them in the area designated for the winner's pot.

(f) The dealer shall expose his or her two down cards and announce the best possible poker hand that can be formed from the cards of the dealer. The dealer shall then, starting with the remaining player farthest to his or her right and proceeding in a counterclockwise rotation around the table, expose the two down cards of each player and announce the best possible poker hand that can be formed from the cards of each player.

(g) The dealer shall settle the jacks plus bonus wagers of all players and, for each player who has folded, place the cards of such players face down in the discard rack. Losing jacks plus bonus wagers shall be placed in, and winning jacks plus bonus wagers shall be paid from, the table inventory container.

(h) The dealer shall then announce the highest ranking poker hand. All hands shall remain face up on the layout until such time as the winner's pot is awarded.

1. If the dealer has the highest ranking poker hand, he or she shall collect all ante, bet and double wagers from the area designated for the winner's pot and place them in the table inventory container.
2. If a player has the highest ranking poker hand or the highest ranking poker hand is a tie hand, the dealer shall award the

winner's pot to the player with the highest ranking poker hand, subject to the following:

- i. If a player has the highest ranking poker hand, a percentage commission of no more than 10 percent or a fixed dollar amount, pre-established by the casino licensee, whichever is less, shall be deducted from the pot and placed in the table inventory container; or
- ii. If the highest ranking poker hand is a tie hand, each player and/or the dealer holding a tie hand shall share the winner's pot equally, except that a percentage commission of no more than 10 percent or a fixed dollar amount, pre-established by the casino licensee, whichever is less, shall be deducted from that portion of the pot not awarded to the dealer and placed in the table inventory container.

(i) After the winner's pot has been awarded in accordance with (h) above, the dealer shall immediately collect the cards of all remaining players and the dealer and place them in the discard rack. All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-33.11 Payout odds**

(a) The payout odds for winning jacks plus bonus wagers at winner's pot poker printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) Each winning jacks plus bonus wager shall be paid once for the highest ranking qualifying hand at no less than the odds set forth below:

<u>Hand</u>	<u>Payout Odds</u>
Royal Flush	400 to 1
Straight Flush	80 to 1
Four-of-a-Kind	50 to 1
Full House	30 to 1
Flush	15 to 1
Straight	10 to 1
Three-of-a-Kind	7 to 1
Two Pair	3 to 1
Pair of Jacks, Queens, Kings, or Aces	1 to 1

(c) Notwithstanding the payout odds in (b) above, the payout limit for a player for a winning jacks plus bonus wager shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater; provided, however, that if two or more players who have placed a jacks plus wager receive a royal flush, the established maximum payout shall be paid to those

players in the same proportion as the amounts of their respective jacks plus bonus wagers.

### **13:69F-33.12 Irregularities**

(a) If the first or second hole card of a player or the dealer is inadvertently turned face up in the dealing process, the third card dealt to that hand shall be dealt face down. If both cards of a player or the dealer are inadvertently turned face up in the dealing process, the dealer shall call the affected hand "dead," void any wagers associated with the dead hand and collect the two cards for placement in the discard rack. Notwithstanding the foregoing, if a player has placed a jacks plus bonus wager, any winning wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-33.11.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. Notwithstanding the foregoing, if the card(s) are found face up after all cards have been dealt, the wagers of all players shall be settled in accordance with the provisions of N.J.A.C. 13:69F-33.10 and 33.11.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void.

(e) If the dealer fails to burn a card in accordance with these rules, the dealer shall continue dealing a card to each player and, after the betting round, the dealer shall burn two successive cards prior to dealing the next card.

(f) If the dealer fails to deal any player or the dealer a card in accordance with these rules, the round of play shall be considered a misdeal, all wagers shall be void, and the cards shall be collected by the dealer for a reshuffle.

(g) If the dealer fails to move the button in accordance with the rules of the game, the round of play shall continue as if the dealer moved the button. Upon commencement of the next round of play, the dealer shall rotate the button clockwise to the next player or, if the button has rotated to the player farthest to the dealer's right, the dealer.

(h) If a player inadvertently exposes any of his or her down cards prior to such time authorized by these rules for the dealer to expose them, the player's hand shall remain active and the round of play shall continue.

(i) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(j) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(k) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-33.13 Prohibition against a player wagering on more than one player position**

A player shall not be permitted to wager on more than one player position at a winner's pot poker table.

## **SUBCHAPTER 34. SUPREME PAI GOW**

### **13:69F-34.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Bank” shall mean the player who elects to have the other players and dealer play against him or her and accepts the responsibility to pay all winning wagers.

“Bonus wager” shall mean the optional, supplemental wager on whether the four cards dealt to a player form a hand that qualifies for a payout in accordance with a posted pay table.

“Co-banking” is defined in N.J.A.C. 13:69F-34.13(e).

“High hand” shall mean the two-card hand which is formed from the four cards dealt at the game of supreme pai gow so as to rank equal to or higher than the two-card low hand.

“Low hand” shall mean the two-card hand which is formed from the four cards dealt at the game of supreme pai gow so as to rank lower than the two-card high hand.

“Push” is a tie as defined in N.J.A.C. 13:69F-34.12(h).

“Rank or ranking” shall mean the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-34.3.

“Set or setting the hands” shall mean the process of forming a high hand and low hand from the four cards dealt.

“Suit” shall mean one of the four categories of cards, that is, diamond, spade, club, or heart.

“Supreme pai gow wager” shall mean the wager required to be made prior to any cards being dealt in order to participate in the round of play.

**13:69F-34.2 Cards; number of cards**

(a) Except as provided in (b) below, supreme pai gow shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17, including two jokers, one additional cutting card, and one additional cover card. The cutting card and cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) If an automated card shuffling device is used for supreme pai gow, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from one deck only shall be placed in the discard rack at any given time.

**13:69F-34.3 Supreme pai gow rankings; cards; bonus wager poker hands**

(a) The rank of a two-card high hand or low hand, in order from highest to lowest rank, shall be:

1. A matching pair, subject to the following:
  - i. The rank of matching pairs, from highest to lowest rank, shall be jokers, aces, kings, queens, jacks, 10's, nines, eights, sevens, sixes, fives, fours, threes, and twos; and
  - ii. A joker cannot form a pair with any card except the second joker;
2. Non-matching face cards, with a king and a queen being the highest ranking non-matching face cards, a king and a jack being the next highest ranking non-matching face cards, and a queen and a jack being the lowest ranking non-matching face cards; and
3. The highest point total of the two cards in the hand, as determined in accordance with the following requirements:
  - i. An ace shall have a point value of 1;
  - ii. A face card or 10 shall have a point value of 0;
  - iii. A two through nine shall have a point value equal to the numerical face value of the card;

- iv. A joker shall have a point value of either 3 or 6, the value being determined by whichever value yields the greater point total when added to the point value of the other card; and
- v. Notwithstanding (a)3i through iv above, any point total of 10 or greater shall be decreased by 10. For example, a two and five would have a point total of 7; a five and nine would have a point total of 4 (5 plus 9 minus 10); and a six and a joker would have a point total of 9 (with the joker being valued as 3).

(b) If, after application of the ranking rules in (a) above, the low hand or high hand of a player and the corresponding hand of the dealer or banker are equal in rank, the higher ranking low hand or high hand shall be the hand containing the highest ranking card. The rank of the cards used in supreme pai gow, in order of highest to lowest rank, shall be king, queen, jack, 10, nine, eight, seven, six, five, four, three, two, and ace, with the joker accorded the same value assigned pursuant to (a)3iv above. If, after the application of this subsection, two hands have an equal rank, the dealer or banker shall be deemed to hold the higher ranking hand.

(c) For purposes of the bonus wager, a joker shall only be used as a joker or as a 3 or a 6 (the same value assigned pursuant to (a)3iv above) to form a "straight" or a "straight flush." The permissible four-card hands that qualify for a posted payout shall be:

1. "Four aces" is a hand consisting of four aces;
2. "Royal flush" is a hand consisting of an ace, king, queen, and jack of the same suit;
3. "Two jokers and two aces" is a hand consisting of two jokers and two aces;
4. "Four-of-a-kind" is a hand consisting of four cards of the same rank other than four aces;
5. "Straight flush" is a hand consisting of four cards of the same suit in consecutive ranking other than a royal flush;
6. "Three-of-a-kind" is a hand containing three cards of the same rank;
7. "Flush" is a hand consisting of four cards of the same suit, regardless of rank;
8. "Two pair" is a hand consisting of "two jokers" and "any other pair" or two "any other pairs;"
9. "Straight" is a hand consisting of four cards of consecutive rank, regardless of suit;
10. "Two jokers" is a hand that contains both jokers; and
11. "Any other pair" is a hand that contains two cards of the same rank other than two jokers.

(d) Notwithstanding any other provision of this section, the dealer or banker shall be deemed to hold the higher ranking low hand whenever the point value of the player's low hand is zero.

**13:69F-34.4 Pai gow shaker and dice; computerized random number generator; button**

(a) The starting position for the deal or delivery of cards in supreme pai gow shall be determined by using one of the following methods:

1. Three dice and a pai gow shaker, which shall meet the requirements of N.J.A.C. 13:69E-1.15 and 1.13W(d), respectively, and be used in accordance with N.J.A.C. 13:69E-1.13W(d) and 13:69F-34.11(b);
  - i. The three dice shall be maintained at all times within the pai gow shaker;
  - ii. The pai gow shaker and the dice contained therein shall be the responsibility of the dealer and shall never be left unattended while at the table; and
  - iii. No dice that have been placed in a pai gow shaker for use in gaming shall remain on a table for more than 24 hours;
2. A computerized random number generator that, in accordance with N.J.A.C. 13:69E-1.13W(e) and 13:69F-34.11(c), shall automatically select and display a number from 1 through 7 inclusive; or
3. If an automated card shuffling device and dealing shoe is used pursuant to N.J.A.C. 13:69F-34.10 and 34.11(d), a button that is moved by the dealer clockwise around the table as each round of play is completed.

**13:69F-34.5 Opening of the table for gaming**

(a) After receiving a deck of cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or the requirements of N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out according to suit and in sequence and shall include two jokers.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-34.6.

(d) If a casino licensee uses an automated card shuffling device to play the game of supreme pai gow and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-34.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked and shuffled in accordance with the provisions of (a) through (c) above immediately prior to the commencement of play.

**13:69F-34.6 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards either manually or by use of an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the cards directly into an automated or manual dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-34.8, 34.9, or 34.10; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) through (e) below.

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of the cover card. Thereafter, the dealer shall offer the stack of cards to be cut, with the backs facing up and faces facing the layout, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning;

2. The player who accepts the bank pursuant to N.J.A.C. 13:69F-34.13; provided, however, if the bank refuses the cut, the cards shall be offered to each player moving counterclockwise around the table from the bank until a player accepts the cut; or
3. The player at the farthest position to the right of the dealer, if there is no bank during a round of play; provided, however, if there are two or more consecutive rounds of play where there is no bank, the offer to cut the cards shall rotate in a counterclockwise manner after the player to the far right of the dealer has been offered the cut.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. The dealer shall then remove the cover card and place it on the bottom of the stack. Thereafter, the dealer shall remove the cutting card and, at the discretion of the casino licensee, either place it in the discard rack or use it as an additional cutting card to be inserted four cards from the bottom of the deck. The dealer shall then deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-34.8, 34.9, or 34.10.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut

was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) Whenever there is no gaming activity at a supreme pai gow table which is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-34.5(c) shall be completed.

**13:69F-34.7 Wagers**

(a) All wagers at supreme pai gow shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting area of the supreme pai gow layout. A verbal wager accompanied by cash shall not be accepted at the game of supreme pai gow.

(b) Only players who are seated at the supreme pai gow table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

(c) All wagers at supreme pai gow shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedures set forth in N.J.A.C. 13:69F-34.8, 34.9 or 34.10. No wager at supreme pai gow shall be made, increased or withdrawn after the dealer has announced "No more bets."

(d) Upon placing a supreme pai gow wager, a player may also place a bonus wager by placing a wager of at least \$1.00 on the designated betting area of the layout. The outcome of the bonus wager shall have no bearing on any other wager made by the player at the game of supreme pai gow.

**13:69F-34.8 Procedures for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-34.6 have been completed, the cards shall be placed in the manual dealing shoe and the dealer shall announce “No more bets.”

(b) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-34.11, determine the starting position for dealing the cards.

(c) After the starting position for dealing the cards has been determined, each card shall be removed from the dealing shoe with the left hand of the dealer and placed face down on the appropriate area of the layout with the right hand of the dealer. The dealer shall deal the first card to the starting position as determined in (b) above and, moving clockwise around the table, deal a card to all other positions, including the dealer, regardless of whether there is a wager at the position. The dealer shall then return to the starting position and deal a second card in a clockwise rotation and shall continue dealing until each position, including the dealer, has four cards.

(d) The dealer shall be required to count the stub at least once every five rounds of play in order to determine whether the correct number of cards is still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. If the count of the stub indicates that 54 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player or the dealer has more or less than four cards), all hands shall be void pursuant to N.J.A.C. 13:69F-34.16(h). If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

(e) Notwithstanding the provisions of (d) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards, plus two jokers, are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

(f) After four cards have been dealt to each position, including the dealer, the dealer shall collect any cards dealt to a player position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-34.9 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play supreme pai gow from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-34.6 have been completed, the dealer shall place the deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
2. The dealer shall then announce "No more bets" prior to dealing seven stacks of four cards each to the area in front of the table inventory container. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall deal the first seven cards moving from left to right and the second seven cards moving from right to left and shall continue alternating in this manner until there are seven stacks of four cards.

(d) The dealer shall be required to count the stub as set forth in N.J.A.C. 13:69F-34.8(d) and (e).

(e) Once the dealer has completed dealing the seven stacks and placed the 26 remaining cards in the discard rack, the dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-34.11, determine the starting position for delivering the stacks of cards.

(f) After the starting position for delivering the stacks of cards has been determined, the dealer shall deliver the first stack to the starting position and moving counterclockwise around the table, deliver the remaining stacks in order to all positions, including the dealer, regardless of whether there is a wager at the position. In delivering the stacks, the stack farthest to the right of the dealer shall be considered the first stack, and the stack farthest to the left of the dealer shall be considered the seventh stack. The dealer shall deliver each stack face down.

(g) After the seven stacks have been delivered to each position, including the dealer, the dealer shall collect any stacks dealt to a player position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-34.10 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play supreme pai gow dealt from an automated dealing shoe which dispenses cards in stacks of four cards, provided that the shoe, its location and the procedures for its use are in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-34.6 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall then, using one of the procedures authorized by N.J.A.C. 13:69F-34.11, determine the starting position for delivering the stacks of cards.

(d) Once the starting position has been determined in accordance with (c) above, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall deliver a stack in turn to each of the other positions, including the dealer, moving clockwise around the table, whether or not there is a wager at the position. The dealer shall deliver each stack face down.

(e) The dealer shall be required to count the stub as set forth in N.J.A.C. 13:69F-34.8(d) and (e).

(f) After the seven stacks have been delivered to each position, including the dealer, the dealer shall collect any stacks dealt to a player position where there is no wager and place them in the discard rack without exposing the cards.

**13:69F-34.11 Procedure for determining the starting position for dealing cards or delivering stacks of cards**

(a) In order to determine the starting position for the dealing of cards or the delivery of stacks of cards for the game of supreme pai gow, a casino licensee may, in its discretion, use the procedure authorized in (b), (c), or (d) below.

(b) The dealer shall shake the pai gow shaker and dice described in N.J.A.C. 13:69F-34.4 at least three times so as to cause a random mixture of the dice.

1. The dealer shall then remove the lid covering the pai gow shaker, total the dice and announce the total.
2. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the total of the three dice.
3. Examples are as follows:
  - i. If the dice total eight, the dealer would receive the first card or stack of cards; or
  - ii. If the dice total 14, the sixth betting position would receive the first card or stack of cards.
4. After the dealing or delivery of the cards has been completed in accordance with the procedures set forth in N.J.A.C. 13:69F-34.8, 34.9, or 34.10, the dealer shall place the cover on the pai gow

shaker and shake the shaker once. The pai gow poker shaker shall then be placed to the right of the dealer.

(c) The dealer may use a computerized random number generator approved by the Division to select and display a number from 1 through 7 inclusive, and verbally announce the number. To determine the starting position, the dealer shall count counterclockwise around the table, with the position of the dealer considered number one, and continuing around the table with each betting position counted in order, including the dealer, regardless of whether there is a wager at the position, until the count matches the number displayed by the random number generator.

(d) If an automated card shuffling device and dealing shoe is used pursuant to N.J.A.C. 13:69F-34.10, the dealer may use a flat disc button approved by the Division to indicate the starting position. At the commencement of play, the button shall be placed in front of the dealer. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

(e) After the starting position for a round of play has been determined, a casino licensee may, in its discretion, mark that position by the use of an additional cut card or similar object.

**13:69F-34.12 Procedures for completion of each round of play; setting of hands; payment and collection of wagers**

(a) After the dealing of the cards has been completed, each player shall set his or her hands by arranging the cards into a high hand and low hand. When setting the two hands, the two-card high hand must be equal to or higher in rank than the two-card low hand. For example, if the low hand contains a pair of sevens, the high hand must contain at least a pair of sevens.

(b) Each player at the table shall be responsible for setting his or her own hands and no other person except the dealer may touch the cards of that player. Notwithstanding the foregoing, if a player requests assistance in the setting of his or her hands, the dealer may inform the requesting player of the manner in which the casino licensee requires the hands of the dealer to be set in its Rules of the Games Submission. Each player shall be required to keep the four cards in full view of the dealer at all times. Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player shall not touch the cards again.

(c) After all players have set their hands and placed the cards on the table, the four cards of the dealer shall be turned over and the dealer shall set his or her hands by arranging the cards into a high and low hand. The dealer shall then place the two hands face up on the appropriate area of the layout.

(d) Each casino licensee shall include in its Rules of the Games Submission the manner in which it will require the hands of the dealer to be set.

(e) A player may announce that he or she wishes to surrender his or her supreme pai gow wager prior to the dealer exposing either of the two hands of that

player pursuant to (f) below. Once the player has announced his or her intention to surrender, the dealer shall:

1. Immediately collect the supreme pai gow wager from that player;
2. If the player has also placed a bonus wager, the player's four cards shall be collected and placed face down on the table underneath the bonus wager pending resolution of the bonus wager at the conclusion of the round of play; and
3. If no bonus wager has been made by the player, immediately collect the four cards dealt to that player without exposing the cards to anyone at the table and verify that four cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(f) Once the dealer has set a high hand and a low hand, the dealer shall expose both hands of each player, starting from the right and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the corresponding hands of the dealer and shall announce if the supreme pai gow wager of that player shall win, lose or be considered a tie ("push").

(g) A supreme pai gow wager made by a player shall lose if:

1. Both player's hands (high and low) are lower in rank than the corresponding hands of the dealer;
2. The high hand of the player was not set so as to rank higher than his or her low hand; or

3. The two hands of the player were not otherwise set correctly in accordance with the rules of the game (for example, a player forms a three-card high hand and a one-card low hand).

(g) All hands that result in a winning supreme pai gow wager or a winning bonus wager shall be immediately paid by the dealer from the table inventory container. A supreme pai gow wager shall win if both player's hands (high and low) are higher in rank than both corresponding hands of the dealer. If the player and the dealer each win one hand, the player's supreme pai gow wager shall be deemed a push and it shall not be paid or collected. A bonus wager shall win if the four cards dealt to a player qualify for a posted payout in accordance with N.J.A.C. 13:69F-34.14. All losing supreme pai gow wagers and bonus wagers shall be immediately collected by the dealer and put in the table inventory container. The dealer shall pay all winning wagers and collect all losing wagers, in order, beginning with the player farthest to the right of the dealer and continuing counterclockwise around the table. Once the wager(s) of a player are settled, the dealer shall collect the player's cards and place them in the discard rack.

(h) A winning supreme pai gow wager shall be paid by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player in an amount equal to five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the vigorish to 25 cents or the next highest multiple of 25 cents. A casino licensee shall collect the vigorish from a player at the time the winning payout is made. After a winning supreme pai gow wager has been paid and the vigorish collected, the

dealer shall then, if applicable, settle the player's bonus wager. Before paying a winning bonus wager, the dealer shall, if necessary, reset the player's high hand and low hand to form the four-card hand type yielding the highest qualifying payout to which the player is entitled.

(i) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in case of a question or dispute.

### **13:69F-34.13 Player bank; co-banking; selection of bank; procedures for dealing**

(a) A casino licensee may, in its discretion, offer to all players at a supreme pai gow table the opportunity to bank the game. If the casino licensee elects this option, all the other provisions of this subchapter shall apply except to the extent that they conflict with the provisions of this section, in which case the provisions of this section shall control for any round of play in which a player is the bank.

(b) A player may not be the bank at the start of the game. For the purposes of this section, the start of the game shall mean the first round of play after the dealer is required to shuffle the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-34.5(c).

(c) After the first round of play pursuant to (b) above, each player at the table shall have the option to either be the bank or pass the bank to the next player. The dealer shall, starting with the player farthest to the right of the dealer, offer the bank to each player in a counterclockwise rotation around the table until a player accepts the bank. The dealer shall place a marker designating the bank in front of the player who accepts the bank. If the first player offered the bank accepts, the player seated to the right of that player shall first be offered the bank on the next round of play. The initial offer to be the bank shall rotate counterclockwise around the table until it returns to the dealer. In no event may any player bank two consecutive rounds of play. If no player wishes to be the bank, the round of play shall proceed in accordance with the rules of play provided in this subchapter.

(d) Before a player may be permitted to bank a round of play, the dealer shall determine that:

1. The player placed a wager against the dealer during the last round of play in which there was no player banking the game; and
2. The player has sufficient gaming chips on the table to cover all of the wagers placed by other players at the table for that round of play.

(e) A casino licensee may, in its discretion, offer the bank the option of having the casino cover 50 percent of the wagers made during a round of play. If the casino licensee offers this option, it shall make it available to all players at the table. If the bank wishes to use this option, the bank must specifically request the dealer to accept responsibility for the payment of one-half of all winning wagers. When the bank covers 50 percent and the casino covers 50 percent of the winning wagers, it shall be known as "co-banking" and the dealer shall place a marker designating the co-bank in front of that player. When the dealer is co-banking, the dealer shall be responsible for setting the hand of the bank in accordance with the casino licensee's internal control procedures pursuant to N.J.A.C. 13:69F-34.12(d). When co-banking is in effect, the dealer may not place a wager against the bank.

(f) If a player is the bank, the player may only wager on one betting area.

(g) Once the dealer has determined that a player may be the bank pursuant to (d) above and after the cards have been shuffled, the dealer shall remove gaming chips from the table inventory container in an amount equal to the last wager made by that player against the dealer or in an amount, the calculation of which has been approved by the Division. This amount shall be the amount the dealer wagers against the bank. The bank may direct that the sum wagered by the dealer be a lesser amount or that the dealer places no wager during that round of play. Any amount wagered by the dealer shall be placed in front of the table inventory container.

(h) If the cards are to be dealt from a manual dealing shoe, the procedures set forth in N.J.A.C. 13:69F-34.8 and 34.11 shall apply, except as follows:

1. If a pai gow shaker and dice are being used to determine the starting position for the dealing of the cards, the bank shall shake the pai gow shaker three times pursuant to N.J.A.C. 13:69F-34.11(b) instead of the dealer. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow shaker, the dealer shall remove the lid covering the pai gow shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow shaker to be covered and reshaken by the bank.

2. If a computerized random number generator is used to determine the starting position for the dealing of the cards, the device shall be operated in accordance with the casino licensee's internal control procedures.
3. When counting the betting positions, including the dealer, to determine the starting position for dealing the cards, the position of the banker, instead of the dealer, shall be considered number one.

(i) If the cards are to be dealt from the hand, the procedures set forth in N.J.A.C. 13:69F-34.8 and 34.11 shall apply, except as follows:

1. Once the dealer has completed dealing the seven stacks and placed the remaining cards in the discard rack pursuant to N.J.A.C. 13:69F-34.9, the bank shall select the first stack to be delivered by the dealer. This stack shall be designated as the first stack by the dealer moving it toward the players.
2. If a pai gow shaker and dice are being used to determine the starting position for the delivery of the first stack, the bank shall shake the pai gow shaker three times pursuant to N.J.A.C. 13:69F-34.11(b) instead of the dealer. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow shaker, the dealer

shall remove the lid covering the pai gow shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow shaker to be covered and reshaken by the bank.

3. If a computerized random number generator is used to determine the starting position for the delivery of the first stack, the device shall be operated in accordance with the casino licensee's internal control procedures.
4. When counting the betting positions, including the dealer, to determine the starting position for delivering the seven stacks of cards, the position of the bank, instead of the dealer, shall be considered number one.
5. The dealer shall deliver the first stack as determined in (i)1 above to the starting position as determined in N.J.A.C. 13:69F-34.11 and (i)2 through 4 above. Thereafter, the dealer shall deliver the remaining stacks in a clockwise rotation beginning with the stack closest to the right of the first stack and proceeding until all stacks to the right of the first stack have been dealt and then moving to the stack farthest to the left of the dealer and proceeding left to right. If there are no stacks to the right of the first stack, the dealer will begin with the stack farthest to the left and proceed to

the right. The dealer shall deliver each stack face down to each position, including the dealer, regardless of whether there is a wager at the position.

(j) If the cards are to be dealt from an automated dealing shoe, the procedures set forth in N.J.A.C. 13:69F-34.10 and 44.11 shall apply, except as follows:

1. If a pai gow shaker and dice are being used to determine the starting position for the delivery of the first stack of cards dispensed by the automated dealing shoe, the bank shall shake the pai gow shaker three times pursuant to N.J.A.C. 13:69F-34.11(b) instead of the dealer. It shall be the responsibility of the dealer to ensure that the bank shakes the pai gow shaker at least three times so as to cause a random mixture of the dice. Once the bank has completed shaking the pai gow shaker, the dealer shall remove the lid covering the pai gow shaker, total the dice and announce the total. The dealer shall always remove the lid from the pai gow shaker and if the bank inadvertently removes the lid, the dealer shall require the pai gow shaker to be covered and reshaken by the bank.
2. If a computerized random number generator is used to determine the starting position, the device shall be operated in accordance with the casino licensee's internal control procedures.

3. When counting the betting positions, including the dealer, to determine the starting position for delivering the stacks of cards as they are dispensed by the shoe, the position of the bank, instead of the dealer shall be considered number one.

(k) If the cards dealt to the dealer have not been previously collected, after each player has set his or her two hands and placed them on the appropriate area of the layout, the two hands of the dealer shall then be set. Once the dealer has formed a high and low hand, the dealer shall expose the hands of the bank and determine if the hands of the dealer are higher in rank than the hands of the bank. If the dealer wins, the cards of the dealer shall be stacked face up to the right of the table inventory container with the amount wagered by the dealer against the bank placed on top. If the dealer pushes, the dealer shall return the amount wagered by the dealer against the bank to the table inventory container. If the dealer loses, the amount wagered by the dealer against the bank shall be moved to the center of the layout.

(l) If banking is in effect, once the dealer has determined the outcome of the wager of the dealer against the bank, if any, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose or be considered a push against the bank. All losing wagers shall be immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers, including the dealer's wager, shall be paid by the dealer

with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the bank, an amount equal to the remaining winning wagers and place that amount in the center of the layout. The remaining winning wagers shall be paid from the amount in the center of the layout. If, after collecting all losing wagers and paying all winning wagers, there is a surplus in the center of the table, this amount shall be charged a five percent vigorish in accordance with N.J.A.C. 13:69F-34.9. Once the vigorish has been paid, the remaining amount shall be given to the bank.

(m) If co-banking is in effect, once the dealer has set the co-bank hand pursuant to (e) above, the dealer shall expose the hands of each player starting with the player farthest to the right of the dealer and proceeding counterclockwise around the table. The dealer shall compare the high and low hand of each player to the high and low hand of the bank and shall announce if the wager shall win, lose or be considered a push against the bank. All losing wagers shall be immediately collected and placed in the center of the table. After all hands have been exposed, all winning wagers shall be paid by the dealer with the gaming chips located in the center of the table. If this amount becomes exhausted before all winning wagers have been paid, the dealer shall collect from the co-bank, an amount equal to one-half of the remaining winning wagers and place that amount in the center of the layout. The dealer shall remove an amount equal to one-half of the remaining winning wagers from the table inventory container and place that amount in the center of the layout. The remaining winning wagers shall be paid from the total amount in the center of the layout. If, after collecting all losing

wagers and paying all winning wagers, there is a surplus in the center of the table, this amount will be counted and the dealer shall place half of this amount into the table inventory container. The dealer shall collect a five percent vigorish in accordance with N.J.A.C. 13:69F-34.12 on the remaining amount and place the vigorish amount in the table inventory container. The remaining amount shall then be given to the co-bank.

(n) Immediately after a winning wager of the dealer is paid, this amount and the original wager shall be returned to the table inventory container.

(o) Each player who has a winning wager against the bank shall pay a five percent vigorish on the amount won to the dealer, in accordance with N.J.A.C. 13:69F-34.12.

(p) The bonus wager and resolution of such wager shall be governed by the rules applicable to such wagers throughout this subchapter.

**13:69F-34.14 Bonus wager payouts; payout limitation**

(a) Each winning bonus wager shall be paid once for the highest ranking qualifying four-card hand that can be formed and at no less than the odds set forth below:

<u>Hand Type</u>	<u>Payout</u>
Four Aces	1,000 to 1
Royal Flush	500 to 1
Two Jokers and Two Aces	200 to 1
Four-of-a-Kind	100 to 1
Straight Flush	25 to 1
Three-of-a-Kind	10 to 1
Flush	8 to 1
Two Pair	7 to 1
Straight	6 to 1
Two Jokers	4 to 1
Any Other Pair	1 to 1

(b) Notwithstanding the payout odds in (a) above, the payout limit for a player for a winning bonus wager shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater; provided, however, that if two or more players who have placed a bonus wager receive

a royal flush, the established maximum payout shall be paid to those players in the same proportion as the amounts of their respective bonus wagers.

**13:69F-34.15 A player wagering on more than one betting area**

(a) A casino licensee may, in its discretion, permit a player to wager on no more than two betting areas at a supreme pai gow table, which areas must be adjacent to each other.

(b) If a casino licensee permits a player to wager on two adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall be required to rank and set the hands at the betting position with the larger wager before ranking and setting the other hands. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the hands at the first betting position being ranked and set before the player proceeds to rank and set the hands at the second betting position. Once hands have been ranked and set and placed face down on the appropriate area of the layout, the hands may not be changed.

**13:69F-34.16 Irregularities; invalid roll of the dice**

(a) If the dealer uncovers the pai gow poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a “No roll” and reshake the dice.

(b) If the dealer uncovers the pai gow poker shaker and a die or dice fall out of the shaker, the dealer shall call a “No roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card or delivers the first stack to the wrong position, all hands shall be called dead and the dealer shall reshuffle the cards.

(d) If the dealer exposes any of the cards dealt to a player, the player has the option of voiding the hand. Without looking at the unexposed cards, the player shall make the decision either to play out the hand or to void the hand.

(e) If a card or cards in the hand of the dealer or bank is exposed, all hands shall be void and the cards shall be reshuffled, except that if a player has placed a bonus wager, it shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-34.14.

(f) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found turned face up in the shoe, all hands shall be void and the cards shall be reshuffled.

(g) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe.

(h) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(i) If the dealer does not set his or her hands in accordance with the casino licensee's internal control procedures pursuant to N.J.A.C. 13:69F-34.12(d), the hands must be reset in accordance with this submission and the round of play completed.

(j) If the bank does not set his or her own hands correctly, the wager shall not be lost pursuant to N.J.A.C. 13:69F-34.12(g)3 and 4 and the dealer shall be required to reset the bank's hands pursuant to N.J.A.C. 13:69F-34.12(d) so that the round of play may be completed.

(k) If a card is exposed while the dealer is dealing the seven stacks in accordance with N.J.A.C. 13:69F-34.8, the cards shall be reshuffled.

(l) If cards are being dealt from the hand and the dealer fails to deal the seven stacks in accordance with N.J.A.C. 13:69F-34.9(c), the cards shall be reshuffled.

(m) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(n) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void, and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(o) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 35. MISSISSIPPI STUD**

### **13:69F-35.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Ante wager" means the initial wager placed prior to any cards being dealt in order to participate in the round of play.

"Bet wager" means either a 3rd street wager, a 4th street wager or a 5th street wager.

"Community card" means any of the three cards that are initially dealt face down in the designated area in front of the dealer and, once revealed, shall be used by each player with his or her two cards to form a five-card hand.

"5th street wager" means an additional wager made by a player, in an amount equal to one, two, or three times the amount of the player's ante wager, after the second community card is revealed by the dealer.

"Fold" means the withdrawal of a player from a round of play by discarding his or her two cards prior to placing a bet wager.

"4th street wager" means an additional wager made by a player, in an amount equal to one, two, or three times the amount of the player's ante wager, after the first community card has been revealed by the dealer.

"Push" means a player's hand, as defined in N.J.A.C. 13:69F-35.10, resulting in neither payment on nor collection of the player's wagers.

"Rank" or "ranking" means the relative position of a card or group of cards as set forth in N.J.A.C. 13:69F-35.5.

"Round of play" or "round" means one complete cycle of play during which all players then playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected in accordance with this subchapter.

"Stub" means the remaining portion of the deck after all cards in the round of play have been dealt.

"Suit" means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

"3rd street wager" means an additional wager made by a player, in an amount equal to one, two, or three times the amount of the player's ante wager, after the player has been dealt his or her initial two cards.

**13:69F-35.2 Cards; number of decks**

(a) Except as provided in (b) below, Mississippi stud shall be played with one deck of cards that meets the requirements of N.J.A.C. 13:69E-1.17 and one additional cover card. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards.

(b) If an automated card shuffling device is used for Mississippi stud, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of (a) above;
2. The backs of the cards in the two decks are of a different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from one deck only shall be placed in the discard rack at any given time.

**13:69F-35.3 Opening of the table for gaming**

(a) After receiving the cards at the table in accordance with N.J.A.C. 13:69E-1.18, the dealer shall, as applicable, comply with the requirements of either N.J.A.C. 13:69E-1.18(e)1 and (b) through (d) below or N.J.A.C. 13:69E-1.18(e)2 and (r).

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-35.4.

(d) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table pursuant to N.J.A.C. 13:69E-1.18 and 13:69F-35.2, each deck of cards shall be separately sorted, inspected, verified, spread, inspected, mixed, stacked, and shuffled in accordance with the provisions of (a) through (c) above.

#### **13:69F-35.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-35.7, 35.8, or 35.9; or
2. If the cards were shuffled manually or were pre-shuffled pursuant to N.J.A.C. 13:69E-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of the cover card;

- iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (c)1ii above; and
2. Removing the cover card and placing it in the discard rack; and
3. Deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-35.7, 35.8 or 35.9.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a Mississippi stud table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-35.3(c) and, if applicable, (d) shall be completed.

**13:69F-35.5 Mississippi stud hand rankings**

(a) The rank of the cards used in Mississippi stud for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two, three, four, and five. An ace may not be used, however, with any other sequence of cards to form a "straight" (for example, queen, king, ace, two and three).

(b) The permissible poker hands at the game of Mississippi stud, in order of highest to lowest rank, shall be:

1. "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;
2. "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, except for a royal flush as defined in (b)1 above;
3. "Four-of-a-kind" is a hand consisting of four cards of the same rank;
4. "Full house" is a hand consisting of a "three-of-a-kind" and a "pair;"
5. "Flush" is a hand consisting of five cards of the same suit, not in consecutive order;
6. "Straight" is a hand consisting of five unsuited cards of consecutive rank;

7. "Three-of-a-kind" is a hand consisting of three cards of the same rank;
8. "Two pairs" is a hand consisting of two "pairs;" and
9. "Pair" is a hand consisting of two cards of the same rank.

**13:69F-35.6 Wagers**

(a) All wagers at Mississippi stud shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon, on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All ante wagers and bet wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure in N.J.A.C.

13:69F-35.7, 35.8, or 35.9.

(c) A "bet" wager shall be made in accordance with N.J.A.C. 13:69F-35.10.

(d) A player shall not be permitted to play at more than one betting position.

(e) Only players who are seated at the Mississippi stud table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-35.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of N.J.A.C. 13:69E-1.19. Once the procedures required by N.J.A.C. 13:69F-35.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated shuffling device.

(b) Prior to dealing any cards and prior to revealing each community cards, the dealer shall announce "No more bets."

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. Two cards face down to each player; and
2. Three community cards face down in the designated area.

(e) After two cards have been dealt to each player and the three community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in

the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards have been misdealt (a player has more or less than two cards or the area designed for the community cards has more or less than three cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-35.12. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table pursuant to N.J.A.C. 13:69E-1.18.

**13:69F-35.8 Procedures for dealing the cards from the hand**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, permit a dealer to deal the cards used to play Mississippi stud from his or her hand.

(b) If a casino licensee chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed.

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by N.J.A.C. 13:69F-35.4 have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall then announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. Two cards face down to each player; and
2. Three community cards face down in the designated area.

(d) After two cards have been dealt to each player and the three community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-35.7.

**13:69F-35.9 Procedures for dealing the cards from an automated dealing shoe**

(a) Notwithstanding any other provision of N.J.A.C. 13:69E or this chapter, a casino licensee may, in its discretion, choose to have the cards used to play Mississippi stud dealt from an automated dealing shoe which dispenses cards in stacks of two cards, provided that the shoe, its location and the procedures for its use in accordance with the casino licensee's internal control procedures.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed.

1. Once the procedures required by N.J.A.C. 13:69F-35.4 have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-35.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-35.6.

(d) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the

automated dealing shoe, deal from his or her hand the three community cards face down in accordance with the provisions of N.J.A.C. 13:69F-35.10. After all three community cards have been dealt, the dealer shall, except as provided in (e) below, place the cards in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still present in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-35.7.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of N.J.A.C. 13:69E-1.18.

**13:69F-35.10 Completion of a round of play; collection and payment of wagers**

(a) After the dealing procedures required by N.J.A.C. 13:69F-35.7, 35.8, or 35.9 have been completed but before the dealer exposes the community cards, each player shall, after examining his or her cards, either place a bet wager in an amount equal to one, two or three times the amount of his or her ante wager in the designated 3rd street betting area or fold and forfeit the ante wager. If a player folds, the player's ante wager shall be collected by the dealer and placed in the table inventory container. A folded hand shall then be immediately collected by the dealer and placed in the discard rack.

(b) Each player shall be responsible for his or her own hand and no other person other than the dealer may touch the cards of that player. Each player shall be required to keep the two cards in full view of the dealer at all times.

(c) No player may exchange or communicate information regarding his or her hand prior to the dealer revealing all of the community cards. Any violation shall result in a forfeiture of all wagers on that round by such player.

(d) After all players have either placed a 3rd street wager or folded, the dealer shall then turn over and reveal the first community card.

(e) Each player shall then either place a bet wager in an amount equal to one, two, or three times the amount of the player's ante wager in the designated 4th street betting area or fold and forfeit the ante wager and 3rd street wager. If a player folds, the ante wager and 3rd street wager shall be collected by the dealer and placed in

the table inventory container. A folded hand shall then be immediately collected by the dealer and placed in the discard rack.

(f) After all remaining players have either placed a 4th street wager or folded, the dealer shall then turn over and reveal the second community card.

(g) Each player shall then either place a bet wager in an amount equal to one, two or three times the amount of the player's ante wager in the designated 5th street betting area or fold and forfeit the ante wager, 3rd street wager and 4th street wager. If a player folds, the ante wager, 3rd street wager and 4th street wager shall be collected by the dealer and placed in the table inventory container. A folded hand shall then be immediately collected by the dealer and placed in the discard rack.

(h) After all remaining players have either placed a 5th street wager or folded, the dealer shall then reveal the third community card.

(i) Starting with the player farthest to the dealer's right and proceeding in a counterclockwise manner around the table, the dealer shall evaluate and announce the best possible five-card poker hand that can be formed using the two player cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. The hand of the player shall then be immediately collected by the dealer and placed in the discard rack.

1. All losing wagers shall immediately be collected by the dealer and placed in the table inventory container. All losing hands shall then be immediately collected by the dealer and placed in the discard rack.

2. If the hand of the player is a push (a pair of sixs, sevens, eights, nines or 10's), the dealer shall not collect or pay the wagers, but shall immediately collect the cards of that player.
3. All winning wagers shall be paid in accordance with the payout odds listed in N.J.A.C. 13:69F-35.11. A player's winning hand shall remain face up on the layout until the ante wager and bet wagers are paid. After paying winning ante and bet wagers, the dealer shall immediately collect the cards of all winning players and place them in the discard rack.

(j) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-35.11 Payout odds**

(a) The payout odds for winning wagers at Mississippi stud printed on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) For a winning hand, the ante, 3rd, 4th and 5th street wagers are paid the same payout odds ranging from 1 to 1 for a pair of jacks, queens, kings, or aces to 500 to 1 for a royal flush.

<u>Hand</u>	<u>Payout Odds</u>
Royal Flush	500 to 1
Straight Flush	100 to 1
Four-of-a-Kind	40 to 1
Full House	10 to 1
Flush	6 to 1
Straight	4 to 1
Three-of-a-Kind	3 to 1
Two Pair	2 to 1
Pair of Jacks or Better Pair	1 to 1
Pair of Sixs to Pair of 10's	Push

(c) Notwithstanding the payout odds set forth in (c) above, the aggregate payout limit for any hand shall be \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

### **13:69F-35.12 Irregularities**

(a) If a community card is exposed prior to the dealer announcing "No more bets" pursuant to N.J.A.C. 13:69F-35.7, all hands shall be void.

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If any player is dealt an incorrect number of cards, that player's hand shall be void.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the casino licensee's internal control procedures.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the casino licensee's internal control procedures.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

## **SUBCHAPTER 36. TRIPLE ATTACK BLACKJACK**

### **13:69F-36.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Blackjack" shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer, except for an ace and a 10 point value card dealt to a player who has split pairs.

"First attack wager" shall mean the wager required to be made prior to any cards being dealt in order to participate in the round of play.

"Hard total" shall mean the total point count of a hand which contains no aces or which contains aces that are each counted as one in value.

"Rank" shall mean, for purposes of the triple match wager described in N.J.A.C. 13:69F-36.6(a)2, one of 12 categories of cards: ace, two, three, four, five, six, seven, eight, nine, jack, queen, and king.

"Second attack wager" shall mean the optional wager, in an amount not to exceed the amount of the first attack wager, afforded to each player after all the players have been dealt a card face upwards.

"Soft total" shall mean the total point count of a hand which contains an ace that is counted as 11 in value.

"Suit" shall mean one of the four categories of cards: club, diamond, heart, and spade.

“Third attack wager” shall mean an optional wager, in an amount not to exceed the amount of the first attack wager, afforded to each player after the dealer is dealt a card face upwards.

**13:69F-36.2 Cards; number of decks; point value of cards**

(a) Triple attack blackjack shall be played with eight decks of cards, with backs of the same color and design and one additional cutting card. The decks shall consist of 48 cards, with the 10 of each suit having been removed from each deck during the inspection required by N.J.A.C. 13:69F-36.3. The cutting card shall be opaque and a solid color readily distinguishable from the color of the backs and edges of the playing cards. The point value of the cards contained in each deck shall be as follows:

1. Any card from two to nine shall have its face value;
2. Any jack, queen, or king shall have a value of 10;
3. An ace shall have a value of 11, unless that value would give a player or the dealer a point total in excess of 21, in which case an ace shall have a value of one.

**13:69F-36.3 Opening of the table for gaming**

(a) After receiving the decks of cards at the table, the dealer shall comply with the rules of the Division regarding table openings.

(b) If the decks contain the 10 of any suit, the dealer shall remove these cards from the decks. Such cards shall be destroyed in a manner approved by the Division. Following the inspection of the cards by the dealer and the verification, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. Each deck of cards shall be spread out separately, according to suit and in sequence.

(c) After the first player has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a "washing" or "chemmy shuffle" of the cards, and stacked. If during the mixing or the stacking process a card is turned over and exposed to the players, the cards shall be remixed. Once the cards have been stacked, they shall be shuffled in accordance with N.J.A.C. 13:69F-36.4.

**13:69F-36.4 Shuffle and cut of the cards**

(a) Immediately prior to the commencement of play, unless the cards were reshuffled pursuant to N.J.A.C. 13:69F-1.18(r), and after each shoe of cards has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, place the stack of cards in the dealing shoe and deal the cards in accordance with the procedures set forth in N.J.A.C. 13:69F-36.7; provided, however, that nothing in this paragraph shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe; or
2. If the cards were shuffled manually or were reshuffled pursuant to N.J.A.C. 13:69F-1.18(r), cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined pursuant to (d) below. If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

1. The first player to the table, if the game is just beginning;

2. The player on whose box the cutting card appeared during the last round of play;
3. The player at the farthest position to the right of the dealer if the cutting card appeared on the dealer's hand during the last round of play; or
4. The player at the farthest position to the right of the dealer if the reshuffle was initiated at the discretion of the casino licensee.

(e) The player or dealer making the cut shall place the cutting card in the stack at least 10 cards from either end. Once the cutting card has been inserted, the dealer shall take the cutting card and all the cards on top of the cutting card and place them on the bottom of the stack. The dealer shall then take the entire stack of cards that was just shuffled and align them along the side of the dealing shoe which has the mark. Thereafter, the dealer shall insert the cutting card in the stack at a position at least approximately one quarter of the way in from the back of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the casino licensee's option, by the player who last cut the cards, or by the next person entitled to cut the cards, as determined by (c) and (d) above.

(g) A reshuffle of the cards in the shoe shall take place after the cutting card is reached in the shoe; provided, however, that the casino licensee may determine after each round of play that the cards should be reshuffled.

(h) Whenever there is no gaming activity at a triple attack blackjack table that is open for gaming, the cards shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once a player arrives at the table. After the first player is afforded an opportunity to visually inspect the cards, the procedures outlined in N.J.A.C. 13:69F-36.3(c) shall be completed.

**13:69F-36.5 Attack wagers; payout odds**

(a) If the point value of the player's hand exceeds 21, the player shall lose his or her first and, if placed, second and third attack wagers.

(b) If the point value of the player's hand is 21 (including blackjack) or if the player has a hand with six or more cards with a point value less than 21, the player shall win his or her first and, if placed, second and third attack wagers.

(c) If the point value of the player's hand is 20 or less with fewer than six cards and exceeds the point value of the dealer's hand or the dealer's hand exceeds 22, the player wins.

(d) If the point value of the player's hand is 20 or less with fewer than six cards and is equal to the point value of the dealer's or the point value of the dealer's hand is 22, the player's first and, if placed, second and third attack wagers shall be a push.

(e) All wagers at triple attack blackjack shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash may be accepted, provided it is confirmed by the dealer and casino supervisor, and that such cash is expeditiously converted into gaming chips or plaques in accordance with the rules of the Division.

(f) Except as otherwise provided in this subchapter, no wager shall be made, increased or withdrawn after the first card of the respective round has been dealt.

(g) If the point value of a player's hand exceeds 21, the dealer shall immediately collect the player's attack wagers. After each round of play is complete, the dealer shall collect all remaining losing first, second, and third attack wagers and pay all winning first, second, and third attack wagers at odds of 1 to 1.

(h) Except as expressly permitted by this subchapter, once the first card of any hand has been removed from the shoe by the dealer, no player shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(i) Once an insurance wager, a wager to double down or a wager to split pairs has been made and confirmed by the dealer, no player shall handle, remove or alter such wagers until a decision has been rendered and implemented with respect to that wager, except as expressly permitted by this subchapter.

(j) After the cards have been shuffled, a casino licensee may, in its discretion, prohibit any person, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table unless the casino licensee chooses to permit the player to begin wagering or until a reshuffle of the cards has occurred.

**13:69F-36.6 Optional bonus wagers**

(a) A player at a triple attack blackjack table may make one or both of the following optional bonus wagers:

1. “Suited royal wager” is a wager that the player’s first two cards will be one of the following two-card hands:
  - i. “King queen suited” is a hand consisting of a king and a queen of the same suit;
  - ii. “Two suited face cards” is a hand consisting of two cards, each a king, queen, or jack of the same suit; and
  - iii. “Two-card flush” is a hand consisting of two cards of the same suit regardless of rank.
  
2. “Triple match wager” is a wager that the player’s first two cards and the dealer’s first card dealt face up will be one of the following three or two card hands:
  - i. “Three-of-a-kind suited” is a hand consisting of three cards of the same rank and suit;
  - ii. “Three-of-a-kind unsuited” is a hand consisting of three cards of the same rank regardless of suit;
  - iii. “Pair suited” is a hand consisting of three cards, two of which are of the same rank and suit; and
  - iv. “Pair unsuited” is a hand consisting of three cards, two of which are of the same rank regardless of suit.

(b) Prior to the first card being dealt for each round of play, a player who has placed the first attack wager may make an additional bonus wager(s), which shall be in an amount not less than \$1.00 and shall not exceed the lesser of:

1. The amount of the player's first attack wager; or
2. A maximum amount established by the casino licensee, which limit shall be posted in accordance with N.J.A.C. 13:69F-8.3.

(c) The optional bonus wager(s) shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate area of the triple attack blackjack layout, except that a verbal wager accompanied by cash may be accepted provided that it is confirmed by the dealer and casino supervisor at the table prior to the first card being dealt to any player, and that such cash is expeditiously converted into gaming chips or plaques in accordance with the rules of the Division.

(d) Each winning suited royals wager shall be paid once for the highest ranking qualifying hand that can be formed at one of the following pay tables preselected by the casino licensee:

<u>Hand</u>	<u>Pay Table A</u>	<u>Pay Table B</u>
King Queen Suited	40 to 1	30 to 1
Two Suited Face Cards	10 to 1	12 to 1
Two-Card Flush	2 to 1	2 to 1

(e) Each winning triple match wager shall be paid once for the highest ranking qualifying hand that can be formed at one of the following pay tables preselected by the casino licensee:

<u>Hand</u>	<u>Pay Table A</u>	<u>Pay Table B</u>
Three-of-a-Kind Suited	150 to 1	50 to 1
Three-of-a-Kind Unsuited	20 to 1	8 to 1
Pair Suited	4 to 1	6 to 1
Pair Unsuited	2 to 1	2 to 1

(f) The optional bonus wager(s) shall have no bearing on any other wager made by a player at the game of triple attack blackjack.

**13:69F-36.7 Procedure for dealing the cards**

(a) All cards used at triple attack blackjack shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of the dealer.

(b) The dealer shall remove cards from the shoe with his or her left hand, turn them face upwards, and then place them on the appropriate area of the layout with his or her right hand, except that the dealer has the option to deal hit cards to the first two betting positions with his or her left hand.

(c) After the full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack, which shall be located on the table immediately to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described in this subsection before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by a player.

(d) To commence each round of play, all players shall make a first attack wager in the area marked "First Attack," and shall be afforded the opportunity to place a suited royals wager in the area marked "Suited Royals" and a triple match wager in the area marked "Triple Match." After all players have placed a first attack wager and optional bonus wagers, the dealer shall deal a card face up to each player.

(e) The dealer shall then offer all players the opportunity to place an additional wager or second attack wager in the area marked "Second Attack" in an amount equal to the player's first attack wager. After the dealer has offered all players

the opportunity to place a second attack wager and each player has placed or declined to place such wager, the dealer shall deal a card to himself or herself face up.

(f) The dealer shall then offer all players the opportunity to place a third wager or third attack wager in the area marked "Third Attack" in an amount equal to the player's first attack wager. A player may place a third attack wager regardless of whether the player placed a second attack wager. After the dealer has offered all players the opportunity to place a third attack wager and each player has place or decline to place such wager, the dealer shall deal a second card face up to each player and a second card face down to the dealer.

(g) After two cards have been dealt to each player and the dealer, the dealer shall with each player, beginning from his or her left announce the point total of each player and, if a player has placed either a suited royal wager or a triple match wager, determine and announce whether such wager(s) qualify for a payout in accordance with N.J.A.C. 13:69F-36.6. The dealer shall pay all winning bonus wagers and collect all losing bonus wagers. As each player's point total is announced, such player shall indicate whether he or she wishes to stand, draw, double down, or splitting pairs, as provided for by this subchapter.

(h) As each player indicates his or her decisions, the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decisions consistent with this subchapter and shall announce the new point total of such player after each additional card is dealt. If a player has been dealt blackjack or 21 in three or

more cards, the dealer shall pay the attack wagers for that hand when the point total is announced.

(i) After the decisions of each player have been implemented and all additional cards have been dealt, any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 13:69F-36.11 shall be dealt face upwards at this time, after which the dealer shall announce his or her point total. In lieu of the requirements of this subsection, one of the procedures set forth in (k) below may be implemented.

(j) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his or her far right and moving counterclockwise around the table. After all the players' cards have been collected, the dealer shall pick up his or her cards against the bottom of the players' cards and place them in the discard rack.

(k) In lieu of the procedure set forth in (c) and (i) above, a casino licensee may permit the dealer to deal his or her hole card face downward after a second card and before additional cards are dealt to the players; provided, however, that the dealer shall not look at the face of the hole card until after all other cards requested by the players pursuant to those regulations are dealt to them. Notwithstanding the foregoing, if a casino licensee elects to utilize a card reader device and the dealer's first card dealt face up is an ace, king, queen or jack of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the

players at the table. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table. If the dealer has a blackjack, no additional cards shall be dealt and each player's wager(s) shall be settled in accordance with N.J.A.C. 13:69F-36.5 and 36.6, as applicable. Any casino licensee using this alternate dealing procedure shall provide notice thereof.

(l) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed, after which the dealer shall:

1. Collect the cards as provided in (j) above;
2. Remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; and
3. Shuffle the cards.

(m) No player or spectator shall handle, remove or alter any cards used to game at triple attack blackjack except as explicitly permitted by this subchapter, and no dealer or other casino employee shall permit a player or spectator to engage in such activity.

(n) Each player at the table shall be responsible for correctly computing the point count of his or her hand, and no player shall rely on the point counts or the determination of the outcome of any optional bonus wager required to be announced

by the dealer under this section without checking the accuracy of such announcement  
himself or herself.

**13:69F-36.8 Doubling down**

(a) Except for when a player is dealt a blackjack, a player may elect to double down, that is, make up an additional wager, in an amount equal to or less than the amount of the sum of the player's attack wager, on the two or more cards dealt to that player, including any hands resulting from a split pair, on the condition that only one additional card shall be dealt to each hand on which the player has elected to double down. In such circumstances, the one additional card shall be dealt face upwards and placed sideways on the layout.

(b) Winning wager(s) on a doubled hand shall be paid in accordance with N.J.A.C. 13:69F-36.5(e).

(c) If a dealer has a blackjack after a player doubles down, the dealer shall collect only the amount of the original wager(s) of such player, and shall not collect the additional amount wagered in doubling down.

**13:69F-36.9 Splitting pairs**

(a) Whenever the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands, provided that the player makes a wager on the second hand so formed in an amount equal to the sum of his or her attack wager(s).

(b) When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player shall indicate his or her decision to stand, draw or double down with respect thereto. A player may also split pairs again if the second card dealt to an incomplete hand is identical in value to the split pair; provided, however, that a casino licensee may, in its discretion, permit a player to split pairs a maximum of three times (total of four hands).

(d) If the dealer obtains blackjack after a player splits pairs, the dealer shall collect only the amount of the original attack wager(s) of such player, and shall not collect the additional amount wagered in splitting pairs.

(e) When a player elects to split a pair of aces, each ace shall receive only one card unless the player elects to double down after an additional card is dealt to an ace. The player shall place a wager in an amount equal to or less than the aggregate attack wagers placed on the two card hand (an ace and the additional card dealt to the ace).

### **13:69F-36.10 Insurance**

(a) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance wager, which shall win if the dealer's second card is a king, queen, or jack and shall lose if the dealer's second card is an ace, two, three, four, five, six, seven, eight, or nine.

(b) An insurance wager shall be made by placing on the insurance line of the layout an amount not more than half the aggregate amount staked on the player's attack wagers, except that a player may wager an amount in excess of half the aggregate of the attack wagers to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, exactly half the aggregate of the attack wagers cannot be wagered. All insurance wagers shall be placed immediately after the second card is dealt to each player and prior to any additional cards being dealt to any player at the table. If a card reader device is in use, all insurance wagers shall be placed prior to the dealer inserting his or her hole card into the card reader device.

(c) All winning insurance wagers shall be paid at odds of 2 to 1, except that if the dealer has a blackjack comprised of two cards of the same suit, the winning insurance wager shall be paid at odds of 5 to 1.

(d) All losing insurance wagers shall be collected by the dealer immediately after the dealer draws his or her second face up card or discloses his or her hole card and before the dealer draws any additional cards.

**13:69F-36.11 Drawing of additional cards by players and the dealer**

(a) A player may elect to draw additional cards whenever his or her point count total is less than 21, except that:

1. A player having blackjack or a hard total of 21 may not draw additional cards; and
2. A player electing to double down shall draw only one additional card.

(b) Except as provided in (c) below, a dealer shall draw additional cards to his or her hand until the dealer has a hard total of 17, 18, 19, 20, or 21 or a soft total of 18, 19, 20, or 21, at which point no additional cards shall be drawn.

(c) A dealer shall draw no additional cards to his or her hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play.

**13:69F-36.12 More than one player wagering on a box**

(a) Unless otherwise directed by the Division, a casino licensee may permit from one to three people to wager on any one box of the triple attack blackjack layout, provided that the first person wagering on that box consents to additional players wagering on such box, and provided further that the casino licensee adheres to such procedures and limitations imposed by the Division as dictated by the particular circumstances.

(b) Whenever more than one player wagers on a box, only the player seated at that box shall have the exclusive right to call the decisions with regard to the cards dealt to such box. In the case of no seated player, the person with the highest wager in the box shall have such right.

(c) The player calling the decisions with respect to any box shall place his or her wager in that portion of the box closest to the dealer's side of the table and all other players wagering on such box shall place their wagers immediately behind and in a vertical line with the aforementioned wager.

(d) Whenever more than one player is wagering on a box and the player calling the decisions decides to double down, the other players may also double their wagers but shall not be required to do so. In any event, only one additional card shall be dealt to the hand that is subject to the double down decision.

(e) Whenever more than one player is wagering on a box and the player calling the decisions decides to place an additional bet in the double and triple attack

boxes, the other players may also place an additional bet in the double and triple attack boxes, but shall not be required to do so.

(f) Whenever more than one player is wagering on a box and the player calling the decisions decides to split pairs, the other players shall either make an additional wager to cover each split pair or designate the split pair to which their initial wager shall apply.

(g) Whenever more than one player is wagering on a box, each player shall have the right to make an insurance wager, regardless of whether the other players on that box make such a wager.

(h) The Division and its agents shall have the discretion and authority to limit, control and regulate the implementation of this section as is appropriate under the circumstances which shall include, without limitation, the right to limit the number of tables at which this procedure is permitted, the right to limit the number of boxes at each table on which more than one person can wager and the right to require the casino licensee to establish the ability of its dealers to implement this section.

**13:69F-36.13 Player wagering on more than one box**

A player may only wager on one box at a triple attack blackjack table unless the casino licensee, in its discretion, permits the player to wager on additional boxes.

### **13:69F-36.14 Irregularities**

(a) A card found turned face up in the shoe shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(b) If a 10 card of any suit is found in the shoe, it shall not be used in the game and shall be removed from the shoe and destroyed by a floorperson in a manner approved by the Division. If more than one 10 card is found in the shoe during the dealing of the cards, the round of play shall be void and the cards shall be reshuffled.

(c) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(d) If the dealer fails to deal the first card to himself or herself before dealing the second of the first two cards to each player, the round of play shall be void.

(e) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to him or her during such round. If the card is refused by the player and the dealer cannot use the card, the card shall be burned.

(f) If the dealer has a hard point count of 17 or higher and accidentally draws a card for himself or herself, such card shall be burned.

(g) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut, the first card shall be drawn face down and burned, and the dealer shall complete the round of play.

(h) If no cards are dealt to a player, the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.

(i) If after receiving the first two cards, the dealer fails to deal an additional card or cards to a player who has requested such cards, then, at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or shall call the player's hand dead and return the player's original wager(s).

(j) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled.

(k) Any automated card shuffling device shall be removed from a gaming table before any other method of shuffling may be utilized at that table.

(l) If the dealer inserts his or her hole card into a card reader device when the value of his or her first card is not an ace, king, queen, or jack, the dealer, after notification to a casino supervisor, shall:

1. If the particular card reader device in use provides any player with the opportunity to determine the value of the hole card, call all hands dead, collect the cards and return each player's wager; or
2. If the particular card reader device in use does not provide any player with the opportunity to determine the value of the hole card, continue play.

(m) If a card reader device malfunctions, the dealer may only continue dealing the game of triple attack blackjack at that table using the dealing procedures applicable when a card reader device is not in use.

## **SUBCHAPTER 37. MINI-TEX 3 CARD HOLD 'EM**

### **13:69F-37.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicated otherwise:

“Ante” or “ante wager” means the initial wager required to be made prior to any cards being dealt in order to participate in the round of play.

“Burn” means to remove the top or next card from the deck and place it face down in the discard rack without revealing it to anyone.

“Community card” means any of the three cards dealt face up in the center of the table that are used by each player and the dealer with his or her individual two cards to form the best possible three-card poker hand.

“Flop” means the first two community cards dealt face up to the area designated for the placement of the community cards.

“Flop wager” means the second wager, equal to the amount of the player’s ante, that is required to be placed prior to the flop being dealt in order for the player to continue participation in the round of play.

“Fold” means the withdrawal of a player from a round of play by electing not to make the wager required to continue to participate in the round of play.

“Hand” means the highest ranking three-card hand that can be formed from the three community cards and the two cards dealt to the dealer or a player, using at least one of the two cards dealt to the player by the dealer.

“Hole card” means either of the two cards dealt to each player by the dealer at the beginning of each round of play.

“Push” means a tie.

“Play wager” means the fourth wager, equal to twice the amount of the player’s ante, that the player is required to place prior to the showing of the dealer’s cards in order for the player to continue participation in the round of play.

“Pocket poker hand” means the two cards dealt face down to each player which determine the result of the optional pocket poker wager placed by the player.

“Pocket poker wager” means the optional, supplemental wager on whether the two cards dealt to a player qualify for a posted payout.

“Push” means a tie.

“Rank” or ranking means the relative position of a card or group of cards.

“River” or “river card” means the third and final community card dealt face up to the designated area of the layout.

“River wager” means the third wager, equal to the amount of the player’s ante, that is required to be placed prior to the river being dealt in order for the player to continue participation in the round of play.

“Round of play” or “round” means one complete cycle of play during which all players playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected in accordance with this subchapter.

“Stub” means the remaining portion of the deck after all cards in the round of play have been dealt.

“Suit” means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

**13:69F-37.2 Cards; number of decks**

(a) Except as provided in (b) below, the game of mini-tex 3 card hold 'em poker shall be played with one deck of cards that meets the requirements of the rules of the Division and two additional solid yellow or green cover cards.

(b) If an automated card shuffling device is used, a casino licensee shall be permitted to use a second deck of cards to play the game, provided that:

1. Each deck of cards complies with the requirements of the rules of the Division;
2. The backs of the cards in the two decks are of different color;
3. One deck is being shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game;
4. Both decks are continually alternated in and out of play, with each deck being used for every other round of play; and
5. The cards from only one deck shall be placed in the discard rack at any given time.

**13:69F-37.3 Opening of the table for gaming**

(a) After receiving the cards at the table, the dealer shall comply with the rules of the Division for the initial shuffling and dealing of cards.

(b) If a casino licensee uses an automated card shuffling device to play the game and two decks of cards are received at the table, each deck of cards shall be separately prepared for dealing in accordance with the rules of the Division.

**13:69F-37.4 Shuffle and cut the cards**

(a) Immediately prior to the commencement of play and after each round of play has been completed, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack; provided, however, that nothing in this section shall be deemed to prohibit the use of an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

1. If the cards were shuffled using an automated card shuffling device, deal or deliver the cards in accordance with the rules of the Division.
2. If the cards were shuffled manually, cut the cards in accordance with the procedures set forth in (c) below.

(c) If a cut of the cards is required, the dealer shall:

1. Cut the deck, using one hand, by:
  - i. Placing the cover card on the table in front of the deck of cards;
  - ii. Taking a stack of at least 10 cards from the top of the deck and placing them on top of a cover card;
  - iii. Placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card

iv. Removing the cover card and placing it in the discard rack;  
and

2. Deal the cards in accordance with the procedures set forth in the rules of the Division.

(d) Notwithstanding (c) above, after the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(e) Whenever there is no gaming activity at a mini-tex 3 card hold 'em table that is open for gaming, the licensee shall comply with the rules of the Division for an inactive table.

**13:69F-37.5 Mini-tex 3 card hold' em hand rankings**

(a) The rank of the cards used in mini-tex 3 card hold 'em poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three, and two. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a two and three. In determining either the dealer's or player's best three-card poker hand, at least one hole card must be used in combination with the community cards.

(b) The permissible poker hands at the game of mini-tex 3 card hold 'em poker, in order of highest to lowest rank, shall be:

1. "Straight flush" is a hand consisting of three cards of the same suit in consecutive ranking, with ace, king, and queen being the highest ranking three-card straight flush and ace, two and three being the lowest three-card straight flush; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example king, ace, and two);
2. "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three of a kind and three twos being the lowest ranking three of a kind;
3. "Straight" is a hand consisting of three unsuited cards of consecutive rank, with an ace, king, and queen being the highest ranking straight and an ace, two, and three being the lowest

ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example king, ace, and two);

4. "Flush" is a hand consisting of three cards of the same suit, not in consecutive order, with ace, king, and jack being the highest ranking flush and two, three, and five being the lowest ranking flush;
5. "Pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two twos being the lowest ranking pair; and
6. "High value card" is a hand that is not listed in (b)1 through 5 above, the value of which is determined by the highest ranking card in the hand.

(c) When comparing two hands which are of identical rank pursuant to the provisions of this section, or which contain none of the hands authorized in this section, the hand which contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a push.

(d) The permissible poker hands at the game of mini-tex 3 card hold 'em poker, for purposes determining the result of a pocket poker wager, shall be:

1. "Royal straight flush" is a hand consisting of ace-king of the same suit;
2. "Pair of aces" is a hand consisting of two aces;
3. "Straight flush" is a hand consisting of two cards of the same suit in consecutive ranking;
4. "Pair" is a hand consisting of two cards of the same rank; and
5. "Straight" is a hand consisting of two unsuited cards of consecutive rank.

**13:69F-37.6 Wagers**

(a) All wagers at mini-tex 3 card hold 'em poker shall be made by placing gaming chips or plaques, and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All wagers shall be placed prior to the dealer announcing "No more bets" in accordance with the dealing procedure set forth in the rules of the Division. Except as provided in N.J.A.C. 13:69F-37.10, no wager shall be made, increased, or withdrawn after the dealer has announced "No more bets."

(c) Upon placing an ante wager, a player may also place a pocket poker wager in at least the minimum amount established by the casino licensee by placing the desired amount on the designated betting area of the layout. The outcome of the pocket poker wager shall have no bearing on any other wager made by the player at the game of mini-tex 3 card hold 'em poker.

(d) Flop, river and play wagers shall be made in accordance with the provisions of N.J.A.C. 13:69F-37.10.

(e) Only players who are seated at the mini-tex 3 card hold 'em poker table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.

**13:69F-37.7 Procedure for dealing the cards from a manual dealing shoe**

(a) If a casino licensee chooses to have the cards dealt from a manual dealing shoe, the dealing shoe shall meet the requirements of the rules of the Division. Once the procedures required by N.J.A.C. 13:69F-37.4 have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) The dealer shall announce "No more bets" prior to dealing any cards.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to an area designated for the dealer's hand under the cover card.

(e) After two cards have been dealt to each player and to the area designated for the dealer's hand, and after all community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in (f) below, place the stub in the discard rack without exposing the cards.

(f) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards are still in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

1. 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.
2. If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player or the area designated for the placement of the dealer's hand has more or less than two cards) but 52 cards remain in the deck, all hands shall be void. If the cards have not been misdealt, all hands shall be considered void and the entire deck of cards shall be removed from the table.

**13:69F-37.8 Procedure for dealing the cards from the hand**

(a) A casino licensee may, in its discretion, permit a dealer to deal the cards used to play mini-tex 3 card hold 'em poker from his or her hand.

(b) If a casino chooses to have the cards dealt from the dealer's hand, the following requirements shall be observed:

1. The casino licensee shall use an automated shuffling device to shuffle the cards.
2. Once the procedures required by the rules of the Division have been completed, the dealer shall place the stacked deck of cards in either hand.
  - i. Once the dealer has chosen the hand in which he or she will hold the cards, the dealer shall use that hand whenever holding the cards during that round of play.
  - ii. The cards held by the dealer shall at all times be kept in front of the dealer and over the table inventory container.
3. The dealer shall announce "No more bets" prior to dealing any cards. The dealer shall deal each card by holding the deck of cards in the chosen hand and using the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout.

(c) The dealer shall, starting with the player farthest to his or her left and continuing around the table in a clockwise manner, deal the cards as follows:

1. One card face down to each player;
2. One card face down to the area designated for the dealer's hand under a cover card;
3. A second card face down to each player; and
4. A second card face down to the area designated for the dealer's hand under the cover card.

(d) After two cards have been dealt to each player and the area designated for the hand of the dealer and all community cards have been dealt, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The stub shall be counted in accordance with the provisions of N.J.A.C. 13:69F-37.7.

**13:69F-37.9 Procedures for dealing the cards from an automated dealing shoe**

(a) A casino licensee may, in its discretion, choose to have the cards used to play mini-tex 3 card hold 'em poker dealt from an automated dealing shoe which dispenses cards in stacks of two cards, provided that the shoe, its location and the procedures for its use comply with the rules of the Division.

(b) If a casino licensee chooses to have the cards dealt from an automated dealing shoe, the following requirements shall be observed:

1. Once the procedures required by these rules have been completed, the cards shall be placed in the automated dealing shoe.
2. The dealer shall then announce "No more bets" prior to the shoe dispensing any stacks of cards.

(c) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to his or her left who has placed a wager in accordance with N.J.A.C. 13:69F-37.6. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed a wager in accordance with N.J.A.C. 13:69F-37.6. The dealer shall then place a cover card on top of the dealer's stack of two cards in the automated dealing shoe and deliver the stack face down with the cover card on top to the area designated for the dealer's hand.

(d) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures set forth in this subchapter, deal from his or her hand the three community cards in accordance with the provisions of N.J.A.C. 13:69F-37.10. After all community cards have been dealt, the dealer shall, except as provided in (e) below, place the stub in the discard rack without exposing the cards.

(e) The dealer shall be required to count the stub at least once every five rounds of play in order to determine that the correct number of cards is still in the deck. The stub shall be counted in accordance with the provisions of N.J.A.C. 13:69F-37.7.

(f) Notwithstanding the provisions of (e) above, the counting of the stub shall not be required if an automated card shuffling device is used that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are still present. If the automated card shuffling device reveals that an incorrect number of cards are present, the deck shall be removed from the table in accordance with the provisions of the rules of the Division.

**13:69F-37.10 Procedure for completion of each round of play; collection and payment of wagers**

(a) After the dealing procedures have been completed, each player shall examine his or her cards without exposing them to any person, replace the cards face down on the layout and either place a flop wager or fold and forfeit the ante wager.

1. If a player chooses to place a flop wager, the wager shall be placed in the designated flop betting area.
2. If a player folds, the player's ante shall be collected by the dealer and placed in the table inventory container.
  - i. If the player has also placed a pocket poker wager, the player's cards shall remain on the table pending resolution of the pocket poker wager at the conclusion of the round of play.
  - ii. If no pocket poker wager has been made, the dealer shall immediately spread the cards of the folded hand face down, collect the cards and place them in the discard rack.

(b) Once all players have either placed a flop wager or folded, the dealer shall burn the next card. The dealer shall then turn face up the next two cards in the deck (the flop) and place them in the designated area for the community cards.

(c) Prior to revealing the river card, the dealer shall, starting with the player farthest to the dealer's left who has placed a flop wager and proceeding around the table in a clockwise manner, ask each player if he or she wishes to place a river wager or fold and forfeit the ante and flop wagers.

1. If a player elects to place a river wager, the wager shall be placed in the designated river betting area.
2. If a player folds, the player's ante and flop wagers shall be collected by the dealer and placed in the table inventory container.
  - i. If the player has also placed a pocket poker wager, the player's cards shall remain on the table pending resolution of the pocket poker wager at the conclusion of the round of play.
  - ii. If no pocket poker wager has been made, the dealer shall immediately spread the cards of the folded hand face down, collect the cards and place them in the discard rack.

(d) Once all remaining players have either placed a river wager or folded, the dealer shall burn the next card face down. The dealer shall then turn face up the next card in the deck (the river) and place it in the designated area for the community cards.

(e) Once the dealer has revealed the river card, the dealer shall, starting with the player farthest to the dealer's left who has placed a river wager and proceeding around the table in a clockwise manner, ask each player if he or she wishes to place a play wager or fold and forfeit the ante, flop and river wagers.

1. If a player elects to place a play wager, the wager shall be placed in the designated play betting area.

2. If a player folds, the player's ante, flop and river wagers shall be collected by the dealer and placed in the table inventory container.
  - i. If the player has also placed a pocket poker wager, the player's cards shall remain on the table pending resolution of the pocket poker wager at the conclusion of the round of play.
  - ii. If no pocket poker wager has been made, the dealer shall immediately spread the cards of the folded hand face down, collect the cards and place them in the discard rack.

(f) Once all remaining players have either placed a play wager or folded, the dealer shall remove the cover card on top of the dealer's cards and place it on the table layout. The dealer shall then turn the dealer's two cards face up, and announce and place the cards to indicate the best possible three-card poker hand that can be formed using a minimum of one of the dealer's two cards and not more than two of the community cards.

(g) Starting with the player farthest to the dealer's right who has placed a play wager and proceeding in a counterclockwise manner around the table, the dealer shall turn face up the two cards of each player who has placed a play wager and announce the best possible three-card poker hand that can be formed using a minimum of one of the player's two cards and not more than two of the community cards. The wagers of each player shall be resolved one player at a time regardless of outcome.

Unless a player has placed a pocket poker wager, the hand of the player shall then be immediately collected by the dealer and placed in the discard rack.

1. At the election of the casino licensee, the qualifying rank of the dealer's hand shall be either ace-king or a pair and shall be pre-designated in the rules of the game submission.
2. If the player's three-card hand has a lower rank than the dealer's three-card poker hand, the player shall lose and the dealer shall immediately collect any ante, flop, river and play wagers made by the player and place the wagers in the table inventory container.
3. If the player's three-card hand has a higher rank than the dealer's three-card poker hand and the dealer's hand qualifies, the player shall win and the dealer shall pay any ante, flop, river and play wagers made by the player in accordance with the payout odds set forth in N.J.A.C. 13:69F-37.11.
4. If the player's three-card hand has a higher rank than the dealer's three-card poker hand and the dealer's hand fails to qualify, the player shall win and the dealer shall pay any ante, flop and river wagers. The play wager shall be deemed a push and neither be paid nor collected.
5. If the player's three-card poker hand and the dealer's three-card poker hand are of equal rank, the player's hand shall be a push. In such case, the dealer shall not collect or pay the player's wagers.

6. After settling a player's ante, flop, river, and play wagers, the dealer shall settle any pocket poker wager made by the player by determining whether the player's two cards qualify for a payout in accordance with N.J.A.C. 13:69F-37.11. A winning pocket poker wager shall be paid without regard to the outcome of any other wager made by the player. After the pocket poker wager of the player is settled, the dealer shall immediately collect the cards of that player and place them in the discard rack.

(h) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

**13:69F-37.11 Payout odds**

(a) The payout odds for winning wagers at mini-tex 3 card hold 'em poker printed on any sign or in any brochure or other publication distributed by a casino licensee shall be stated through the use of the word "to" or "win," and no odds shall be stated through the use of the word "for."

(b) A casino licensee shall pay each winning ante, flop, river and play wagers at odds of 1 to 1.

(c) A casino licensee shall pay each winning pocket poker wager at the game of mini-tex 3 card hold 'em poker at no less than the odds set forth in one alternative pay tables below pre-selected by the casino licensee:

<u>Hand</u>	<u>Table A</u>	<u>Table B</u>	<u>Table C</u>
Royal Straight Flush	25 to 1	40 to 1	50 to 1
Pair of Aces	20 to 1	35 to 1	40 to 1
Straight Flush	5 to 1	5 to 1	5 to 1
Pair	3 to 1	3 to 1	2 to 1
Straight	2 to 1	1 to 1	1 to 1

### **13:69F-37.12 Irregularities**

(a) If any card dealt to the dealer in mini-tex 3 card hold 'em poker is exposed prior to each player having either folded or placed a flop, river or play wager pursuant to N.J.A.C. 13:69F-37.10, all hands shall be void. If a player has placed a pocket poker wager, such wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-37.11(c).

(b) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. If the card(s) are found face up after each player and the dealer has received their initial two cards, any pocket poker side wager shall be settled in accordance with the payout odds set forth in N.J.A.C. 13:69F-37.11(c).

(c) A card drawn in error without its face being exposed shall be used as though it was the next card from the shoe or the deck.

(d) If a player is dealt an incorrect number of cards, that player's hand shall be void and the cards shall be reshuffled. If the dealer is dealt an incorrect number of cards, all players' hands shall be void unless the dealer can deal himself or herself the correct number of cards in sequence, provided that such cards have not already been turned face up.

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with the rules of the Division.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with the rules of the Division.

(g) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.

**13:69F-37.13 Prohibition against a player wagering on more than one player position**

A player shall not be permitted to wager on more than one player position at a mini-tex 3 card hold 'em poker table.

## **CHAPTER 69G**

### **EXCLUSION OF PERSONS**

#### **SUBCHAPTER 1. PERSONS REQUIRED TO BE EXCLUDED**

##### **13:69G-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Candidate" means any person whose name is included in a petition to place such person on the exclusion list pursuant to section 71 of the Act and this chapter.

"Career or professional offender" means any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain, utilizing such methods as are deemed criminal violations of the public policy of this State.

"Cheat" means any person whose act or acts in any jurisdiction would constitute any offense under sections 95.27, 95.28, 113, 114, and 115 of the Act, if prosecuted under New Jersey law.

"Excluded person" means any person who has been placed upon the list by preliminary or final order of the Division and who, pursuant to section 71 of the Act and this chapter, is required to be excluded or ejected from a casino hotel facility or from participating in Internet gaming.

"List or exclusion list" means a list of names of persons who, pursuant to section 71 of the Act and the Division's rules, are required to be excluded or ejected from casino hotel facilities or prohibited from Internet gaming.

"Occupational manner or context" means the systematic planning, administration, management, or execution of an activity for financial gain.

**13:69G-1.2 Maintenance and distribution of list**

(a) The Division shall maintain a list of persons to be excluded or ejected from a licensed casino establishment or prohibited from Internet gaming.

(b) The list shall be open to public inspection and shall be distributed to every casino licensee within this State, which shall acknowledge receipt thereof in writing.

(c) Each casino licensee shall have the responsibility to distribute copies of the list to its employees. Any additions, deletions, or other updates to the list shall be distributed by each casino licensee to its employees within two business days of the casino licensee's receipt of such updates from the Division.

**13:69G-1.3 Criteria for exclusion**

(a) The exclusion list may include any person who meets any of the following criteria:

1. A career or professional offender whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein;
2. An associate of a career or professional offender whose association is such that his or her presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein;
3. Any person who has been convicted of a criminal offense under the laws of any state, or of the United States, which is punishable by more than six months of incarceration, or who has been convicted of any crime or offense involving moral turpitude, and whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or of licensed gaming therein;
4. Any person whose presence in a licensed casino establishment would be inimical to the interest of the State of New Jersey or licensed gaming therein, including, but not limited to:
  - i. Cheats;

- ii. Persons whose privileges for licensure have been revoked;
  - iii. Persons who pose a threat to the safety of the patrons or employees of a casino licensee;
  - iv. Persons with a documented history of conduct involving the undue disruption of the gaming operations of casino licensees; and
  - v. Persons subject to an order of the Superior Court of New Jersey excluding such persons from all casino hotel facilities; or
5. Any person whose participation in licensed Internet gaming would be inimical to the interest of the State of New Jersey or licensed gaming therein.

(b) For purposes of (a) above:

- 1. A person's presence may be considered "inimical to the interest of the State of New Jersey or of licensed gaming therein" if known attributes of such person's character and background:
  - i. Are incompatible with the maintenance of public confidence and trust in the credibility, integrity and stability of licensed casino gaming;

- ii. Could reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by the Act; or
  - iii. Would create or enhance a risk of the fact or appearance of unsuitable, unfair or illegal practices, methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto.
2. A finding of inimicality may be based upon the following:
- i. The nature and notoriety of the attributes of character or background of the person;
  - ii. The history and nature of the involvement of the person with licensed casino gaming in New Jersey or any other jurisdiction, or with any particular casino licensee or licensees or any related company thereof;
  - iii. The nature and frequency of any contacts or associations of the person with any casino licensee or licensees, or with any employees or agents thereof; or
  - iv. Any other factor reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the casino industry and its employees.

(c) Race, color, creed, national origin or ancestry, or sex shall not be a reason for placing the name of any person upon such list.

#### **13:69G-1.4 Duties of the Division of Gaming Enforcement**

(a) The Division shall, on its own initiative, or upon referral by a casino licensee, investigate any individual who would appear to be an appropriate candidate for placement on the exclusion list.

(b) If, upon completion of an investigation, the Division determines that an individual should be placed on the exclusion list, the Division shall commence an action, identifying the candidate and setting forth a factual basis why the Division believes the candidate satisfies the criteria for exclusion established by section 71 of the Act and this chapter.

(c) If the Division files a complaint alleging a violation of section 71d of the Act and *N.J.A.C. 13:69G-1.7(a)* against any licensee, the Division shall simultaneously commence an action to exclude the person alleged in the complaint to meet the criteria for exclusion in *N.J.A.C. 13:69G-1.3*.

**13:69G-1.5 Procedure for entry of names**

- (a) The Division may place a person on the exclusion list upon:
1. Commencement of an action in accordance with the procedures set forth at N.J.A.C. 13:69B-4; or
  2. Receipt of an order of the Superior Court of New Jersey excluding such person from all casino hotel facilities. The Division shall consider such action forthwith upon receipt of the court order, with at least 15 days notice to such person by certified mail at his or her last known address.
- (b) An action to exclude an individual shall be commenced with a petition which shall be served upon the respondent by certified mail at his or her last known address. Upon receipt of the petition, a respondent shall have 20 days within which to request a hearing.
- (c) The Division may, in its discretion, seek to preliminarily place the respondent on the list of excluded persons.
1. Preliminary placement on the list shall be supported by reliable documentary or other evidence which establishes a reasonable possibility that the candidate satisfies any of the criteria for exclusion.

2. Upon receipt of the petition seeking preliminary placement, the respondent shall have 10 days within which to request a hearing.
3. The preliminary placement of a candidate on the exclusion list pursuant to section 71 of the Act, N.J.A.C. 13:69B-4, and this chapter shall have the effect of requiring the exclusion or ejection of the excluded person from any casino hotel facility and requiring the prohibition of the excluded person from participation in Internet gaming.

(d) Should a respondent fail to timely request a hearing, an order for placement on the exclusion list may be entered.

**13:69G-1.6 Information contained on list**

(a) The following information and data shall be provided for each excluded person:

1. The full name and all aliases the person is believed to have used;
2. A description of the person's physical appearance, including height, weight, type of build, color of hair and eyes and any other physical characteristics which may assist in the identification of the person;
3. The date of birth;
4. The effective date of the order mandating the exclusion or ejection of the person named therein;
5. A photograph, if obtainable, and the date thereof; and
6. Such other miscellaneous information as is deemed necessary by the Division for the enforcement of this subchapter.

**13:69G-1.7 Duty of casino licensee**

(a) A casino licensee shall exclude or eject the following persons from its casino hotel facility and prohibit such persons from participation in Internet gaming:

1. Any excluded person; or
2. Any person known to the casino licensee to satisfy the criteria for exclusion set forth in section 71 of the Act and *N.J.A.C. 13:69G-1.3(a)*.

(b) If an excluded person enters, attempts to enter, or is in a casino hotel facility and is recognized by the casino licensee, or if an excluded person participates or attempts to participate in Internet gaming, the casino licensee shall immediately notify the Division of such fact.

(c) It shall be the continuing duty of a casino licensee to inform the Division in writing of the names of persons it believes are appropriate for placement on the exclusion list.

**13:69G-1.8 Petition to remove name from exclusion list**

(a) A person excluded pursuant to *N.J.A.C. 13:69G-1.3(a)1* or 2 may petition the Division to request a hearing concerning his or her removal from the list at any time after 10 years from the placement by the Division of such person on the list.

(b) A person excluded pursuant to *N.J.A.C. 13:69G-1.3(a)3* or 4 may petition the Division to request a hearing concerning his or her removal from the list at any time after five years from the placement by the Division of such person on the list.

(c) The petition shall be verified, with supporting affidavits, and shall state with particularity the grounds believed by the petitioner to constitute good cause for his or her removal from the list.

(d) The Division may decide the petition on the basis of the documents submitted by the excluded person. The Division may summarily deny the petition, may grant the petition or may direct that a hearing be held in accordance with N.J.A.C. 13:69B-4. Such petition shall be granted by the Division only upon a finding that circumstances have changed to such an extent since the placement of the excluded person on the list that the excluded person no longer satisfies the criteria for exclusion set forth in *N.J.A.C. 13:69G-1.3*.

(e) The Division may, at any time, remove an excluded person from the list upon a determination that the excluded person no longer satisfies any of the criteria for exclusion set forth in *N.J.A.C. 13:69G-1.3*.

## **SUBCHAPTER 2. SELF-EXCLUSION**

### **13:69G-2.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Internet self-exclusion list" means a list of names of persons who are required to be prohibited from Internet gaming.

"Self-excluded person" means any person whose name is included, at his or her own request, on the self-exclusion list maintained by the Division.

"Self-exclusion list" means a list of names of persons who, pursuant to this subchapter, have voluntarily agreed to be excluded from all gaming activities, including Internet gaming, and to be prohibited from collecting any winnings or recovering any losses at or from all licensed casinos and simulcasting facilities.

**13:69G-2.2 Request for self-exclusion and Internet self-exclusion**

(a) Any person may have his or her name placed on the self-exclusion list or Internet self-exclusion list by submitting a request in the form and manner required by this section.

(b) Any person requesting placement on the self-exclusion list shall submit, in person, a completed request for self-exclusion as required in (c) below. The request shall be delivered to either the Identification Unit of the Division located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. The Division may designate other locations for submission of completed requests for self-exclusion in accordance with this subchapter, which locations may be designated on a temporary basis. Any person submitting a self-exclusion request shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description. Any person requesting self-exclusion pursuant to this subchapter shall be required to have his or her photograph taken by the Division upon submission of the request.

(c) Any person requesting placement on the Internet self-exclusion list shall submit through his or her Internet gaming account using strong authentication as defined in N.J.A.C. 13:69O-1.1 or other means approved by the Division, a completed request for Internet self-exclusion as required in (d) below. Notwithstanding the above,

if a person requests to be placed on the Internet self-exclusion list for life such request shall be made in person at a location designated by the Division.

(d) A request for self-exclusion or Internet self-exclusion shall be in a form prescribed by the Division, which form shall include:

1. The following identifying information concerning the person submitting the request:
  - i. The name, including any aliases or nicknames;
  - ii. The date of birth;
  - iii. The address of current residence;
  - iv. The telephone number of current residence; and
  - v. The Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a; and
  - vi. For self-exclusion, a physical description of the person, including height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the person;
2. The length of self-exclusion or Internet self-exclusion, as applicable, requested by the person:

- i. One year;
  - ii. Five years; or
  - iii. Lifetime;
3. A waiver and release, which shall release and forever discharge the State of New Jersey, the Division, and its employees and agents, and all casino licensees and their employees and agents from any liability to the person requesting self-exclusion or Internet self-exclusion, as applicable, and his or her heirs, administrators, executors, and assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to the request for self-exclusion or Internet self-exclusion, as applicable, or request for removal from the self-exclusion list or Internet self-exclusion list, including:
  - i. Its processing or enforcement;
  - ii. The failure of a casino licensee to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person;
  - iii. Permitting a self-excluded person to engage in gaming activity in a licensed casino or simulcasting facility while on the list of self-excluded persons;

- iv. Permitting an Internet self-excluded person to engage in Internet gaming activity while on the list of Internet gaming self-excluded persons; and
  - v. Disclosure of the information contained in the self-exclusion or Internet self-exclusion request or list, except for a willfully unlawful disclosure of such information;
4. For self-exclusion:
- i. The signature of the person submitting the request indicating acknowledgment of the following statement:  
  
"I am voluntarily requesting exclusion from all gaming activities at all New Jersey licensed casinos and simulcasting facilities because I am a problem gambler. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Division of Gaming Enforcement to direct all New Jersey casino licensees to restrict my gaming activities in accordance with this request and, unless I have requested to be excluded for life, until such time as the Division removes my name from the self-exclusion list in

response to my written request to terminate my voluntary self-exclusion. I am aware and agree that during any period of self-exclusion any money or thing of value seized from me, or owed to me by, a casino licensee shall be subject to forfeiture.";

- ii. The type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether said credentials included a photograph or general physical description of the person; and
  - iii. The signature of a Division employee authorized to accept such request, indicating that the signature of the person on the request for self-exclusion appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.
5. For Internet self-exclusion:
- i. The Internet gaming system shall provide a link within the patron's Internet gaming account directly to an Internet self-exclusion application form and provide his or her acknowledgment of the following statement: "I am voluntarily requesting exclusion from all New Jersey

Internet gaming. I certify that the information I have provided is true and accurate, and that I have read and understand and agree to the waiver and release included with this request for Internet self-exclusion. I am aware that my digital signature authorizes the Division of Gaming Enforcement to direct all New Jersey casino licensees to restrict my Internet gaming in accordance with this request and until such time as the Division removes my name from the Internet self-exclusion list in response to my request to terminate my voluntary Internet self-exclusion. I am aware and agree that during any period of Internet self-exclusion any money or thing of value seized from me, or owed to me by, a casino licensee shall be subject to forfeiture."; and

- ii. The Division shall confirm the patron's request to be placed on the Internet gaming self-exclusion list.

**13:69G-2.3 Self-exclusion list; Internet self-exclusion list**

(a) The Division shall maintain the official self-exclusion list and Internet self-exclusion list and shall notify each casino licensee of any addition to or deletion from the lists by transmitting a notice directly to each casino licensee.

(b) Each casino licensee shall maintain its own copy of each list and shall establish procedures to ensure that its copy of each list is updated. All appropriate employees and agents of the casino licensee notified of any addition to or deletion from either self-exclusion list shall update the lists accordingly. For the official self-exclusion list, changes shall be made within five business days after the day the notice is transmitted pursuant to (a) above. For the Internet self-exclusion list, changes shall be made within 24 hours after the notice is transmitted pursuant to (a) above, and any remaining balance in the patron's Internet gaming account balance shall be refunded pursuant to the licensee's internal controls. The notice provided by the Division shall include the name and date of birth of any person whose name shall be removed from the applicable list and the following information concerning any person whose name shall be added to the applicable list:

1. The name, including any aliases or nicknames;
2. The date of birth;
3. The address of current residence;
4. The telephone number of current residence;

5. The Social Security number, if voluntarily provided by the person requesting self-exclusion or Internet self-exclusion;
6. If applicable, a physical description of the person, including height, weight, gender, hair color, eye color, and any other physical characteristic that may assist in the identification of the person; and
7. If applicable, a copy of the photograph taken by the Division pursuant to *N.J.A.C. 13:69G-2.2(b)*.

(c) Information furnished to or obtained by the Division pursuant to this subchapter shall be deemed confidential and not be disclosed except in accordance with this subchapter and N.J.A.C. 13:69-4.

(d) No casino licensee or employee or agent thereof shall disclose the name of, or any information about, any person who has requested self-exclusion or Internet self-exclusion to anyone other than employees and agents of the casino licensee whose duties and functions require access to such information. Notwithstanding the foregoing, a casino licensee may disclose the name of and information about a self-excluded or Internet self-excluded person to appropriate employees of other casino licensees in Atlantic City for the purpose of alerting other casino licensees that a self-excluded or Internet self-excluded person has tried to gamble or obtain gaming related privileges or benefits in the casino licensee's casino or simulcasting facility, or Internet gaming site.

**13:69G-2.4 Duties of casino licensee**

(a) For self-excluded patrons, a casino licensee shall establish procedures that are designed, to the greatest extent practicable, to:

1. Permit appropriate employees of the casino licensee to identify a self-excluded person when present in a casino or simulcasting facility and, upon such identification, notify:
  - i. Those employees of the casino licensee designated to monitor the presence of self-excluded persons; and
  - ii. Designated representatives of the Division;
2. Refuse wagers from and deny any gaming privileges to any self-excluded person;
3. Deny casino credit, check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any self-excluded person;
4. Ensure that self-excluded persons do not receive, either from the casino licensee or any agent thereof, junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed casino or simulcasting facility; and

5. Enforce the provisions of *N.J.A.C. 13:69G-2.3(d)*.

(b) For Internet self-excluded patrons, a casino licensee shall establish procedures that are designed, to the greatest extent practicable, to:

1. Ensure that self-excluded persons do not receive, either from the casino licensee or any agent thereof, junket solicitations, targeted mailings, telemarketing promotions, player club materials, or other promotional materials relating to Internet gaming; and
2. Enforce the provisions of *N.J.A.C. 13:69G-2.3(d)*.

(c) Without limitation of the requirements imposed by (a) above, each casino licensee shall, upon notification that a person has been added to or deleted from the self-exclusion list, comply with all relevant provisions of *N.J.A.C. 13:69D-1.27A* as if such person has also been added to or deleted from the list of persons who have requested suspension of their credit privileges pursuant to that section.

(d) Each casino licensee shall maintain on file a current copy of its internal control procedures established pursuant to *N.J.A.C. 13:69G-2.3(b)* and (a) and (b) above.

### **13:69G-2.5 Removal from self-exclusion list**

(a) Except for those persons choosing a lifetime self-exclusion, any self-excluded person may, upon the expiration of the period of self-exclusion requested pursuant to *N.J.A.C. 13:69G-2.2(c)2*, request removal of his or her name from the self-exclusion list by submitting, in person, a completed request for removal as required in (b) below. The request shall be delivered to the Identification Unit of the Division located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. Any person submitting a request for removal from the list shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description.

(b) A request for removal from the self-exclusion list shall be in a form prescribed by the Division, which form shall include:

1. The identifying information specified in *N.J.A.C. 13:69G-2.2(c)1i* through iv;
2. The signature of the person requesting removal from the self-exclusion list indicating acknowledgment of the following statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for self-exclusion, and I authorize the Division to permit all New Jersey casino

licensees to reinstate my gaming privileges at licensed casinos and simulcasting facilities.";

3. The type of identification credentials examined containing the signature of the person requesting removal from the self-exclusion list, and whether said credentials included a photograph or general physical description of the person; and
4. The signature of a Division employee authorized to accept such request, indicating that the signature of the person on the request for removal from the self-exclusion list appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

(c) The Division shall, by the end of the fifth business day following receipt of the request, delete the name of the person requesting removal from the self-exclusion list and notify each casino licensee of such removal by transmitting a notice directly to each casino licensee.

## **SUBCHAPTER 3. FORFEITURE OF WINNINGS BY PROHIBITED PERSON**

### **13:69G-3.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

"Prohibited person" shall mean any excluded person within the meaning of *N.J.A.C. 13:69G-1.1*; any self-excluded person within the meaning of *N.J.A.C. 13:69G-2.1*; any person who is under the age at which a person may purchase and consume alcoholic beverages within the meaning of *N.J.A.C. 13:69C-16.1(a)*; and any person who is prohibited from engaging in gaming activity pursuant to *N.J.S.A. 5:12-100(n)*.

"Thing(s) of value" shall mean any thing of value which may be used to engage in gaming activity including, without limitation, any gaming plaques, gaming chips, slot machine tokens, slot machine gaming vouchers, slot machine credits, and slot machine jackpots, but shall not include non-cashable slot credits.

"Winnings" shall mean the aggregate total of proceeds from each individual winning round of play at an authorized game and shall not be reduced by any individual losing rounds of play.

**13:69G-3.2 Prohibited person; forfeiture of winnings**

(a) If a casino licensee detects, or is notified of, the presence of a patron suspected of being a prohibited person, who had engaged or is engaging in gaming activity, such casino licensee shall verify, using reasonable measures, that the patron is a prohibited person and the basis for the person's prohibition. If the person is unable to establish that he or she is not underage, the person shall be presumed to be a prohibited person for the purposes of this section.

(b) Upon verification of a prohibited status, the casino licensee shall:

1. Remove the prohibited person from the gaming floor or immediately prohibit access to the person's Internet gaming account, as applicable;
2. Seize from such person any winnings or things of value obtained from engaging in a gaming transaction as follows:
  - i. Confiscate all gaming chips, gaming plaques, slot machine tokens and gaming vouchers;
  - ii. Process any slot machine jackpot obtained by the prohibited person pursuant to *N.J.A.C. 13:69D-1.40* through *1.40F*, depending upon the type of jackpot obtained;
  - iii. Cash out any cashable credits remaining on a slot machine credit meter or automated table game credit meter and

confiscate the gaming voucher that is issued as payment thereof; and

- iv. Obtain control and physical possession of any other form of winnings or things of value not specifically enumerated and obtained by or owed to the prohibited person as a result of engaging in any type of gaming transaction; and
3. Deliver any winnings or things of value obtained from a prohibited person pursuant to (b)2 above to the cashiers' cage, where they shall be converted into cash, maintained separately and designated as funds that are subject to forfeiture.

(c) A casino licensee shall prepare a multipart form known as a Payout Receipt and Notice of Forfeiture, which shall include, without limitation, the information in (c)1 through 6 below. The Payout Receipt and Notice of Forfeiture shall be signed and attested to by: the prohibited person, unless the person refuses to sign or is unknown; the casino employee delivering the winnings or things of value to the cashiers' cage; and the cashiers' cage employee who received the winnings or things of value. For Internet or mobile gaming, a casino licensee shall issue a Payout Receipt and Notice of Forfeiture to the patron via electronic or regular mail.

1. The total value and a detailed description of winnings or things of value that were seized;
2. The date of the incident;

3. The name of the prohibited person, if known, and basis for determining the person is a prohibited person;
4. The street and mailing address of the prohibited person, if known, at which he or she may be noticed regarding any future proceedings;
5. The location (table type and number, slot machine asset number, keno window, etc.) where the prohibited person was engaged in a gaming transaction or identification of Internet or mobile wagering session; and
6. Notice to the prohibited person that a proceeding may be brought by the Division seeking forfeiture of the winnings or things of value seized, that he or she has the right to be heard in any such proceeding and that failure to respond to a forfeiture complaint will result in the waiver of their right to be heard.

(d) The original Payout Receipt and Notice of Forfeiture prepared and signed as required in (c) above shall be maintained in the cashiers' cage. Copies of the document shall be provided to the prohibited person, the casino accounting department and filed with the Division, which filing may be made electronically.

(e) All funds maintained separately and designated as subject to forfeiture pursuant to (a)4 above shall be held by the casino licensee until further order of the Division or upon notice from the Division that they may be released.

(f) Pursuant to *N.J.S.A. 5:12-71.3*, any things of value seized from a prohibited person shall be subject to forfeiture on complaint of the Division, following notice to the prohibited person and an opportunity to be heard. A failure to respond to a forfeiture complaint will result in the waiver of their right to be heard.

(g) The internal controls of a casino licensee shall contain procedures for processing any winnings or things of value confiscated or withheld from a prohibited person as if the winnings or things of value were paid and reported in accordance with normal procedures applicable to such payouts. Such procedures shall include, however, such modification to forms or additional documentation as is necessary to record and report the payout as a payout confiscated or withheld from a prohibited person. This documentation shall be compared by the casino accounting department at the end of the gaming day to the copy of the Payout Receipt and Notice of Forfeiture. Any winnings or things of value confiscated or withheld from a prohibited person that are paid and reported in accordance with the normal procedures applicable to such payouts, as modified in this section, shall be deducted in the calculation of gross revenue as if the winnings or things of value were actually paid to the prohibited person.

(h) The Division may file a complaint requesting forfeiture of the winnings or things of value and shall notice the prohibited person via personal service or regular mail sent to the address contained on the Payout Receipt and Notice of Forfeiture form of the forfeiture complaint and the prohibited person's right to a hearing.

(i) If the prohibited person wishes to contest the forfeiture complaint, the person shall request a hearing in writing with the Division within 15 days of the date of

the notice of the forfeiture complaint. If no response is filed by the prohibited person within 15 days of the date of the notice of the forfeiture complaint, the winnings or things of value shall be ordered forfeited and shall be disposed of pursuant to *N.J.S.A. 5:12-71.3*.

# **CHAPTER 69H**

## **JUNKET ENTERPRISES NOT EMPLOYED BY A CASINO LICENSEE OR APPLICANT**

### **SUBCHAPTER 1. JUNKET ENTERPRISES NOT EMPLOYED BY A CASINO LICENSEE OR APPLICANT**

#### **13:69H-1.1 Definitions**

(a) The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Agent" means any person, including junket enterprises and junket representatives not employed by a casino licensee or applicant, acting directly or indirectly on behalf of a casino licensee or applicant.

"Complimentary guest room accommodations" means a guest room provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; provided, however, that the term shall include any guest room provided to a person at a reduced price due to the anticipated or actual gaming activities of that person.

(b) The following words and terms, when used in this chapter, shall have the meanings set forth in the relevant portions of the Casino Control Act, N.J.S.A. 5:12-1 et seq.:

"Complimentary service or item" (as defined in N.J.S.A. 5:12-14a and N.J.A.C. 13:69D-1.9).

"Junket" (as defined in N.J.S.A. 5:12-29).

"Junket enterprise" (as defined in N.J.S.A. 5:12-29.1).

"Junket representative" (as defined in N.J.S.A. 5:12-29.2).

**13:69H-1.2 Scope of activities included**

(a) As used in N.J.S.A. 5:12-29, a selection or approval of a person "on the basis of his ability to satisfy a financial qualification obligation related to his ability or willingness to gamble" shall be deemed to occur whenever a person, as an element of the arrangement, is required to:

1. Establish gaming credit with a casino licensee or applicant;
2. Establish a customer deposit with a casino licensee or applicant;
3. Demonstrate to a casino licensee or applicant or agent thereof the availability of a specified amount of cash, cash equivalent or gaming chips;
4. Gamble to a predetermined level at the establishment of a casino licensee or applicant; or
5. Comply with any similar obligation.

(b) As used in N.J.S.A. 5:12-29, a selection or approval of a person on a "basis related to his propensity to gamble" shall be deemed to occur whenever that person has been selected or approved on the basis of:

1. The previous satisfaction of a financial qualification obligation in accordance with the provisions of (a) above;
2. A rating for gambling performance; or
3. An evaluation that the person has a tendency to participate in gambling activities as the result of:

- i. An inquiry concerning said person's tendency to gamble; or
- ii. Some other means of determining that the person has a tendency to participate in gambling activities.

(c) Without limitation of (b) above, a rebuttable presumption that a person has been selected or approved for participation in an arrangement on a basis related to his or her propensity to gamble shall be created whenever said person is provided with:

1. Complimentary guest room accommodations as part of the arrangement;  
or
2. Complimentary food, entertainment or transportation which has a value of \$200.00 or more calculated in accordance with the provisions of N.J.A.C. 13:69D-1.9.

**13:69H-1.3 Open-ended or conditional complimentary offers**

An offer by a casino licensee or applicant to pay for the cost of transportation, food, lodging and entertainment for a person in an amount to be determined by the actual gaming activities of that person after his or her arrival at the casino hotel shall be deemed to be an offer of complimentary services or items for the purposes of determining whether an arrangement involving such an offer is a junket within the meaning of N.J.S.A. 5:12-29 and this chapter.

**13:69H-1.4 Advertising**

(a) Any advertisement by an applicant for or holder of a junket enterprise license or by any agent thereof, including a junket representative, shall be subject to the provisions of N.J.A.C. 13:69C-14 to the same extent as if such advertisement were by a casino licensee or applicant.

(b) Notwithstanding the provisions of (a) above, an applicant for or holder of a junket enterprise license and any agent thereof, including a junket representative, shall not be subject to the provisions of N.J.A.C. 13:69C-14.3(b).

**19:69H-1.5 Junket enterprises and representatives; transactional waivers prior to business**

(a) Pursuant to N.J.S.A. 5:12-102c, all junket enterprises shall be licensed in accordance with N.J.S.A. 5:12-92a(1) prior to any casino licensee or applicant permitting any junket involving that junket enterprise to arrive at its casino.

(b) Pursuant to N.J.S.A. 5:12-102c, any junket representative not employed by a casino licensee or applicant or by a junket enterprise shall be licensed in accordance with N.J.S.A. 5:12-92a(1) prior to a casino licensee or applicant permitting any junket involving that junket representative to arrive at its casino.

(c) No casino licensee or applicant may do any business with any junket enterprise or junket representative prior to the licensure of that junket enterprise, junket representative, or any person employed by a junket enterprise or junket representative in a managerial or supervisory position, unless the enterprise has applied for and been issued a transactional waiver pursuant to N.J.S.A. 5:12-92a(1) and N.J.A.C. 13:69J-1.2B.

**13:69H-1.6 Non-supervisory employees**

Any non-supervisory employee of a junket enterprise or junket representative shall be registered in accordance with N.J.S.A 5:12-102c and N.J.A.C. 13:69A-5.12.

**13:69H-1.7 Purchases of patron lists**

(a) Pursuant to N.J.S.A. 5:12-102j, each casino licensee or applicant, affiliate of a casino licensee, junket representative or junket enterprise shall file with the Division a report with respect to each list of names of junket patrons or potential junket patrons purchased from any source whatsoever.

(b) The report required by (a) above shall include:

1. The name and address of the person or enterprise selling the list;
2. The purchase price paid for the list, or any other terms of compensation related to the transaction; and
3. The date of purchase of the list.

(c) The report required by (a) above shall be filed no later than seven days after the receipt of the list by the purchaser, at a location to be designated by the Division.

**13:69H-1.8 Monthly reports; junket activities**

(a) Each casino licensee or applicant shall, on or before the 15th day of each month:

1. Prepare, maintain on file at its casino hotel premises, and provide to the Division on demand a junket activity report in accordance with the provisions of N.J.S.A 5:12-102i(1); and
2. Supply to the Division pursuant to N.J.S.A. 5:12-102i(3) the name and license number of each person employed by that casino licensee or an affiliate of a casino licensee who performed the services of a junket representative during the preceding month.

(b) The junket activity report required pursuant to (a)1 above shall be made available to the Division for inspection upon demand and shall contain, at a minimum:

1. The origin of every junket arriving at the premises;
2. The number of participants in the junket, including a listing of the names and addresses of all junket participants;
3. The arrival time and date of the junket;
4. The departure time and date of the junket;
5. The name of all junket representatives and the name and license number of all junket enterprises involved in the junket; and
6. The actual amount of complimentary services and items provided to each junket participant calculated in accordance with the provisions of N.J.A.C.

13:69D-1.9.

# **CHAPTER 69I**

## **CASINO HOTEL ALCOHOLIC BEVERAGE CONTROL**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69I-1.1 Definitions**

(a) For the purposes of this chapter, words shall be defined in accordance with the Act, the rules of the Division, Title 33 of the Revised Statutes (N.J.S.A. 33:1-1 et seq.), Title 13 of the New Jersey Administrative Code (N.J.A.C. 13:2) or according to their commonly understood meaning or usage except where such common meaning or usage would be inconsistent with the purpose or intent of the Act. Any definition contained herein or incorporated by reference shall apply to any form of the defined word. For example, "sell" means to make a "sale" as defined in N.J.S.A. 33:1-1w.

(b) Where definitions set forth in the Act or Division rules conflict with those contained in Title 33 of the Revised Statutes or Title 13 of the New Jersey Administrative Code, the definitions contained in the Act or Division rules shall govern.

(c) For the purposes of this chapter, the following definitions shall apply:

"Alcohol" is defined in N.J.S.A. 33:1-1a.

"Alcoholic beverage" is defined in N.J.S.A. 33:1-1B.

"Approved restricted brewery location" is a site within the licensed CHAB premises which has been approved by the Division for the brewing of malt alcoholic beverages pursuant to N.J.A.C. 13:69I-1.4A.

"Authorized location" means any room or area which is in, on, or about the premises, and which has been approved by the Division for the service, sale,

consumption, or storage of alcoholic beverages pursuant to N.J.S.A. 5:12-103 and this chapter.

"Casino hotel alcoholic beverage (CHAB) licensee" means a person licensed to serve, sell or store alcoholic beverages pursuant to N.J.S.A. 5:12-103 and this chapter. CHAB licensees shall include both holders of and applicants for a casino license, as well as vendor registrants who will operate a CHAB license on a casino licensed premise.

"Container" is defined in N.J.S.A. 33:1-1e.

"Manufacturer" is defined in N.J.S.A. 33:1-1m.

"Original container" means any container in which an alcoholic beverage has been delivered to a CHAB licensee.

"Premises" means the premises licensed as an approved hotel pursuant to N.J.S.A. 5:12-27.

"Retailer" is defined in N.J.S.A. 33:1-1u.

"Sale" is defined in N.J.S.A. 33:17-1w.

"Wholesaler" means any person who sells an alcoholic beverage for the purpose of resale to a licensed wholesaler, a licensed retailer, or a CHAB licensee.

**13:69I-1.2 Applicability of other laws**

(a) Title 33 of the Revised Statutes and the rules, regulations and bulletins promulgated thereunder by the Director of the Division of Alcoholic Beverage Control shall, except as otherwise provided in Section 103 of the Act or this chapter, apply to any premises and to any CHAB licensee.

(b) All CHAB licensees that are required to make informational and other filings by Title 33 of the Revised Statutes and Title 13 of the New Jersey Administrative Code shall make all such filings both to the Division, in accordance with prescribed procedures, and to the Division of Alcoholic Beverage Control.

(c) A CHAB licensee engaging in off-premises storage, delivery or sale of alcoholic beverages shall obtain any necessary licenses or permits for such activities from the Division of Alcoholic Beverage Control. If these alcoholic beverage activities are in any way connected with or involve the licensed premises, copies of these licenses or permits shall be submitted to the Division's principal office located in Atlantic City, within three business days of their receipt by the licensee.

**13:69I-1.3 License and authorization as conditions precedent to operation**

(a) No casino licensee, nor any of its lessees, agents or employees, nor any other person except as otherwise provided in this chapter, shall expose for sale, solicit or promote the sale of, possess with intent to sell, sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages in, on or about the premises unless such person possesses a CHAB license.

(b) No CHAB licensee, nor any of its agents or employees, shall expose for sale, solicit, or promote the sale of, possess with intent to sell, sell, give, dispense or otherwise transfer or dispose of alcoholic beverages except in an authorized location. However, this shall not prevent a CHAB licensee from such activities when undertaken pursuant to a plenary retail transit license, warehouse license, or other license or permit issued by the Director of the Division of Alcoholic Beverage Control, nor shall it prohibit a CHAB licensee from purchasing alcoholic beverages, at retail, as a complimentary gift for a patron pursuant to N.J.S.A. 5:12-102, for delivery to a patron at a location away from the approved hotel premises.

(c) No CHAB licensee, nor any of its agents or employees, shall conduct or participate in the brewing of malt alcoholic beverages unless the CHAB licensee has been granted a restricted brewery authorization.

(d) No CHAB licensee who possesses a restricted brewery authorization, nor any of its agents or employees, shall brew malt alcoholic beverages except in an approved restricted brewery location.

(e) In issuing a CHAB license or any authorization thereunder, or any permit pursuant to N.J.S.A. 5:12-103 and 33:1-1 et seq., the Division may impose any conditions, limitations and restrictions as it deems necessary and reasonable.

(f) A CHAB license shall be issued for a period which coincides with the casino license. All other CHAB licenses shall be issued for a period of five years from the date of initial vendor registration, and five year periods thereafter with the resubmission of information required to retain the CHAB license.

#### **13:69I-1.4 Classification of authorized locations**

(a) Authorized locations shall be classified as follows:

1. All locations authorized pursuant to N.J.S.A. 5:12-103g(1) shall be classified as Type I (casino/casino simulcasting facility) locations.
2. All locations authorized pursuant to N.J.S.A. 5:12-103g(2) shall be classified as Type II (hotel) locations.
3. All locations authorized pursuant to N.J.S.A. 5:12-103g(3) shall be classified as Type III (package goods) locations.
4. All locations authorized pursuant to N.J.S.A. 5:12-103g(4) shall be classified as Type IV (room service) locations.
5. All locations authorized pursuant to N.J.S.A. 5:12-103g(5) shall be classified as Type V (storage) locations.

(b) The activities permitted in each type of authorized location, subject to applicable laws, rules, and regulations, are as follows:

1. In a Type I location, a CHAB licensee shall be entitled to sell any alcoholic beverage by the glass or other open receptacle including, but not limited to, an original container, for on-premises consumption within a casino or casino simulcasting facility.
2. In a Type II location, a CHAB licensee shall be entitled to sell any alcoholic beverage by the glass or other open receptacle for on-premises consumption within a casino hotel but not in a casino or

casino simulcasting facility, or from fixed locations outside a casino hotel, but on a casino hotel premises. Examples of Type II locations include, without limitation, showrooms, cabarets, restaurants, meeting rooms, pubs and lounges.

3. In a Type III location, a CHAB licensee shall be entitled to sell any alcoholic beverage in original containers from an enclosed package goods room, not in a casino or casino simulcasting facility, for consumption outside the authorized location.
4. In a Type IV location, a CHAB licensee shall be entitled to sell any alcoholic beverage from a room service location within an enclosed room, not in a casino or casino simulcasting facility, for delivery to a guest room or to any other room in the premises authorized by the Division, other than a Type I, III or V location.
5. In a Type V location, a CHAB licensee shall be entitled to possess or to store in a fixed location on the premises, not in a casino or casino simulcasting facility, alcoholic beverages intended but not actually exposed for sale.

(c) Notwithstanding any other provision of this chapter to the contrary, a CHAB licensee shall be entitled to possess or store within any of its authorized locations alcoholic beverages intended but not actually exposed for sale in that authorized location, without obtaining a separate or additional Type V location authorization.

(d) The Division may, consistent with the requirements of (b) above, issue two or more types of authorizations for the same authorized location, or different types of authorizations for different areas of the same authorized location.

#### **13:69I-1.4A Restricted brewery authorization**

(a) A CHAB licensee with a restricted brewery authorization may, in an approved restricted brewery location, brew malt alcoholic beverages in quantities not in excess of 3,000 barrels of 31 fluid gallons per year. Such beverages may be offered for sale in open containers within any of the CHAB licensee's authorized Type I or Type II locations.

(b) The Division shall issue a restricted brewery authorization to a CHAB licensee, provided that:

1. The licensed premises include a full-service restaurant authorized as a Type II location; and
2. The CHAB licensee submits the following to the Division:
  - i. Proof of posting of a tax bond with the New Jersey Division of Taxation;
  - ii. Proof of registration as a brewer with the United States Bureau of Alcohol, Tobacco and Firearms;
  - iii. Proof of compliance with all applicable State, county and local requirements associated with manufacturing and waste water discharge;
  - iv. A description of the amount of malt alcoholic beverages to be brewed each year; and
  - v. Payment of any applicable fee.

### **13:69I-1.5 Standards for qualification**

(a) No CHAB license shall be issued to a person also applying for a casino license unless that person has been granted a casino license or interim casino license.

(b) No CHAB license which authorizes the possession, sale or storage of alcoholic beverages within any part of the casino hotel premises, shall be issued to any non-casino license holder unless the applicant and each person required to qualify have first completed the vendor registration process pursuant to Sections 92c and d of the Act and the CHAB license standards set forth in Section 103 of the Act, the rules of the Division, Title 33 of the Revised Statutes, and the rules, regulations and bulletins of the Division of Alcoholic Beverage Control, except where inconsistent with the Act or the rules of the Division.

(c) Pursuant to (b) above, an applicant for a casino hotel alcoholic beverage license and the qualifiers thereof shall establish by clear and convincing evidence their good character, honesty and integrity, and provide such other financial information as may be required by the Division.

(d) No CHAB licensee shall knowingly employ an unlicensed or unregistered person as a CHAB employee if such person has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c(1) unless such employment has been expressly authorized by the Division pursuant to N.J.A.C. 13:69A-8.11.

(e) No CHAB licensee shall allow, permit or suffer any wholesaler to sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages to it unless the

wholesaler possesses a valid license from the New Jersey Division of Alcoholic Beverage Control.

**13:69I-1.5A Application for initial Casino Hotel Alcoholic Beverage License**

(a) An application for an initial casino hotel alcoholic beverage (CHAB) license pursuant to N.J.S.A. 5:12-103(g) shall consist of the fee specified in N.J.A.C. 13:69A-9.8 and the following:

1. For a vendor registrant, a completed original and one copy of a CHAB license application form as set forth in N.J.A.C. 13:69A-5.16;  
or
2. For a casino licensee or applicant, the information required by N.J.A.C. 13:69C-5.3(a)5.

(b) No initial CHAB license application shall be accepted by the Division pursuant to (a)1 above unless the applicant has completed the vendor registration process pursuant to Section 92c. Such application shall include the fee as specified in N.J.A.C. 13:69A-9.8 and the submission of a CHAB Business Entity Disclosure Form, a CHAB Qualifier Disclosure Form, if applicable, a CHAB Business Entity Disclosure Form-Holding Company and an Equal Opportunity and Affirmative Action Obligation Form.

**13:69I-1.5B Application for retention of Casino Hotel Alcoholic Beverage License**

(a) An application for the retention of a casino hotel alcoholic beverage (CHAB) license pursuant to N.J.S.A. 5:12-103g shall consist of the fee specified in N.J.A.C. 13:69A-9.9 and the following:

1. For a casino licensee, the information required by N.J.A.C. 13:69C-11.1 and the retention of its casino license pursuant to N.J.S.A. 5:12-87.1 and N.J.A.C. 13:69C-11.1; or
2. For a vendor registrant, a completed original and one copy of a CHAB license resubmission application form as set forth in N.J.A.C. 13:69A-5.17.

**13:69I-1.5C Casino Hotel Alcoholic Beverage License resubmission for non-casino hotel licensees**

(a) In order to retain its CHAB license, not later than five years after obtaining a vendor registration pursuant to Section 94 of the Act, and every five years thereafter, a non-casino CHAB licensee shall submit such information and documentation as the division may require to demonstrate to the satisfaction of the Director, that the CHAB licensee continues to meet the requirements of Section 103 of the Act, the rules of the Division, Title 33 of the Revised Statutes, and the rules, regulations and bulletins of the Division of Alcoholic Beverage Control, except where inconsistent with the Act or the rules of the Division.

## **SUBCHAPTER 2. CONDUCT OF CHAB LICENSEES**

### **13:69I-2.1 Operating conditions of CHAB licensees**

CHAB licensees shall comply with N.J.S.A. 33:1-1 et seq., N.J.A.C. 13:2 and all other rulings and bulletins of the Division of Alcoholic Beverage Control regarding the retail sale of alcoholic beverages, except as modified by rules or rulings of the Division.

**13:691-2.2 Additional operating conditions of CHAB licensees**

(a) No employees or agents of a CHAB licensee shall consume alcoholic beverages during their hours of employment or agency by a CHAB licensee, including overtime.

(b) Notwithstanding (a) above, the Division may, upon petition by a CHAB licensee, grant approval for certain persons to consume alcoholic beverages during their hours of employment, provided that:

1. Such petition specifies the position of all employees for whom approval is requested and the reason for the requested relief;
2. The CHAB licensee maintains on the licensed premises a complete list of all persons for whom approval is granted and the date of approval; and
3. The CHAB licensee submits a copy of the list maintained pursuant to (b)2 above to the Division's principal office located in Atlantic City, by 5:00 P.M. on June 30 and December 31 of each calendar year.

(c) No CHAB licensee shall create, expand, close or change the name or type of a CHAB location without notifying the Division in writing, as follows:

1. Creation, expansion or change in type of CHAB authorization: A petition for approval must be submitted at least 10 business days prior to construction or use of the CHAB location, whichever comes first, and shall include the name of the location, the floor

of the premises where it is located, the type or types of CHAB authorizations, and a floor plan of the location.

2. Permanent closure of a CHAB location: notification must be filed within five business days after closure.
3. Change in name of a CHAB location: notification must be filed within five business days after change.

(d) Combination sales of any kind, consisting of more than one article, whether it be an alcoholic beverage or something else, at a single aggregate price are prohibited, except for:

1. A combination sale consisting of no more than three alcoholic beverages and: admission to a show; a meal; the use of a table, cabana, amenity or similar facility where a use, rental or admission fee is charged; a promotion package including, but not limited to, a weekend, honeymoon, or other similar specialty promotional package for hotel or day guests; provided that the alcoholic beverages shall not be advertised as “free”, but may be advertised as “included” or “complimentary” and complimentary non-alcoholic beverages are available and offered as an alternative to the complimentary alcoholic beverages;
2. A combination sale which includes a complimentary bottle of champagne or wine in its original container (not exceeding 187 ml. for one person or 750 ml. for two persons) as part of a

weekend, honeymoon, or other specialty promotional package for hotel guests; or

3. A combination sale which is part of a New Year's Eve promotional package.

(e) No CHAB licensee shall, directly or indirectly, allow, permit or suffer any practice or promotion that:

1. Offers to the public at large unlimited availability of any alcoholic beverage for a set price, except on New Year's Eve;
2. Offers to a patron or consumer a free drink, gift, prize or anything of value, conditioned upon the purchase of an alcoholic beverage or product, except branded or unique glassware or souvenirs in connection with a single purchase; or
3. Requires or allows a consumer to prepurchase more than one drink or product at a time via tickets, tokens, admission fees, two for one, or the like, as a condition for entry into its premises or its authorized location, or as a requirement for service or entertainment therein; provided, however, that on New Year's Eve a patron may prepurchase no more than two drinks at a time.

(f) No CHAB licensee shall sell or offer to sell alcoholic beverages at a price below "cost," as defined by the Division of Alcoholic Beverage Control, except that CHAB licensees may serve complimentary alcoholic beverages as follows:

1. In Type I (casino/casino simulcasting facility) authorized locations, at a patron's request, pursuant to Section 103g(1) of the Act;
2. In Type II (hotel), Type III (package goods) or Type IV (room service) authorized locations, pursuant to Sections 99 and 102 of the Act and the Division's rules concerning complimentaries;
3. In conjunction with certain combination sales, pursuant to subsection (d) above;
4. Using free drink coupons, distributed to the general public pursuant to Bulletin 2452 (1988) of the Division of Alcoholic Beverage Control; or
5. A CHAB licensee holding a restricted brewery authorization may offer, without charge, samples of no more than five ounces of any malt alcoholic beverage brewed on the premises, limited to one sample per customer per day of each such beverage.

(g) No CHAB licensee shall discharge, suspend, discipline or demote an employee, or take any other action which would be adverse to the terms and conditions of his or her employment, by reason of the refusal of the employee, with regard to any person who is actually or apparently intoxicated, to:

1. Serve, or allow, permit or suffer the service of alcoholic beverages to such person;
2. Allow, permit or suffer the consumption of any alcoholic beverage in or upon the licensed premises by such person;

3. Deal any game, or allow, permit or suffer the dealing of a game to such person; or
4. Allow, permit or suffer the placement of a wager by such person.

(h) At the request of a CHAB licensee or any patron or employee thereof, any agent of the Division may observe and document, request a videotape or otherwise record the physical condition, appearance and activities of any person who is or is claimed to be actually or apparently intoxicated.

(i) It shall be the affirmative responsibility of each CHAB licensee to comply with the requirements of N.J.A.C. 13:69C-9.2.

(j) All CHAB licensees shall maintain their locations in a secure manner.

### **13:69I-2.3 Employee reporting and recordkeeping requirements**

(a) Each CHAB licensee shall maintain on the licensed premises a complete, accurate and current record of each CHAB employee.

(b) If the CHAB licensee is a casino, the record shall be compiled and filed pursuant to N.J.A.C. 13:69C-9.3.

(c) Each CHAB licensee, other than a casino licensee, shall submit the following information to the Division by hard copy or by approved electronic data transfer on the first day of each calendar quarter:

1. For each current employee:
  - i. The license or registration number, if applicable;
  - ii. The Social Security Number, if such information has been voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. § 522a;
  - iii. The last name, first name and middle initial;
  - iv. The date of birth;
  - v. The address, including zip code;
  - vi. A description of the employee's duties and responsibilities;
  - vii. The initial date of hire; and
  - viii. If the employee does not hold a valid license or registration, whether such employee has been convicted of a disqualifying offense pursuant to N.J.S.A. 5:12-86c(1).

2. For each person whose employment has been terminated since the date of the most recent report filed with the Division pursuant to this subsection:
  - i. The information in (c)1i through viii above; and
  - ii. The effective date of termination.
3. The date on which the information included in the report was compiled, if such date is other than the date on which the report is submitted or transferred to the Division.

(d) Reports submitted by hard copy shall be mailed to Division's principal office located in Atlantic City.

**13:691-2.4 Joint event sponsorships**

(a) A joint sponsorship is an arrangement by which a person or entity not holding a CHAB license contributes to the planning, organization, conduct, operation or cost of an event sponsored by a CHAB licensee, in exchange for publicity as a sponsor in advertising and at the event.

(b) An alcoholic beverage manufacturer, wholesaler or other person licensed to sell alcoholic beverages to retailers, or third parties acting at their direction, may jointly sponsor an event with a CHAB licensee, if:

1. The event consists of a musical or theatrical performance, concert, sporting event, festival; or a series of performances, concerts, sporting events or festivals; or such other events as may be approved by the Division upon petition of a CHAB licensee; and
2. The event, or series of events, is estimated in good faith by the CHAB licensee to have an audience attendance of at least one thousand patrons.

(c) Each CHAB licensee that enters into a joint sponsorship with an alcoholic beverage manufacturer, wholesaler or other person licensed to sell alcoholic beverages to retailers, or third parties acting at their direction, shall maintain a "Sponsorship Manual." This manual shall be maintained on the licensed premises of the CHAB licensee for a period of three years, in a separate book or ledger, or electronic file, and shall contain, by jointly sponsored event, on a chronological basis:

1. A copy of the written joint sponsorship agreement between

the CHAB or the person or entity acting on behalf of the CHAB licensee and the joint sponsor;

2. If there is not a written joint sponsorship agreement, or if the written joint sponsorship agreement does not include all of the terms and conditions and agreements concerning the joint sponsorship, a written description of the goods, services or funds to be paid or provided by the joint sponsor for the sponsorship, to whom they are to be paid or provided, when they are to be paid or provided, and precisely what the proposed joint sponsor is to receive from the CHAB licensee or persons acting on behalf of the CHAB licensee, in exchange for its sponsorship;
3. A copy of typical brochures, programs, advertisements and similar promotional material that describe the event to be jointly sponsored; and
4. A document stating:
  - i. The name of the event;
  - ii. The date and times of the event;
  - iii. The location of the event;
  - iv. A description of the event;
  - v. The number of persons anticipated to attend the event, the basis upon which the estimate is made; and
  - vi. The admission price to the event. If complimentary

admission to the event is anticipated, the number of paid admissions and the number of complimentary admissions anticipated.

(d) Should a CHAB licensee anticipate the joint sponsorship of an event, and should advertising of that event reflect the anticipated joint sponsor before a joint sponsorship agreement is finalized, the CHAB licensee shall maintain, in its Sponsorship Manual, the information described in (c)3 and 4 above and, to the extent it is then known, the information described in (c)2 above.

(e) In addition to publicity as a sponsor in advertising and at the event, the joint sponsor may receive amenities related to the jointly sponsored event, such as preferred admissions to the event and related activities such as after-parties or meet-and-greet the performers.

(f) When the joint sponsor of an event or series of events is an alcoholic beverage manufacturer, wholesaler or other person licensed to sell alcoholic beverages to retailers, or is a third party acting at their direction, the joint sponsorship agreement shall reflect a benefit to the joint sponsor reasonably commensurate with the cost of the joint sponsorship.

(g) No joint sponsorship arrangement or agreement shall require the alcoholic beverages manufactured or distributed by the joint sponsor to be exclusively sold or otherwise made available by the CHAB licensee at the sponsored event or at any other time or place. The joint sponsorship arrangement or agreement shall not prohibit the CHAB licensee from selling alcoholic beverages manufactured or distributed by

other manufacturers or distributors at the sponsored event or at any other time or place. The joint sponsorship arrangement or agreement cannot require discrimination against other manufacturers' products at the sponsored event or at any other time or place.

**13:69I-2.5 Marketing initiatives**

(a) Manufacturers, suppliers, wholesalers or third parties at their direction, may supply retailers with point of sale and consumer novelty items, for advertising purposes with the following limitations:

1. Supplied items shall be nominal in value, including, but not limited to, napkins, coasters, T-shirts, golf balls and similar items;
2. Provision of such items to retailers may not be conditional upon any purchase by the retailers; and
3. The items shall be brand identified for advertising purposes and intended for use by the retailer and/or distribution to consumers to advertise products or promote brand recognition.

## **SUBCHAPTER 3. CONDITIONS OF OPERATION IN AUTHORIZED LOCATIONS**

### **13:69I-3.1 Conditions of operation in Type I (casino/casino simulcasting facility) locations**

(a) No alcoholic beverage shall be sold or given for consumption, delivered or otherwise brought to a patron within a casino room or casino simulcasting facility unless so requested by the patron.

(b) No alcoholic beverage in an original container shall be brought into a Type I location except by the CHAB licensee authorized to sell alcoholic beverages in that Type I location.

(c) No CHAB licensee shall serve any alcoholic beverage in a Type I location except by the glass or other open receptacle including, but not limited to, an original container, for on-premises consumption within the authorized location.

- (d) No alcoholic beverage shall be displayed in a Type I location except:
1. As required for the necessary operation of a bar;
  2. During the customary and ordinary course of preparing a patron's drink order; or
  3. Incidental to delivery or consumption by a patron.

(e) Alcoholic beverages may be served in a Type I location only when the casino room or casino simulcasting facility is open for gaming activity as provided in Section 97a of the Act, but shall not be served later than 15 minutes prior to the closing of the casino room or casino simulcasting facility.

**13:69I-3.2 (Reserved.)**

**13:691-3.3 Conditions of operation in Type III (package goods) locations**

(a) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage for delivery to any other area in, on or about the premises.

(b) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage in other than original sealed containers or for consumption within the Type III authorized location.

(c) Activities conducted on Type III authorized premises may include the retail sale of distillers' and vintners' packaged holiday merchandise prepacked as a unit with suitable glassware as gift items to be sold only as a unit, cigars, cigarettes, packaged crackers, chips, nuts and similar snacks, ice and non-alcoholic beverages as accessory beverages to alcoholic beverages, and any other merchandise reasonably related to the enjoyment of alcoholic beverages or the retail theme of the CHAB licensee, including, without limitation, novelty wearing apparel identified with the name or the trade name(s) of the CHAB licensee, as long as such merchandise will not have the effect of inducing persons under the age of 21 to enter the Type III CHAB location; and with respect to Type III premises of a CHAB licensee which holds a casino license and operates a casino hotel, the sale of merchandise items incidental to the operation of the hotel as an accommodation to patrons, souvenirs, sundries and hotel gift shop items.

(d) No CHAB licensee shall allow, permit or suffer any alcoholic beverage to be consumed in or upon a Type III location, nor shall any CHAB licensee possess or allow, permit or suffer any open containers of alcoholic beverages in or upon its Type III

location; provided, however, that opened bottles of alcoholic beverages returned by a customer as allegedly defective may be so possessed pending return to the manufacturer or wholesaler; and further provided that the container is immediately resealed and labeled with the name and address of the customer and the date of return by the customer.

(e) Notwithstanding (b) and (d) above, the Division may, pursuant to N.J.A.C. 13:69I-1.4(d), issue a Type II and a Type III authorization for the same location or a Type III authorization for a specific area of a Type II authorized location.

**13:69I-3.4 (Reserved.)**

**13:69I-3.5 Conditions of operation in Type V (storage) locations**

(a) A CHAB licensee may, in a Type V location, store alcoholic beverages intended for sale at other authorized locations in, on, or about the premises.

(b) A CHAB licensee shall transfer or deliver such alcoholic beverages from a Type V location only to authorized locations in, on or about the premises.

(c) A CHAB licensee shall not allow, permit or suffer access to or from a Type V authorized location, except to the extent that such access is necessary in the normal course of business to employees or agents of wholesalers or distributors licensed pursuant to Title 33 of the Revised Statutes, Title 13 of the New Jersey Administrative Code, the Act and the rules of the Division.

(d) All Type V locations shall be fixed, enclosed areas within the premises, not in a casino, and not otherwise authorized for the sale, service or consumption of alcoholic beverages.

(e) No alcoholic beverage shall be sold, served or consumed in a Type V location.

## **SUBCHAPTER 4. DISCIPLINARY PROCEEDINGS**

### **13:69I-4.1 General provisions**

(a) Any violation of Title 33 of the Revised Statutes or Title 13 of the New Jersey Administrative Code by an applicant or CHAB licensee, or its agents or employees, shall be grounds for penalty, suspension, revocation, or other disciplinary action by the Division unless the conduct involved is specifically permitted by the Act or by the Division's rules.

(b) In disciplinary proceedings, it shall be sufficient, in order to establish the guilt of the licensee, to show that the violation was committed by an agent, servant or employee of the CHAB licensee. The fact that the CHAB licensee did not participate in the violation or that its agent, servant or employee acted contrary to instructions given by the CHAB licensee or that the violation did not occur in the CHAB licensee's presence shall constitute no defense to the charges preferred in such disciplinary proceedings.

## **SUBCHAPTER 5. PERMITS**

### **13:69I-5.1 Social affair permit**

(a) For purposes of this section:

"Fee" means any amount charged in connection with attendance at an event, whether a direct charge for drinks, the purchase of tickets, admission, donations or other assessments, or an indirect charge for food, entertainment or any other costs.

"Sponsoring organization" means an organization which operates solely for civic, religious, educational, charitable, fraternal, social or recreational purposes and not for private gain and which sponsors an event in, on or about the premises of a CHAB licensee.

"Social affair" means an event sponsored and conducted by a sponsoring organization in, on or about the premises of a CHAB licensee for which any fee is charged in connection with attendance.

(b) The sponsoring organization may sell or serve alcoholic beverages to persons attending a social affair provided that such organization holds a social affair permit issued by the Division. The holder of a social affair permit may purchase alcoholic beverages from a CHAB licensee or a New Jersey licensed wholesaler, distributor or retailer for resale for on-premises consumption.

**13:69I-5.2 Merchandising permit**

A licensed wholesaler or other person may offer complimentary samples of alcoholic beverages in connection with a merchandising show, alcoholic beverage product introduction event or other promotional event held on the premises of a CHAB licensee, and may accept orders for alcoholic beverages from New Jersey retail licensees, provided that such wholesaler or person holds a merchandising permit issued by the Division.

**13:69I-5.3 Consumer alcoholic beverage tasting permit**

(a) A CHAB licensee may conduct an alcoholic beverage tasting or tasting dinner on its premises provided that it holds a consumer alcoholic beverage tasting permit issued by the Division and provided further that:

1. The event is conducted and promoted in connection with an instructional program for alcoholic beverage products;
2. The event is limited to participants who purchase a ticket or are issued a complimentary ticket by a casino licensee;
3. Service of alcoholic beverages is limited to the following amounts per person:
  - i. No more than five ounces of any one malt alcoholic beverage, naturally fermented wine or sparkling wine at a tasting dinner;
  - ii. No more than four ounces of any one malt alcoholic beverage, or one and one-half ounces of any one naturally fermented wine or sparkling wine at a tasting; and
  - iii. No more than one-half ounce of any one fortified wine or distilled spirit at a tasting or tasting dinner; and
4. No later than five days in advance of the scheduled

event, the CHAB licensee provides the Division with a copy of each menu, program, or other written description of the tasting or tasting dinner event.

(b) Any supplier, manufacturer or wholesaler which holds an annual special permit for consumer tasting events issued by the Division of Alcoholic Beverage Control may hold a tasting or tasting dinner on the premises of a CHAB licensee provided that a copy of the permit is filed with the Division no later than one day prior to the event.

#### **13:69I-5.4 Special disposal permits**

(a) A CHAB licensee may sell surplus alcohol in sealed containers at a price above cost to its employees who are 21 years of age or older, provided that the CHAB licensee holds a special disposal permit issued by the Division and provided further that:

1. Such alcohol is sold for off-premise consumption only;
2. The CHAB licensee has filed the following with the Division:
  - i. An application as set forth in N.J.A.C. 13:69A-5.18;
  - ii. A list of the type and quantity of alcohol to be sold;
  - iii. Internal controls for conduct of the sale; and
  - iv. The job titles and a description of the duties of each employee involved in the conduct of the sale;
3. Only the alcohol specified in the application for the permit is sold;
4. The conduct of the sale is in accordance with internal controls submitted to the Division; and
5. The CHAB licensee compiles a list of each product purchased, the number of bottles purchased, the amount paid, and the name and identification number of the employee who made the purchase, which list shall be maintained on the premises by the licensee and made available to the Division on request.

**13:69I-5.5 Donation permit**

(a) A licensed wholesaler or other person may donate alcoholic beverages to a qualified alcoholic beverage industry trade organization or a bona fide charitable organization for consumption at a social affair held on the premises of a CHAB licensee provided that such wholesaler or person holds a donation permit issued by the Division.

(b) Notwithstanding (a) above, a licensed wholesaler or other person which holds an annual special permit issued by the Division of Alcoholic Beverage Control that authorizes the holder to donate alcoholic beverages to qualified industry trade organizations and bona fide charitable organizations may donate alcoholic beverages for consumption at a social affair held on the premises of a CHAB licensee provided that a copy of the permit is filed with the Division no later than one day prior to the event.

**13:69I-5.6 Temporary miscellaneous contingency permits**

(a) The Division may, for good cause shown, issue a temporary miscellaneous contingency permit for the purchase or sale of alcoholic beverages in, on or about the premises of a CHAB licensee in those circumstances where a CHAB license or permit is not expressly provided for by law.

(b) A temporary miscellaneous contingency permit may be granted by the Division when the issuance of such permit would be appropriate and consonant with the spirit of the Act, Title 33 of the Revised Statutes and Title 13 of the Administrative Code.

**13:69I-5.7 Application**

(a) An application for any CHAB permit in this subchapter shall be required to be filed with the Division, and shall include the following, without limitation:

1. A completed CHAB Permit Application Form as set forth in N.J.A.C. 13:69A-5.18; and
2. The fee specified in N.J.A.C. 13:69A-9.8.

(b) Applications for CHAB permits shall be filed as follows:

1. For a social affair permit, at least 14 calendar days in advance of the scheduled event; and
2. For any other permit, at least 30 calendar days in advance of the scheduled event.

**13:69I-5.8 Permit conditions**

(a) The failure of any holder of a CHAB permit to comply with applicable provisions of the Act and Division's rules, New Jersey Alcoholic Beverage Law, Division of Alcoholic Beverage Control rules and municipal ordinances shall be deemed cause for denial of future applications for any CHAB permit issued by the Division.

(b) The holder of a CHAB permit and the CHAB licensee on whose premises the event is held shall be jointly and severally liable for any violation of applicable provisions of the Act and Division rules relating to the event.

(c) The holder of a CHAB permit shall not sample, sell, serve or deliver, or allow, permit or suffer the sampling, sale, service or delivery of any alcoholic beverages directly or indirectly to or consumption by any person under the legal age at which a person is authorized to purchase and consume alcoholic beverages, nor to any person who is actually or apparently intoxicated.

(d) No more than 12 CHAB permits shall be issued to any one applicant during any 12-month period, and no more than 25 CHAB permits shall be issued in any calendar year for any premises.

(e) The Division may require the holder of a permit to file a notarized inventory report within 10 days of the event. Failure to file an inventory report upon request shall be deemed cause for denial of future applications for any CHAB permit issued by the Division. Such report shall be in a format prescribed by the Division and may include the following information:

1. The permit number issued;

2. The name and address of the permittee;
3. The date and place of the event;
4. The type and number of any alcoholic beverage license held by the permittee;
5. The type of event for which the permit was issued;
6. The number of persons in attendance;
7. The type and quantities of alcohol purchased for the event, the dates purchased, and the place of purchase;
8. The type and quantity of alcoholic beverages remaining at the end of the event;
9. A description of the disposition of any alcohol remaining on hand at the end of the event;
10. A copy of any ticket and program used for the event; and
11. The date and the signature of a representative of the permittee.

# **CHAPTER 69J**

## **PERSONS DOING BUSINESS WITH CASINO LICENSEES**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69J-1.1 Definitions**

(a) The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Gaming equipment" means any mechanical, electrical, or electronic contrivance or machine used in connection with gaming or any game and includes, without limitation, roulette wheels, big six wheels, slot machines, multi-player slot machine systems, slot tokens, prize tokens, cards, dice, chips, plaques, match play coupons, card dealing shoes, drop boxes, and other devices, machines, equipment, items, or articles determined by the Division to be so utilized in gaming as to require licensing of the manufacturers, distributors, or servicers, or as to require Division approval in order to contribute to the integrity of the gaming industry or to facilitate the operation of the Division. "Gaming equipment" shall also include a computer network of both interstate and intrastate interoperable packet switched data networks and the hardware, software, or systems associated therewith, used in connection with Internet gaming or the conduct of any game conducted through the Internet.

"Gaming equipment distributor" means any person who distributes, sells, supplies or markets gaming equipment.

"Gaming equipment industry" means gaming equipment manufacturers, gaming equipment distributors and gaming equipment servicers.

"Gaming equipment manufacturer" means any person who manufactures, produces or assembles gaming equipment.

"Gaming equipment servicer or repairer" means any person who provides maintenance, service or repair of gaming equipment or devices, machines, equipment, items, or articles governed by N.J.A.C. 13:69J-1.2(b) in any manner which has the capacity to affect the outcome of the play of an authorized game or simulcast wagering or the calculation, storage, collection, or control of gross revenue.

"Gaming school" means any person, including a governmental agency, that offers or proposes to offer any course in a specific subject area of gaming or dealing techniques.

"Governmental agency" means any office, department, division, bureau, board, commission, agency, authority, institution, or like governmental entity of the State of New Jersey or a political subdivision thereof or of any other state or political entity of the United States.

"Inside director" means a director of a casino service industry enterprise applicant or licensee or holding or intermediary enterprise company thereof who is also an officer or employee of the applicant or licensee or the holding or intermediary company of which he or she is director.

"Outside directors" means any director other than an inside director.

"Sales representative" means any person owning an interest in, employed by or representing a casino service industry enterprise licensed in accordance with sections 92a and b of the Act, who solicits the goods and services or business thereof.

"Security business" or "casino security service" means any non-governmental enterprise providing physical security services to a casino, a casino licensee, to an approved hotel or to any premises located within a casino hotel complex.

(b) The following words and terms, when used in this chapter, shall have the meanings set forth in the relevant provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., except that any reference contained therein to an applicant for or holder of a casino license shall instead be read to refer to an applicant for or holder of a casino service industry enterprise license:

"Holding company" (as defined at N.J.S.A. 5:12-26).

"Independent software contractor" (as defined at N.J.S.A. 5:12-27.a).

"Intermediary company" (as defined at N.J.S.A. 5:12-28).

**13:69J-1.2 Casino service industry enterprise license requirements**

(a) No enterprise shall provide goods or services directly related to casino, simulcast wagering, gaming activity, or Internet wagering activity to, or otherwise transact business directly related to casino, simulcast wagering, gaming activity, or Internet wagering activity with, a casino applicant or licensee, its employees or agents unless licensed in accordance with N.J.S.A. 5:12-92.a(1) or (2).

(b) In determining whether an enterprise shall be licensed pursuant to this section, the Division shall consider, without limitation, whether the enterprise satisfies one or more of the following criteria:

1. Whether the enterprise manufactures, supplies, or distributes devices, machines, equipment, items, or articles that:
  - i. Are specifically designed for use in the operation of a casino or casino simulcasting facility;
  - ii. Are needed to conduct an authorized game or simulcast wagering;
  - iii. Have the capacity to affect the outcome of the play of an authorized game or simulcast wagering;
  - iv. Have the capacity to affect the calculation, storage, collection, or control of gross revenue; or
  - v. Directly relate to Internet gaming activity including the supplying of software or systems;

2. Whether the enterprise is a gaming equipment servicer or repairer;
3. Whether the enterprise provides services directly related to the operation, regulation, or management of a casino or casino simulcasting facility;
4. Whether the enterprise manages, controls, or administers Internet games or wagers associated with such games; or
5. Whether the enterprise provides such other goods or services determined by the Division to be so utilized in or incident to gaming, casino or simulcast wagering activity as to require licensing in order to contribute to the public confidence and trust in the credibility and integrity of the gaming industry in New Jersey.

(c) Enterprises required to be licensed in accordance with N.J.S.A. 5:12-92.a(1) and (2) and (a) above shall include, without limitation, the following:

1. Manufacturers, suppliers, distributors, servicers and repairers of roulette wheels, big six wheels, slot machines, multi-player slot machine systems, cards, dice, gaming chips, gaming plaques, slot tokens, prize tokens, dealing shoes, drop boxes, computerized gaming monitoring systems, totalisators, pari-mutuel machines, self-service pari-mutuel machines, and credit voucher machines;

2. Casino credit reporting services, casino simulcasting hub facilities, and suppliers of casino security services; and
3. Companies providing Internet gaming software or systems, vendors who manage, control, or administer games and associated wagers conducted through the Internet, and providers of customer lists of persons who have placed wagers through the Internet.

(d) Junket enterprises, junket representatives, and enterprises providing other services including, but not limited to, payment processing and related money-transmitting services with direct contact with patrons' casino gaming accounts or the Internet gaming system itself, customer identity, age verification, and geo-location verification used in the conduct of Internet and mobile gaming, regardless of any such enterprise's contractual relationship with an Internet gaming permit holder, shall be licensed as an ancillary casino service industry enterprise.

(e) Enterprises providing services including, but not limited to, telecommunications that are not specifically designed for Internet gaming and patron interaction shall register as a vendor with the Division.

(f) The Division may require any entity vendor registered pursuant to (e) above to apply for either a casino service industry enterprise license or an ancillary casino service industry enterprise license, if such application for either is deemed to be consistent with the public interest and policies of the Act. The Division, in its discretion,

may also require any ancillary casino service industry enterprise licensee, including those licensed under (d) above, to be licensed as a casino service industry enterprise.

**13:69J-1.2A (Reserved)**

**13:69J-1.2B Permission to conduct business prior to issuance of a casino service industry enterprise license**

- (a) Notwithstanding any other provision contained in this chapter:
1. The Division may, upon the joint petition of a casino licensee or applicant and an applicant for a casino service industry enterprise license filed pursuant to N.J.S.A. 5:12-92.a(1) or (2), permit an applicant for a casino service industry enterprise license to transact business with a casino licensee or applicant prior to the licensure of the casino service industry enterprise license applicant if:
    - i. A completed application for the appropriate casino service industry enterprise license has been filed by the applicant;
    - ii. The applicant for a casino service industry enterprise license files a certification from a designee of the applicant for casino service industry enterprise licensure stating that neither the casino service industry enterprise license applicant, nor any of its qualifiers, are disqualified under any of the criteria set forth in N.J.S.A. 5:12-86;
    - iii. The petitioner shows good cause for granting the petition;  
and
    - iv. The applicant for a casino service industry enterprise license agrees, within 30 business days of transacting

business, to supply to the Division, in writing, a detailed explanation of any business transacted with a casino licensee or applicant. Any applicant for a casino service industry enterprise license and any casino licensee or applicant involved in a transaction, shall maintain and make available for inspection, upon demand by the Division, any records regarding the business transacted.

2. The Division may, upon the petition of an applicant for a casino service industry enterprise license that intends to engage in the manufacture, sale, distribution, testing or repair of slot machines, permit such applicant to conduct a business transaction with persons other than a casino licensee or applicant, provided that the requirements of (a)1i through iii above are satisfied.

(b) Permission to conduct business pursuant to (a) above shall be for an initial period of up to six months. Upon a showing of good cause by the applicant, the Division may extend such relief for additional periods, in the Director's discretion, until licensure of the applicant is decided. Notwithstanding the foregoing, the Division may reconsider the granting of any approval issued pursuant to this section at any time.

**13:69J-1.2C Licensing of vendors doing non-gaming business**

(a) Pursuant to N.J.S.A. 5:12-92.c(2), the Division may require any vendor to apply for either a casino service industry enterprise license or an ancillary casino service industry enterprise license if such application is deemed to be consistent with the public interest and policies of the Act. The Division, in its discretion, may also require any ancillary casino service industry enterprise licensee to be licensed as a casino service industry enterprise.

(b) The Division shall give written notice of the requirement to file for a casino service industry enterprise license or ancillary casino service industry enterprise license. Receipt of this written notice shall immediately trigger the requirements of N.J.S.A. 5:12-92.a and b, including the need for the issuance of transactional waivers to continue to conduct any further business.

(c) An application filed pursuant to (a) above, and any subsequent licensure that may result after investigation by the Division, shall conform to the standards of N.J.S.A. 5:12-92.a, b and c(4), as appropriate, including issuance of transactional waivers, if necessary, and shall include the applicable filing fee for the filing of such application. Any ancillary casino service industry enterprise license applicant shall receive a credit for any licensing fees already paid in the event it is ordered to file for a casino service industry enterprise license.

(d) Any vendor required to apply for a casino service industry enterprise license or ancillary casino service industry enterprise license pursuant to (a) above shall

have the affirmative burden to establish its qualification by clear and convincing evidence.

(e) The Division retains jurisdiction to determine suitability for licensure even if the applicant terminates its relationship(s) with a casino licensee or applicant.

(f) Any vendor or licensee required by the Division to file an application shall do so no later than 60 days after receipt of the Division's notice; provided, however, that the Division may, upon written request from the vendor and for good cause shown, grant an additional 30 days within which to file the required application. Failure to file a completed application within this time period shall be grounds for prohibiting a vendor or licensee from conducting any business with a casino licensee and will result in the issuance of a prohibitory order which will be served on the vendor or licensee and the casino licensee.

(g) No waiver of all or any portion of the application filing time period mandated by (f) above shall be granted by the Division on the ground of economic hardship or loss to the unlicensed casino service industry in question.

(h) Any vendor prohibited from providing goods or services or conducting business on the basis of its failure to properly file an application may resume providing goods or services or conducting business 30 days following the proper filing of a casino service industry license application or ancillary casino service industry enterprise license, provided that the vendor has:

1. Been issued a transactional waiver by the Division, if required to file a casino service industry enterprise license by the Director;
2. Paid the appropriate license filing fee; and
3. Paid an additional late filing fee of \$ 500.00.

**13:69J-1.3 Standards for qualifications**

(a) Each applicant required to be licensed as a casino service industry enterprise, including all qualifiers as determined in N.J.A.C. 13:69J-1.14, shall meet the standards for qualification set forth in N.J.S.A. 5:12-92.b.

1. Any applicant or individual, as set forth in this subsection, shall have the affirmative burden to establish its qualification(s) by clear and convincing evidence.
2. A casino service industry enterprise license shall be denied to any applicant who is disqualified on the basis of the criteria contained in N.J.S.A. 5:12-86.

(b) Each applicant required to be licensed as an ancillary casino service industry enterprise, including all qualifiers as determined by the Division, shall meet the standards for qualification set forth in N.J.S.A. 5:12-92.c(4).

1. Any applicant or individual identified in this subsection, shall have the affirmative burden to establish its qualification(s) by clear and convincing evidence.
2. An ancillary casino service industry enterprise license shall be denied to any applicant who is disqualified on the basis of the criteria contained in N.J.S.A. 5:12-86, unless such applicant can affirmatively demonstrate rehabilitation pursuant to N.J.S.A. 5:12-92.d.

3. The provisions of (b)2 above regarding rehabilitation shall not apply when the applicant for an ancillary casino service industry enterprise license is a junket enterprise or junket representative, not employed by a casino licensee or an applicant for a casino license pursuant to N.J.S.A. 5:12-102.c.

**13:69J-1.3A (Reserved)**

**13:69J-1.3B Filing of Resubmission Form every five years**

The entity shall demonstrate that it continues to meet the requirements for licensure pursuant to N.J.S.A. 5:12-92a and b and, in furtherance thereof, shall submit, every five years after initial licensure, such information and documentation as the Division may require, including, but not limited to, the information required pursuant to N.J.A.C. 13:69A-5.11A.

**13:69J-1.4 and 1.5 (Reserved)**

**13:69J-1.6 Competition**

The Division shall have the power and the duty to regulate, control and prevent economic concentration in casino operations and in casino service industry enterprises so as to encourage and preserve competition.

**13:69J-1.7 Investigations; supplementary information**

(a) The Division may, within its discretion, make such inquiry or investigation concerning any applicant, licensee, vendor registrant, or any person involved with an applicant, licensee, or vendor registrant, including any independent software contractor, as it may deem appropriate, either at the time of the initial application and licensure or registration or at any time thereafter.

(b) It shall be the continuing duty of all applicants, licensees, vendor registrants, and independent software contractors to provide full cooperation to the Division in the conduct of such inquiry or investigation and to provide any supplementary information requested by the Division, including the filing of any vendor registration or application as required by the Director pursuant to N.J.S.A. 5:12-92.c(2) and N.J.A.C. 13:69J-1.2C.

(c) It shall be the continuing duty of all applicants, licensees, vendor registrants, and independent software contractors to provide to the Division, upon request, such information showing its continued financial stability. Such information may include, but not be limited to, financial statements and projections, tax return filings, securities filings, annual reports, and any compliance review and reporting system.

**13:69J-1.8 Voiding of license**

(a) A change in any item that was a condition of the original license granted pursuant to N.J.S.A. 5:12-92.a or of a license resubmission must be approved by the Division. A change in ownership shall invalidate any approval previously given by the Division, unless, in the Division's discretion, such change is deemed to be consistent with the public interest and policies of the Act.

(b) Regardless of whether a license is invalidated pursuant to (a) above, the proposed new owner shall be required to submit an application for licensure and evidence that he or she is qualified for licensure.

**13:69J-1.9 Recordkeeping**

(a) All casino service industry enterprise licensees, licensed pursuant to N.J.S.A. 5:12-92.a, shall maintain in a place secure from theft, loss, or destruction, adequate records of business operations, which shall be made available to the Division upon request. The records shall include:

1. All correspondence with the Division and other governmental agencies on the local, state and Federal level;
2. All correspondence concerning the realty, construction, maintenance, or business of a proposed or existing casino hotel or related facility;
3. Copies of all promotional material and advertising;
4. A personnel file on each employee of the licensee, including sales representatives;
5. Financial records of all transactions concerning the realty, construction, maintenance, or business of a proposed or existing casino hotel or related facility.

(b) The records listed in (a) above shall be held for at least five years.

Notwithstanding the foregoing, to the extent there is a conflict between the provisions of this section and N.J.A.C. 13:69D-1.8 with regard to the records of a gaming related casino service industry enterprise which is functioning as a slot system operator

pursuant to the provisions of N.J.S.A. 5:12-82c(7) and N.J.A.C. 13:69D-1.39A, the record retention requirements and procedures set forth at N.J.A.C. 13:69D-1.8 shall control.

**13:69J-1.10 through 1.13 (Reserved)**

### **13:69J-1.14 Persons required to be qualified**

(a) Except as otherwise provided in (b) below and N.J.A.C. 13:69J-1.14B, no casino service industry enterprise license or ancillary casino service industry enterprise license shall be issued or considered for resubmission, unless the individual qualifications of each of the following persons shall have first been established in accordance with all provisions, including those cited, of the Act and the rules of the Division. The Division shall apply the following provisions to both corporate and non-corporate applicants or licensees or, if that is not possible, the Division will in its discretion apply comparable standards to non-corporate applicants and licensees.

1. In the case of casino service industry enterprise licenses issued in accordance with N.J.S.A. 5:12-92.a(1) and (2):
  - i. The applicant or licensee;
  - ii. If the applicant or licensee is, or if it is to become a subsidiary, each holding company and each intermediary company;
  - iii. Each natural person who directly or indirectly holds any beneficial or ownership interest of five percent or more of the applicant or licensee;
  - iv. Each person who directly or indirectly holds any beneficial or ownership interest of five percent or more of a holding

company or intermediary company of the applicant or licensee;

- v. Each director of the applicant or licensee or of a holding or intermediary company thereof. In the case of an outside director of a holding or intermediary company, each outside director on the Executive and Audit Committee;
  - vi. Each officer of the applicant or licensee or of a holding or intermediary company thereof;
  - vii. The management employee supervising the regional or local office that employs the sales representative; and
  - viii. Each employee who will act as a sales representative or otherwise regularly engage in the solicitation of business from casino licensees.
2. In the case of an ancillary casino service industry license issued pursuant to N.J.S.A. 5:12-92.a(3):
- i. The applicant or licensee;
  - ii. Each holding company that directly holds any beneficial or ownership interest of five percent or more of the applicant or licensee;

- iii. Each natural person who directly or indirectly holds any beneficial or ownership interest of five percent or more of the applicant or licensee;
- iv. Each inside director of the applicant or licensee;
- v. Each officer of the applicant or licensee;
- vi. The management employee supervising the regional or local office that employs the sales representative or junket representative soliciting business or dealing directly with a casino licensee; and
- vii. Each employee who will act as a sales representative or otherwise regularly engage in the solicitation of business from casino licensees and each junket representative who will deal directly with casino licensees or their employees.

(b) Notwithstanding (a) above, any of the following persons may request in writing that the Division waive their obligation to qualify as part of a casino service industry enterprise license issuance by making the appropriate showing required in (b)1 through 3 below.

- 1. If the person is required to qualify as an officer, the person shall be required to demonstrate that he or she is not significantly involved in and has no authority over the

conduct of business with a casino licensee. Such request shall include, at a minimum, the following:

- i. A description of his or her title, duties and responsibilities with the applicant, licensee or with any affiliate thereof;
  - ii. The terms of his or her compensation; and
  - iii. A certification by the officer stating that the officer is not significantly involved in and has no authority over the conduct of business with any casino licensee or applicant;
2. If the person is required to qualify as an owner of the applicant or licensee or a holding or intermediary company thereof and requests a waiver as an institutional investor, the person shall be required to demonstrate compliance with the standards for institutional investor status set forth in N.J.S.A. 5:12-27.1 and N.J.A.C. 13:69A-5.6B(a), as well as the standards for waiver set forth in N.J.S.A. 5:12-85.1g, as applied to the casino service industry enterprise applicant or licensee, regardless of whether such applicant or licensee is publicly traded or privately held. Such request shall include the certification required pursuant to N.J.A.C. 13:69A-5.6B(b).

3. If the person is required to qualify as an owner of the applicant or licensee or of a holding or intermediary company of the applicant or licensee, the person shall be required to demonstrate their inability to control such applicant, licensee or holding or intermediary company. For a publicly traded corporation, any person who owns or beneficially holds five percent or more of the equity securities of such corporation shall be presumed to have the ability to control such corporation, unless such presumption is rebutted by clear and convincing evidence.

(c) Notwithstanding (a) and (b) above, the Division may require a casino service industry enterprise applicant or licensee to establish the qualifications of any person if the Division determines that the qualification of such person would further the policies of the Act. In making such determination, the Division shall consider, without limitation, the following:

1. Title, duties and responsibilities;
2. Terms of compensation;
3. Ownership interest;
4. Prior status as a qualifier;
5. Ability to appoint a member of the board of directors;
6. Commonality of interest with other owners of the applicant or licensee, or holding or intermediary company thereof;

7. Business relationship with the applicant or licensee;
8. Criminal conduct or associations; and
9. Role in compliance and association or affiliation with the applicant company.

(d) In addition to the persons required to qualify pursuant to (a)2 above, each applicant for a junket enterprise license may be required, upon directive from the Division, to establish the qualifications of any junket representative affiliated with that junket enterprise, regardless of whether such junket representative deals directly with a casino licensee.

1. The Division may require a junket representative affiliated with a junket enterprise licensed as an ancillary casino service industry enterprise or applicant to establish his or her qualifications at any time.
2. Any junket enterprise required to establish the qualifications of a junket representative pursuant to this subsection may be required, subject to the provisions of N.J.A.C. 13:69A-8.6, to pursue a determination as to the qualifications of the junket representative regardless of whether the employment relationship with the junket representative has been terminated.
3. Any person required to establish his or her qualifications as a junket representative pursuant to this subsection may be required

to pursue a determination as to his or her qualifications as a  
junket representative regardless of whether the employment  
relationship with the junket enterprise has been terminated.

**13:69J-1.14A Notification of changes in qualifiers of casino service industry licensees, ancillary casino service industry licensees or applicants, and holding companies**

(a) Each casino service industry enterprise licensee, ancillary casino service industry enterprise licensee, or applicant required to be licensed in accordance with N.J.S.A. 5:12-92.a and N.J.A.C. 13:69J-1.2 shall notify the Division, in writing, within five business days, of the following:

1. The appointment, nomination, election, resignation, termination, incapacitation or death of any natural person required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c);
2. The identity of any person required to be qualified pursuant to N.J.A.C. 13:69J-1.14(a)1iii or iv on the basis of a newly acquired ownership interest;
3. The identity of any person whose obligation to qualify was waived pursuant to N.J.A.C. 13:69J-1.14(b)2 if that person subsequently attains an ownership interest that is:
  - i. At least five percent greater than the interest held at the time the most recent waiver was granted; and
  - ii. At least 25 percent or more of the applicant, licensee, or holding or intermediary company thereof; or

4. The identity of any person whose obligation to qualify was waived pursuant to N.J.A.C. 13:69J-1.14(b)3, if that person subsequently attains an ownership interest that is:
  - i. At least five percent greater than the interest held at the time the most recent waiver was granted; and
  - ii. At least 10 percent of the applicant, licensee, or holding or intermediary company thereof.

(b) For each new qualifier identified pursuant to (a)1 or 2 above, the following forms, as applicable, shall be filed with the Division within 30 days of the mailing of the required notice; provided, however, that the Division may, upon written request from the licensee or applicant and for good cause shown, grant an additional 30 days within which to file the required forms:

1. A complete application for qualification as set forth in N.J.A.C. 13:69A-7.1A(a)1iv for each new natural person qualifier; or
2. A complete Business Entity Disclosure Form--Casino Service Industry Enterprise, as set forth in N.J.A.C. 13:69A-5.15 for each new entity qualifier.

(c) For each person identified pursuant to (a)3 above, a new petition for a waiver of qualification pursuant to N.J.A.C. 13:69J-1.14(b)2 or 3 shall be filed with the Division within 30 days of the mailing of the required notice.

(d) If a casino service industry enterprise licensee fails to file the notices and forms required by this section, the Division may, without the need for a hearing, administratively prohibit such casino service industry enterprise licensee from conducting business with a casino licensee or an applicant

**13:69J-1.14B Temporary qualification at license issuance; pendent qualifiers during term of license; permission to exercise powers and perform duties prior to Division finding of plenary qualification**

(a) Notwithstanding the provisions of N.J.A.C. 13:69J-1.14(a), a casino service industry enterprise license or ancillary casino service industry enterprise license may be issued by the Division without the applicant having first established the plenary qualification of each natural person otherwise required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c) provided that:

1. Any natural person qualifier who has not been found qualified by the Division in accordance with the provisions of N.J.A.C. 13:69J-1.14(a) as of the date of license issuance has been found temporarily qualified in accordance with the provisions of (b) below;
2. The applicant does not have more than three temporary qualifiers as of the date of license issuance; and
3. None of the temporary qualifiers is:
  - i. The chief executive officer or equivalent;
  - ii. The chief operating officer or equivalent;
  - iii. A person who directly or indirectly holds any beneficial interest of five percent or more of the applicant; or
  - iv. An inside director as defined in N.J.A.C. 13:69J-1.1.

(b) For the purposes of this section, no natural person shall be temporarily qualified by the Division unless it finds that such person:

1. Is required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c) as part of an application for the issuance of a casino service industry enterprise license but has not been found qualified in accordance with N.J.S.A. 5:12-92b due to an ongoing investigation of that qualifier by the Division as of the date the license is issued by the Division;
2. Has filed all application materials required by the Division; and
3. Has been identified by the Division as an individual as to whom it has conducted a preliminary background investigation and does not currently possess any negative information that would affect the ability of such person to establish his or her qualifications.

(c) Notwithstanding the provisions of N.J.A.C. 13:69J-1.14(a), a casino service industry enterprise licensee or ancillary casino service industry enterprise license may retain its license pursuant to N.J.S.A. 5:12-94.h(1) without having first established the individual qualifications of each natural person otherwise required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c) provided that each person who is required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c) but has not been the subject of a qualification determination by the Division is a pendent qualifier in accordance with the provisions of (d) below.

(d) For the purposes of this section, a pendent qualifier is any natural person who:

1. Is required to qualify pursuant to N.J.A.C. 13:69J-1.14(a) or (c) as part of a casino service industry enterprise license or ancillary casino service industry enterprise license but has not been the subject of a qualification determination by the Division due to his or her obligation to qualify having arisen after the date of the initial license issuance or the previous resubmission;
2. Has had the notices and application materials required by N.J.A.C. 13:69J-1.14A(b) filed with the Division in accordance with the deadlines set forth therein; and
3. Has not been the subject of a Division determination, after appropriate notice and hearing, that reasonable cause exists to believe that such person may not be qualified based on information presented by the Division.

(e) Except as otherwise provided in (f) below, a temporary qualifier or pendent qualifier shall be entitled to exercise the powers and perform the duties of his or her position for a period of 18 months from the date that temporary qualifier or pendent qualifier status is attained pursuant to (b) or (d) above.

(f) The Division shall require the removal of any temporary qualifier or pendent qualifier if the Division determines, after appropriate notice and hearing, that

the temporary qualifier or pendent qualifier does not satisfy any applicable requirement of (a) through (d) above or if such person is not found qualified by the deadlines set forth in (e) above. If a casino service industry enterprise licensee, after appropriate notice and hearing, does not remove a temporary qualifier or pendant qualifier from his or her position, the Division may impose the sanctions set forth in N.J.A.C. 13:69J-1.14A(d).

(g) Notwithstanding the deadlines set forth in (e) above, the Division may determine the plenary qualification of any temporary qualifier or pendent qualifier in accordance with the provisions of N.J.A.C. 13:69J-1.14(a) as soon as the Division completes its investigation of the qualifier.

**13:69J-1.15 Advertising**

(a) Any advertisement by an applicant for or holder of a casino service industry enterprise license issued pursuant to N.J.S.A. 5:12-92.a or by any agent thereof shall be subject to the provisions of N.J.A.C. 13:69C-14 to the same extent as if such advertisement were by a casino licensee or applicant.

(b) Notwithstanding the provisions of (a) above, an applicant for or holder of a casino service industry enterprise license issued pursuant to N.J.S.A. 5:12-92.a and any agent thereof shall not be subject to the provisions of N.J.A.C. 13:69C-14.3(b).

## **SUBCHAPTER 2. GAMING SCHOOLS**

### **13:69J-2.1 License requirements**

No gaming school that possesses slot machines in connection therewith for the purpose of instruction shall enroll any student or offer any course concerning gaming or dealing techniques or conduct any business whatsoever with a casino licensee or applicant, its employees or agents unless such gaming school is vendor registered in accordance with N.J.S.A. 5:12-92c(1).

**13:69J-2.2 Gaming equipment**

(a) All gaming equipment utilized by a gaming school, including gaming chips and plaques, shall be used for training, instructional and practice purposes only. The use of any such gaming equipment for actual gaming by any person is prohibited and may constitute cause for the suspension or revocation of the gaming school vendor registration.

(b) Unless the Division otherwise determines, all gaming chips and plaques utilized by a gaming school shall be distinctly dissimilar to any gaming chips and plaques utilized by a casino licensee.

(c) No gaming school shall possess any slot machine or remove or transport any slot machine except in accordance with the Act and N.J.A.C. 13:69E-1.22, 1.23 and 1.24.

(d) Each slot machine on the premises of a gaming school shall have permanently affixed on it a serial number which, together with the location of the machine, shall be filed with the Division.

(e) Each gaming school shall provide adequate security for the slot machines on the gaming school premises.

(f) No gaming school shall sell or transfer any slot machine except upon prior written notice to the Division and the removal of all serial numbers required by this section.

# **CHAPTER 69K**

## **EQUAL EMPLOYMENT AND BUSINESS OPPORTUNITY**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69K-1.1 Scope, policy and purpose**

(a) It has long been the public policy of the State of New Jersey to promote equal employment and business opportunity by prohibiting discrimination.

(b) These rules are adopted in order to establish equal employment opportunity and equal business opportunity requirements for casino licensees and applicants, casino service industry enterprise licensees and applicants and construction contractors and subcontractors engaged in construction projects for casino licensees and applicants. These rules also establish affirmative action requirements for casino licensees and applicants, certain casino service industry enterprise licensees and applicants and construction contractors and subcontractors with regard to the employment of persons with disabilities.

### **13:69K-1.2 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Affectional or sexual orientation" is defined in N.J.S.A. 10:5-5.

"Atypical hereditary cellular or blood trait" is defined in N.J.S.A. 10:5-5.

"Change in ownership or management" means any change in the ownership or management of a licensee or applicant which could enable an involuntary change in the existing policy of the licensee or applicant to occur, and shall include, without limitation, the sale of a controlling interest in the licensee or applicant or a holding company thereof, or the replacement of the chief executive officer of the licensee or applicant.

"Construction" or "renovation" or "reconstruction" means any construction, renovation, reconstruction, rehabilitation, alteration, conversion, extension, demolition, repair or other changes or improvements of any kind whatsoever of any structure or facility to be used as an approved hotel, casino, casino simulcasting facility or related facility. These terms also include the maintenance, supervision, inspection, and other on-site functions incidental to the actual construction.

"Contract" means any written or unwritten agreement between two or more persons.

"Contractor" means any party performing or offering to perform pursuant to a contract.

"Disability" means a physical or mental impairment which is included in the definition of "handicapped" contained in the Law Against Discrimination, N.J.S.A. 10:5-5,

or in the definition of "disability" contained in the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and attendant regulations.

"Equal business opportunity" means the opportunity of any person to buy from, sell to, lease from or to, license, contract with, trade with, provide goods, services or information to, or do business with any other person without regard to the race, creed, color, national origin, ancestry, affectional or sexual orientation, gender, age, marital status, nationality, atypical hereditary cellular or blood trait, liability for service in the armed forces of the United States, disability (where reasonable accommodation may be made to allow for such disability without causing an undue hardship on the person doing business) or rehabilitated offender status of such person or such person's partners, members, stockholders, directors, officers, managers or employees.

"Equal Employment and Business Opportunity Plan (EEBOP)" is defined in N.J.A.C. 13:69K-6.

"Equal employment opportunity" means the opportunity of any person to apply for, obtain and retain employment, transfer, promotion, pay raises, benefits and training without regard to the race, creed, color, national origin, ancestry, affectional or sexual orientation, gender, age, marital status, nationality, atypical hereditary cellular or blood trait, liability for service in the armed forces of the United States, disability (where reasonable accommodation may be made to allow for such disability without causing an undue hardship on the employer) or rehabilitated offender status of such person.

"Equal opportunity officer" means a person appointed by a licensee or applicant, pursuant to the provisions of N.J.S.A. 5:12-135f and N.J.A.C. 13:69K-1.4 or 3.1, to assure

its compliance with this chapter and any Federal or State laws regarding equal employment and business opportunity.

"Liability for service in the armed forces of the United States" is defined in N.J.S.A. 10:5-5.

"Operations work force" means all employees of a casino licensee or applicant who work in or in support of the casino hotel, casino, casino simulcasting facility or a related facility.

"Rehabilitated offender" means any person who has been convicted of or has committed a disqualifying offense pursuant to N.J.S.A. 5:12-86 and who has been found rehabilitated from such offense pursuant to the provisions of N.J.S.A. 5:12-90h or 91d.

"Subcontract" means a binding legal relationship involving performance by a subcontractor of all or part of a contract or subcontract.

"Subcontractor" means any party engaged by a contractor or subcontractor to perform, under a subcontract, all or part of the work included in a contract or subcontract.

**13:69K-1.3 (Reserved)**

**13:69K-1.4 Designation of equal opportunity officer by casino licensee or applicant; responsibility of chief executive officer and equal opportunity officer**

(a) Each casino licensee or applicant shall designate a principal member of its organization to serve as an equal opportunity officer. A casino license applicant shall designate its equal opportunity officer prior to the start of actual construction by the applicant or by any affiliated entity of any structure or facility to be used as an approved casino hotel, or prior to the recruitment and employment of personnel necessary to undertake the business of the hotel or casino, whichever first occurs. The chief executive officer shall be ultimately responsible for insuring that equal employment opportunity is afforded to all prospective and actual employees, that equal business opportunity is afforded to all persons, that affirmative efforts are made to recruit and employ persons with disabilities, and that the licensee or applicant achieves full implementation of its approved EEBOP. The equal opportunity officer shall be directly responsible for the organization and effective and continuing implementation of its approved EEBOP. The position of equal opportunity officer shall require a casino key employee license.

(b) The responsibilities of the equal opportunity officer shall include, without limitation, the responsibility to:

1. Monitor and review all aspects of the personnel procedures and decisions of the casino licensee or applicant;
2. Recommend in writing to the chief executive officer the suspension of any personnel procedure, decision or transaction which is not consonant with the approved EEBOP of the casino

license or applicant or with any Federal or state law regarding equal employment opportunity; and

3. Act as a liaison and to provide assistance to the Commission and the Division in the enforcement of section 134 of the Act and this chapter, which responsibility shall include, without limitation, the obligation to prepare and submit such reports, documentation and statistical information as the Division shall require concerning the licensee's or applicant's:

- i. Work force composition;
- ii. Efforts to assure that equal employment opportunity is being afforded to all persons protected by N.J.S.A. 5:12-134;
- iii. Good faith efforts to implement its EEBOP;
- iv. Employment, promotion, demotion or transfer decisions;
- v. Recruitment, recruitment advertising and union referral efforts;
- vi. Rates of pay or other forms of compensation;
- vii. Training programs and selection procedures;
- viii. Layoff, recall or termination decisions; and
- ix. Grievance procedures for, and disposition of, complaints related to equal employment opportunity.

(c) In addition to the responsibilities specified in (b) above, the equal

opportunity officer shall have the responsibility to:

1. Monitor and review all aspects of the contracting and purchasing procedures and decisions of the licensee or applicant; and
2. Recommend in writing to the chief executive officer the suspension of any contracting or purchasing procedure, decision, or transaction which is not consonant with its approved EEBOP or with any Federal or State law regarding equal business opportunity.

(d) In addition to the responsibilities specified in (b) and (c) above, the equal opportunity officer shall have the responsibility to:

1. Monitor and review the employment, recruitment and union referral practices of all contractors and subcontractors used in connection with the actual construction, renovation or reconstruction of any structure or facility to be used as an approved hotel, casino, casino simulcasting facility or any related facility;
2. Recommend in writing to the chief executive officer the suspension of any contract or subcontract or payment thereof where the contractor or subcontractor is engaging in any employment, recruitment, referral or bidding practice which is not consonant with the Act or the rules of the Division or with any Federal or State law regarding equal employment and business

opportunity;

3. Accompany the Division, if requested, during on-site inspections authorized pursuant to N.J.A.C. 13:69K-2.7; and
4. Prepare and submit to the Division such reports, documentation and statistical information as the Division shall require concerning any contractor or subcontractor used by the licensee or applicant in connection with the construction, renovation or reconstruction of any structure or facility to be used as an approved hotel, casino, casino simulcasting facility or any related facility.

(e) In addition to any other requirements imposed by this section, a casino licensee or applicant shall comply with the following requirements concerning its equal opportunity officer:

1. The principal areas of responsibility of the equal opportunity officer shall be the implementation, monitoring and enforcement of the equal employment and business opportunity requirements established by the Act and this chapter. These responsibilities may include, without limitation, the following functions:  
recruitment; equal employment opportunity awareness training;  
legal and statistical analysis of work force composition and utilization; grievance counseling and fact-finding; career advancement counseling; assessment and adaptation of all personnel and compensation policies and procedures for

conformity with the equal employment and business opportunity plan approved by the Division and with any Federal or State equal employment and business opportunity laws; monitoring and coordinating contracting, purchasing and construction activities; and developing and maintaining the involvement of the licensee or applicant in the community in support of equal employment and business opportunity.

2. The title, rank and level of compensation of the equal opportunity officer shall be comparable to that of a director of a major department within the organization of the casino licensee or applicant.

3. The equal opportunity officer shall be provided with a staff sufficient to achieve full and timely implementation and enforcement of the EEBOP approved by the Division and compliance with the Act and this chapter.

4. The equal opportunity officer shall report directly to the chief executive officer of the licensee or applicant or, in his or her absence, to the chief legal officer of the licensee or applicant.

(f) Whenever the equal opportunity officer of a casino licensee or applicant makes a suspension recommendation to the chief executive officer pursuant to (b)2, (c)2 or (d)2 above, a copy of the recommendation shall be maintained on file by the casino licensee or applicant for inspection by the Division upon request.

**13:69K-1.5 Advisory boards**

(a) The Division may establish an advisory board consisting of local or State officials, representatives of area businesses and communities, women and minority organizations, union officials, persons with disabilities, casino industry representatives or other interested parties. Such advisory board may make recommendations to the Division, upon its request, concerning policies or techniques to assure equal employment and business opportunity for all persons in the casino industry and the casino-related construction industry.

(b) The Division may establish an Advisory Board on Persons with Disabilities to consider issues affecting persons with disabilities and the casino industry. This advisory board shall consist of persons with disabilities residing in the regional community, representatives of organizations which advance the interests of persons with disabilities and representatives of the casino industry. The purpose of the advisory board shall be to identify, investigate, and make recommendations to the Division concerning issues which affect the ability of persons with disabilities to obtain employment and business opportunities with the casino industry. Such recommendations may include, at the discretion of the advisory board or upon request by the Division, suggestions for the promulgation of specific regulations. The advisory board may also develop and recommend to the Division a program which will permit the accurate identification and reporting of persons with disabilities who are employed by or doing business with the casino industry.

**13:69K-1.6 and 1.7 (Reserved)**

**13:69K-1.8 Severability**

If any clause, sentence, subparagraph, paragraph, subsection, section, subchapter or other portion of these rules or the application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of these rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, subchapter or other portion thereof directly involved in such holding or to the person or circumstance therein involved.

## **SUBCHAPTER 2. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION OBLIGATIONS OF CONTRACTORS, SUBCONTRACTORS AND CASINO LICENSEES AND APPLICANTS CONCERNING CONSTRUCTION**

### **13:69K-2.1 Equal employment and business opportunity obligations of casino licensees and applicants concerning construction**

(a) Each casino licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of the work force and equal business opportunity to all contractors or subcontractors employed in the construction, renovation or reconstruction of the casino hotel, casino, casino simulcasting facility or any related facility.

(b) No architectural plans or site plans of proposed construction, renovation or reconstruction of any structure or facility to be used as a casino hotel, casino, casino simulcasting facility or related facility shall be approved by the Division, nor shall any contract or subcontract for such work be commenced, unless the casino licensee or applicant requires that, at a minimum, all contracts or subcontracts to be awarded in connection therewith shall contain appropriate provisions by which contractors or subcontractors or their assignees agree to afford:

1. Equal employment opportunity to all prospective employees and actual employees to be employed by the contractor or subcontractor; and
2. Equal business opportunity to all persons who wish to participate in the performance of the contract or subcontract.

(c) Prior to the commencement of any work by a contractor or subcontractor

in connection with any construction, renovation or reconstruction of any structure to be used as a casino hotel, casino, casino simulcasting facility or related facility, each casino licensee or applicant shall require the construction contractor or subcontractor to include the mandatory contract language set forth in N.J.A.C. 13:69K-2.7 in each contract or subcontract.

(d) No casino license shall issue to or be held by any person unless such person shall demonstrate to the Division that, as of (the effective date of these regulations), equal employment opportunity has been afforded, prior to the submission of architectural plans or site plans to the Division, to all prospective employees and to all actual employees employed by a contractor or subcontractor in connection with the actual construction, renovation or reconstruction of any structure to be used as a casino hotel.

(e) A casino license applicant shall be required to designate an Equal Opportunity Officer in accordance with the provisions of N.J.A.C. 13:69K-1.4 prior to the start of actual construction by the applicant or any affiliated entity of any structure or facility to be used as a casino hotel. The casino license applicant shall also be required to submit an EEBOP in accordance with the provisions of N.J.A.C. 13:69K-6 prior to the start of actual construction of a casino hotel facility, the recruitment and employment of personnel necessary to undertake the business of the casino or hotel, or the filing of an application for casino licensure, whichever first occurs.

**13:69K-2.2 Obligation of casino licensee or applicant to monitor all construction Activity**

(a) Unless otherwise specified in the construction section of an approved EEBOP pursuant to N.J.A.C. 13:69K-6, each casino licensee or applicant shall be required to develop and implement a monitoring system which allows the casino licensee or applicant to oversee all construction activity performed for the licensee or applicant at the casino hotel, casino, casino simulcasting facility or any related facility.

(b) The monitoring system shall provide for systematic coordination between the equal opportunity officer, the relevant departments within the organization of the casino licensee or applicant which contract for construction work and the purchasing department. The monitoring system shall include, without limitation, procedures which:

1. Outline the steps to be used by the casino licensee or applicant to obtain compliance from contractors and subcontractors who fail to fulfill their obligations under this subchapter;
2. Ensure that the mandatory construction contract and subcontract language required by N.J.A.C. 13:69K-2.7 is actually included in all construction contracts and subcontracts;
3. Provide notification to all contractors and subcontractors of the obligations of the casino licensee or applicant under the Act and this subchapter; and
4. Encourage contractors and subcontractors to employ persons with disabilities at all levels of the work force.

**13:69K-2.3 and 2.4 (Reserved)**

**13:69K-2.5 Special compliance obligations applicable to a casino license applicant building a casino hotel facility**

(a) In addition to complying with all of the regulatory requirements of N.J.A.C. 13:69K-2.2 which are applicable to a casino license applicant, any casino license applicant which is planning to build or substantially renovate a casino hotel facility prior to licensure shall comply with the requirements of this section in accordance with a schedule to be set by the Division based on the projected opening date of the casino hotel facility and the hearing schedule of the Division.

(b) The casino license applicant shall submit a draft employment application to the New Jersey Division on Civil Rights (DCR) in accordance with N.J.A.C. 13:7 for review as to its consonance with the rules on pre-employment inquiries and procedures, revise the application as guided by the review and comments of DCR, and file a copy of the final version of the document and the notice of DCR approval with the Division.

(c) Notwithstanding the provisions of N.J.A.C. 13:69K-4.1, the casino license applicant shall file with the Division a description of all hiring criteria and procedures used to determine whether to hire an applicant for employment or to transfer, upgrade or promote an existing employee. Each casino license applicant shall submit the following in satisfaction of this requirement:

1. A narrative description of the process of screening, interviewing and hiring applicants, which shall include a delineation of the responsibilities of the equal opportunity officer, director of personnel and other principals in that process;
2. A description of any tests, interview procedures or other

procedures which will be administered to applicants or employees;

3. An in-house job posting procedure which shall be a clearly-defined and comprehensively-applied process through which employees may bid for intradepartmental or interdepartmental promotion or transfer;
4. A training summary which shall include information as to:
  - i. The job title of those employees who underwent skill enrichment training prior to opening; and
  - ii. Any reasonable accommodations, specialized training or support programs provided for employees who were voluntarily self-identified as persons with disabilities;
5. A summary of the strategies and actual techniques used to hire persons with disabilities at all levels of the work force;
6. Documentation of contacts with any recruitment sources such as referral agencies, colleges, executive search firms or organizations, and advertisements in media oriented to persons with disabilities;
7. An in-house complaint procedure for equal employment opportunity complaints to be addressed by the equal opportunity officer; and
8. An employee manual or handbook or other procedure designed

to advise all employees of: the policy of the casino license applicant on equal employment opportunity; prohibitions against discrimination and sexual harassment; the name, office location and phone number of the equal opportunity officer, and instructions to contact the equal opportunity officer in the event of an allegation of discrimination or harassment.

**13:69K-2.6 (Reserved)**

**13:69K-2.7 Construction contracts and subcontracts; mandatory contract language**

(a) Every contract or subcontract which concerns the construction of a casino hotel, casino, casino simulcasting facility or any related facility shall contain the following language concerning equal employment opportunity and equal business opportunity:

"During the performance of this contract (or subcontract), the contractor (or subcontractor) agrees that it will be bound by the equal employment and business opportunity requirements of the New Jersey Casino Control Act, N.J.S.A. 5:12-1 et seq., and the rules of the New Jersey Division of Gaming Enforcement, N.J.A.C. 13:69K.

The contractor (or subcontractor) agrees that it will provide equal employment opportunity, as defined in N.J.A.C. 13:69K-1.2, to all prospective and actual employees of the contractor (or subcontractor). The contractor (or subcontractor) agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth in detail the provisions of this equal employment opportunity clause.

The contractor (or subcontractor) agrees that it will include in all advertisements or solicitations for employees placed by or on behalf of the contractor (or subcontractor) a statement that it is an equal employment opportunity employer subject to regulation

by the Division of Gaming Enforcement.

The contractor (or subcontractor) agrees that it will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or representative of the contractor's (or subcontractor's) commitments under the Casino Control Act and the rules of the Division of Gaming Enforcement, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor (or subcontractor) agrees that it will provide equal business opportunity, as defined in N.J.A.C. 13:69K-1.2, to all persons who wish to participate in the performance of the contract (or subcontract). The contractor (or subcontractor) agrees to post in conspicuous places at its place of business and on the project site notices setting forth in detail the provisions of this equal business opportunity clause.

The contractor (or subcontractor) agrees that a representative of the Division of Gaming Enforcement shall be entitled to attend all construction project meetings and, at reasonable times and in a reasonable manner, to enter the contractor's (or subcontractor's) business facility or facilities or construction project site for determining whether the contractor or subcontractor is

complying with the Casino Control Act and the rules of the Division. The contractor (or subcontractor) agrees that the Division, in making such determinations, shall be entitled to inspect or copy any relevant books and records of the contractor (or subcontractor)."

(b) In lieu of the mandatory language required by (a) above, a contractor or subcontractor may include the following language in the contract or subcontract:

"The parties to this contract (or subcontract) agree to incorporate into this contract (or subcontract) the mandatory equal employment and business opportunity contract language contained in the rules of the Division of Gaming Enforcement at N.J.A.C. 13:69K-2.7, as amended or supplemented from time to time, and to comply fully with the terms, provisions and obligations of N.J.A.C. 13:69K."

### **SUBCHAPTER 3. EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION OBLIGATIONS OF CASINO SERVICE INDUSTRY ENTERPRISES**

#### **13:69K-3.1 Designation of equal opportunity officer by casino service industry enterprise licensee; responsibility of chief executive officer and equal employment officer**

Each casino service industry enterprise licensee shall designate a principal member of its organization to serve as an equal opportunity officer. The chief executive officer shall be ultimately responsible for insuring that equal employment opportunity is afforded to all prospective and actual employees of the licensee, that equal business opportunity is afforded to all persons who do or would like to do business with the licensee, and that the licensee complies with or makes good faith efforts to comply with any affirmative action obligations imposed on the licensee by the Act and this chapter. The equal opportunity officer shall be directly responsible for the effective and continuing implementation of the equal opportunity and affirmative action obligations of the licensee.

**13:69K-3.2 Equal employment and business opportunity obligations of all casino service industry enterprise licensees and applicants**

(a) Each casino service industry enterprise licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of its work force.

(b) Each casino service industry enterprise licensee and applicant shall provide equal business opportunity to all persons who do or wish to do business with the licensee or applicant.

(c) The chief executive officer of each casino service industry enterprise licensee or applicant shall submit to the Division an acknowledgement of the obligations imposed by this section and, if applicable, N.J.A.C. 13:69K-3.3, with the application for initial casino service industry licensure, with each application for license renewal, and upon any change in the ownership or management of the casino service industry enterprise.

(d) Each casino service industry enterprise licensee or applicant shall be required to:

1. Post notices available to employees and applicants for employment of the equal employment opportunity obligations of the casino service industry enterprise licensee or applicant; and
2. Include a statement in all postings, advertisements or other solicitations for employment that it is an equal opportunity employer.

**13:69K-3.3 Affirmative action obligations of casino service industry enterprise licensees and applicants which have 50 or more employees in New Jersey**

(a) Each casino service industry enterprise licensee and applicant which employs 50 or more employees in the State of New Jersey shall be required to undertake affirmative measures to ensure that persons with disabilities are recruited and employed at all levels of its work force and treated during employment without regard to their disability. Such affirmative efforts shall, without limitation, address all employment practices including:

1. Employment, promotion, demotion or transfer;
2. Recruitment, recruitment advertising or posting;
3. Layoff or termination;
4. Rates of pay and other forms of compensation or benefits; and
5. Selection for training programs.

(b) Each casino service industry enterprise licensee and applicant governed by this section shall be required to:

1. Post all employment openings for response by qualified in-house employees or, when appropriate, advertise such openings in newspapers of general circulation and other media which reach a cross-section of the population in the area from which the work force will be drawn;
2. Send notices of employment openings to and solicit the referral of qualified candidates for employment from:

- i. Organizations which serve the interest of promoting equal employment opportunity for persons with disabilities; and
  - ii. Regional job banks or job fairs that are maintained or conducted in order to assist qualified persons with disabilities in obtaining employment;
3. Send to each labor union or representative of workers with which it has a collective bargaining agreement a notice of the obligations of the licensee or applicant under the Act and rules of the Division;
4. Send to each labor union or representative of workers with which it has a collective bargaining agreement a request for referral of qualified candidates for employment who are voluntarily self-identified persons with disabilities; and
5. Evaluate any criteria, tests, interview procedures and other requirements for employment, promotion and transfer of employees to assure that they are not discriminatory in their impact or that no less discriminatory methods of evaluation or prediction of job performance are feasible.

**13:69K-3.4 (Reserved)**

**13:69K-3.5 Sanctions**

(a) If the Division determines that a casino service industry enterprise licensee, registrant or applicant is in violation of the Act or this subchapter, in addition to any action taken by the Division to suspend or revoke the casino service industry enterprise license, or registration, the Division may:

1. Order any or all casino licensees and applicants to terminate or suspend any business relationships or contracts with the casino service industry enterprise licensee or applicant;
2. Prohibit the casino service industry enterprise licensee, registrant or applicant from entering into any future contracts with any casino licensee or applicant for a period of time to be determined by the Division; and
3. Take any other action authorized by the Act or the rules of the Division.

**SUBCHAPTER 4. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION OBLIGATIONS OF CASINO LICENSEES AND APPLICANTS CONCERNING THE OPERATIONS WORK FORCE**

**13:69K-4.1 Equal employment opportunity obligations of casino licensees and applicants concerning the operations work force**

(a) Each casino licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of the operations work force.

(b) Each casino licensee and applicant shall be required to:

1. Post notices available to employees and applicants for employment of the equal employment opportunity obligations of the casino licensee or applicant;
2. Include a statement in all postings, advertisements or other solicitations for employment that it is an equal opportunity employer;
3. Post all employment openings for response by qualified in-house employees and, when appropriate, advertise such openings in newspapers of general circulation and other media which reach a cross-section of the population in the area from which the work force will be drawn;
4. Send to each labor union or representative of workers with which it has a collective bargaining agreement, a notice of the obligations of the casino licensee or applicant under the Act and

this chapter;

5. Evaluate any criteria, tests, interview procedures and other requirements for employment, promotion or transfer of employees to assure that they are not discriminatory in their impact or that no less discriminatory methods of evaluation or prediction of job performance are feasible;
6. Provide to the Division, upon request, a description of all criteria, tests, interview procedures or other procedures used to determine whether to employ an applicant for employment or to transfer, upgrade or promote an existing employee; and
7. If necessary, comply with the provisions of (c) below.

(c) In the event that any criteria, test, interview procedure or other employment procedure used by a casino licensee or applicant is shown to have a discriminatory impact, the casino licensee or applicant shall be required to demonstrate to the satisfaction of the Division that no less discriminatory method of evaluation or prediction of job performance is feasible. In such case, the casino licensee or applicant shall justify the requirements imposed and shall demonstrate to the satisfaction of the Division that any criteria, tests, interview procedures or other procedures used are truly predictive of job performance. The casino licensee or applicant shall discontinue the use of any criteria, tests, interview procedures or other employment procedures which have a discriminatory impact and which cannot be validated as truly predictive of job performance to the satisfaction of the Division. In attempting to establish the validity of

the criterion, test, interview procedure or other employment procedure, the casino licensee or applicant shall be guided by the rules of the New Jersey Division on Civil Rights and the U.S. Equal Employment Opportunity Commission.

**13:69K-4.2 Reasonable accommodation in employment for persons with disabilities**

Casino licensees and applicants shall afford reasonable accommodation in employment to persons with disabilities in accordance with the requirements of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., and attendant regulations, and Title I of the Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and attendant regulations.

**SUBCHAPTER 5. (RESERVED)**

## **SUBCHAPTER 6. COMPLIANCE BY CASINO LICENSEES AND APPLICANTS – PREPARATION, IMPLEMENTATION AND REVIEW OF EQUAL EMPLOYMENT AND BUSINESS OPPORTUNITY PLAN (EEBOP)**

### **13:69K-6.1 Equal Employment and Business Opportunity Plan (EEBOP); purpose and basic elements**

(a) In order to insure compliance with the requirements of section 134 of the Act and this chapter, each casino licensee and applicant shall be required to submit an Equal Employment and Business Opportunity Plan (EEBOP) to the Division for its approval. The EEBOP of each casino licensee or applicant shall address in specific terms the strategies, procedures and internal requirements which the casino licensee or applicant intends to implement so that the equal employment opportunity and equal business opportunity objectives of the Act and this chapter are achieved, both on a current and continuing basis.

(b) Each casino licensee or applicant shall be encouraged to use imagination and innovation in the development of its EEBOP. Although, in general, no particular format will be required, every EEBOP prepared by a casino licensee or applicant shall contain sections addressing each of the following areas:

1. General regulatory requirements;
2. Construction requirements; and
3. Operations work force requirements.

(c) The EEBOP of a casino license applicant which will be building or substantially renovating a casino hotel facility prior to licensure shall address:

1. All phases of the development of the project including planning

and feasibility studies in preparation for initial construction; and

2. The qualifications of the Equal Opportunity Officer to perform the duties set forth in N.J.A.C. 13:69K-1.4.

**13:69K-6.2 General regulatory section of an EEBOP**

(a) Every EEBOP submitted by a casino licensee or applicant shall include, at a minimum, the following:

1. A statement by the chief executive officer of the casino licensee or applicant setting forth the equal employment and business opportunity policies of the organization;
2. An acknowledgement by the chief executive officer of the obligations imposed by section 134 of the Act and this chapter; and
3. A description of the means by which the policies of the casino licensee or applicant concerning equal opportunity shall be disseminated and enforced including, without limitation, the following:
  - i. Orientation, sensitivity and ADA compliance training sessions for staff, including executives, managers, supervisors and placement personnel;
  - ii. The availability of the EEBOP to staff for review; and
  - iii. The inclusion of accountability for achieving the objectives of his chapter and the EEBOP of the casino licensee or applicant in the performance evaluations of executives, managers and supervisors.

(b) Other topics appropriate for inclusion in the general regulatory section of

an EEBOP shall include, without limitation, the following:

1. A delineation of the role and responsibilities of the equal opportunity officer and his or her staff;
2. A description of the lines of communication and reporting within the organization as they relate to the objectives of this chapter;
3. A description of the resources which the casino licensee or applicant will make available to the advisory boards organized pursuant to the provisions of N.J.A.C. 13:69K-1.5 and a commitment by the casino licensee or applicant to actively participate in and support the efforts of these advisory boards;  
and
4. A description of the procedures and techniques which the casino licensee or applicant will use to monitor implementation of the EEBOP and to assess the need for modifications.

**13:69K-6.3 Construction section of an EEBOP**

(a) The construction section of an EEBOP prepared by a casino licensee or applicant shall describe in detail the means by which the licensee or applicant intends to comply with the equal opportunity and regulatory obligations imposed by N.J.A.C.

13:69K-2. Topics appropriate for inclusion in the construction section of an EEBOP shall include, without limitation, the following:

1. Coordination and communication in the implementation of construction plans by the equal opportunity officer, the executive office, the facilities department, the purchasing department, and any other appropriate department;
2. Implementation of a monitoring system which will enable the casino licensee or applicant to evaluate the performance of contractors and subcontractors and the performance of the licensee's or applicant's own organization in fulfilling the equal employment and equal business opportunity requirements imposed by this chapter; and Procedures and penalties to be used by the casino licensee or applicant if a contractor or subcontractor does not fulfill its obligations under this chapter.

**13:69K-6.4 Operations work force section of an EEBOP**

(a) The operations work force section of an EEBOP prepared by a casino licensee or applicant shall describe in detail the means by which the licensee or applicant intends to comply with the equal opportunity and regulatory obligations imposed by N.J.A.C. 13:69K-4. Topics appropriate for inclusion in the operations work force section of an EEBOP shall include, without limitation, the following:

1. Coordination and communication in the personnel practices of the casino licensee or applicant by the equal opportunity officer, the executive office, the personnel department, and any other appropriate department;
2. The means by which the casino licensee or applicant shall address its obligation to provide equal employment opportunity to all persons protected by the provisions of N.J.S.A. 5:12-134; and
3. The means by which the casino licensee or applicant will insure that all required reports are completed and filed when due.

(b) The operations work force section of an EEBOP shall also describe in detail the manner in which a casino licensee or applicant shall undertake to satisfy its obligation to recruit and employ persons with disabilities. Topics appropriate for inclusion in this section of an EEBOP may include, without limitation, the following:

1. Strategies and measurable objectives for improving the employment of persons with disabilities at all levels of the work force including, without limitation, proactive initiatives in the

following areas:

- i. The use of recruitment programs, advertising, postings, referral agencies, search firms, job fairs and job banks;
  - ii. Employment processing, including specialized application and interview procedures for applicants who are voluntarily self-identified as persons with a disability;
  - iii. Specialized training, development or promotion programs, such as supported employment programs, school-to-work programs, mentoring programs and, where feasible, work-at-home programs; and
  - iv. Retention programs, such as continuing support, training and counseling programs;
2. Timetables for achievement of the EEBOP objectives;
  3. Procedures for handling complaints concerning reasonable accommodation in employment or harassment of persons with disabilities, and the means by which employees are advised of the procedures;
  4. The use of exit interviews or other means to assess why employees who are self-identified persons with a disability leave on a voluntary basis; and
  5. Development and implementation of internal monitoring and analysis mechanisms to be used to review, evaluate and, if

needed, correct plan progress.

**13:69K-6.5 and 6.6 (Reserved)**

**13:69K-6.7 EEBOP filing requirements; review and approval; revisions**

(a) Any entity which is an applicant for or holds a casino license shall file its initial EEBOP with the Division prior to the start of actual construction of a casino hotel facility, the recruitment and employment of personnel necessary to undertake the business of the casino or hotel, or the filing of an application for casino licensure, whichever first occurs.

(b) After initial approval by the Division, a casino licensee or applicant shall not be required to resubmit all or any part of the EEBOP for review or approval unless:

1. The EEBOP is voluntarily revised by the licensee or applicant pursuant to (c) below;
2. The Division directs that the EEBOP be revised as a result of an EEBOP assessment hearing pursuant to N.J.A.C. 13:69K-6.8; or
3. The Division directs that the EEBOP be revised as a result of a special review of the EEBOP ordered pursuant to N.J.A.C. 13:69K-6.9.

(c) A casino licensee or applicant may request the approval of the Division to revise its EEBOP at any time. No material modification of an EEBOP may be implemented by a casino licensee or applicant until it has been approved by the Division. Any request to revise an EEBOP shall be submitted at least 60 days in advance of the requested effective date of the change and shall include, without limitation, the following:

1. A clear and concise summary of any revisions, deletions or

additions; and

2. A detailed explanation of the changes being proposed and their anticipated effect on the compliance of the casino licensee or applicant with the requirements of the Act and this chapter, which explanation shall include supporting data or documentation when available.

**13:69K-6.8 EEBOP assessment; statistical demonstration of compliance with obligations; demonstration of compliance through documentation of EEBOP implementation**

(a) Each casino licensee or applicant shall be required to demonstrate its compliance with the requirements of the Act and this chapter by participating in periodic assessment hearings concerning its performance under its approved EEBOP.

(b) An EEBOP assessment for a casino licensee shall be scheduled as part of each casino license resubmission. A casino licensee operating under a renewed casino license shall also be required to participate in an interim EEBOP assessment.

(c) EEBOP assessment hearings for a casino license applicant shall occur on a schedule to be set by the Division, which schedule shall be based on the anticipated date of the initial casino licensure hearing of the applicant or, if a casino hotel is being built or renovated, the opening of the casino.

(d) Sixty days prior to the scheduled date of a casino license hearing or an interim EEBOP assessment, the casino licensee or applicant shall submit a self-assessment of its performance under its approved EEBOP during the assessment period, including, as applicable and without limitation, the following:

1. An internal review and evaluation of each of the areas of the EEBOP where objectives were not achieved, including documentation of specific transactions or programs which were included in the EEBOP as a means to attain these objectives;
2. An analysis by the casino licensee or applicant as to why the particular objectives were not achieved;

3. An internal review and evaluation of each programmatic portion of its approved EEBOP as to which the Division has directed an assessment; and
4. Modifications to the approved EEBOP proposed by the casino licensee or applicant as a means to improve its performance in deficient areas during the next EEBOP assessment period.

(e) Upon completion of an EEBOP assessment for a casino licensee or applicant, the Division may find that the casino licensee or applicant has complied with the obligations of the Act and this chapter if:

1. The casino licensee or applicant did implement and comply with the terms of its approved EEBOP during the assessment period; or
2. The casino licensee or applicant has in fact made good faith efforts to comply with its approved EEBOP and its failure to do so was based on occurrences which were beyond the control of the casino licensee or applicant.

(f) If, upon completion of an EEBOP assessment, the Division determines that a casino licensee or applicant has failed to comply with the requirements of the Act, this chapter or its approved EEBOP, the Division may impose one or more of the sanctions authorized by N.J.A.C. 13:69K-6.11.

**13:69K-6.9 Special EEBOP reviews and hearings**

(a) Notwithstanding any other provision of this chapter, the Division may require a casino licensee or applicant to conduct a self assessment of all or any part of its approved EEBOP whenever the Division has cause to question whether the EEBOP or the implementation of the EEBOP by the casino licensee or applicant is likely to achieve compliance with the obligations imposed by the Act and this chapter.

(b) Any casino licensee or applicant which is notified that a special review of its EEBOP shall be conducted pursuant to this section shall supply whatever documentation or reports are requested by the Division. A special hearing on the EEBOP of the casino licensee or applicant may be ordered by the Division at any time and shall be conducted under such terms and conditions as the Division may direct. The sole purpose of such hearing shall be to determine whether the casino licensee or applicant should be required to make immediate modifications to its EEBOP consistent with the purposes of the Act and this chapter.

**13:69K-6.10 On-site monitoring and inspections**

A representative of the Division shall be entitled to enter the casino hotel, casino, casino simulcasting facility or any related facilities of a casino licensee or applicant for the purposes of determining whether the licensee or applicant is complying with the Act, this chapter and its approved EEBOP. In making such a determination, the Division shall be entitled to inspect or copy any relevant books or records.

### **13:69K-6.11 Sanctions**

(a) If the Division determines that a casino licensee or applicant is in violation of any applicable provision of the Act, this chapter or its approved EEBOP, the Division, as appropriate, may:

1. Impose penalties in accordance with N.J.S.A. 5:12-129;
2. Deny, suspend or revoke the casino license;
3. Enter a cease and desist order which specifies the practice or contract to be discontinued or altered by the casino licensee or applicant;
4. Issue public letters of reprimand or censure to be made a permanent part of the file of the casino licensee or applicant;
5. Assess appropriate civil penalties as allowed by the Act;
6. Refer to the Attorney General or his or her designee circumstances which may constitute violation of the "Law Against Discrimination," N.J.S.A. 10:5-1 et seq.;
7. Enforce in a court of law the applicable provisions of the Act, or join in or assist any enforcement proceeding initiated by an aggrieved person;
8. Impose license conditions; and
9. Take any other action authorized or permitted by the Act.

## **CHAPTER 69L TAXES**

### **SUBCHAPTER 1. GROSS REVENUE TAX; INTERNET GAMING GROSS REVENUE TAX**

#### **13:69L-1.1 Description of taxes**

(a) Subsection 144a of the Act imposes an annual tax on gross revenue, as defined in section 24 of the Act, in the amount of eight percent of such gross revenues.

(b) Section 95.19 of the Act imposes an annual tax on gross revenue from Internet gaming, as defined in section 28.2 of the Act, in the amount of 15 percent of such gross revenues.

### **13:69L-1.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Casino licensee" or "licensed casino" includes the holder of a casino license or interim casino authorization.

"Casino management agreement" means a written agreement between one or more casino licensees and another casino licensee whereby the latter agrees to provide complete management of a casino in accordance with section 82 of the Act.

"Casino management licensee" means a casino licensee which provides complete management of a casino pursuant to a casino management agreement, as defined in this section.

"Casino operator" means:

1. Where there is no casino management agreement with regard to the casino hotel facility, the casino operator shall be the casino licensee that is responsible for submitting and maintaining the internal controls required by section 99 of the Act;
2. Where there is a casino management agreement with regard to the casino hotel facility, the casino operator shall be the casino management licensee, if said licensee has supplied capital at risk in the gaming operations of the casino. If the casino management licensee has supplied none of the capital at risk in the gaming operations of the casino, the casino operator shall be

the licensee designated in paragraph 1 of this definition, as though no casino management agreement existed; or

3. For the purpose of Internet gaming gross revenue tax, an "Internet gaming affiliate" as defined in the Act shall be considered a casino operator.

"Casino Revenue Fund" means a separate special account established in the Department of the Treasury for deposit of all revenue from the tax imposed by subsection 144a of the Act, the tax imposed by section 95.19 of the Act, the investment alternative taxes imposed by subsections 144e and 144.1a of the Act, any interest earned pursuant to paragraph 2 of subsection 144.1a or section 145.1 of the Act and any penalties payable to the Casino Revenue Fund pursuant to section 145 of the Act.

"Division" means the Division of Gaming Enforcement.

"Division of Taxation" means the State agency authorized to collect the gross revenue tax on gaming operations.

"Eligible promotional gaming credit" means any promotional gaming credit that is wagered in the casino or through an authorized Internet gaming system of a casino operator during a calendar year in excess of \$ 90 million, which is to be prorated over the calendar year at a rate of \$ 7.5 million per month.

"Lease" or "lease agreement" means a written agreement for the lease of the approved hotel in accordance with section 82 of the Act, including any such lease which is capitalized under generally accepted accounting principles.

"Promotional gaming credit" means a slot machine credit or other item approved by the Division that is issued by a casino operator to a patron for the purpose of enabling the placement of a wager at a slot machine in its casino or through an authorized Internet gaming system. The slot machine credit or other item shall be non-cashable unless an alternative form of slot machine credit has been approved by the Division. No such credit shall be reported as a promotional gaming credit by a casino operator unless the casino operator can establish that the credit was:

1. Issued by the casino operator; and
2. Received from a patron as a wager at a slot machine in its casino on or after August 14, 2008.

"Proportionate share" means the value of the promotional gaming credits wagered in the casino of a particular casino operator during a tax year or portion thereof compared pro rata to the value of the promotional gaming credits wagered in the casinos of all casino operators during the same tax year or portion thereof, expressed as a percentage. For example, if \$ 15 million in promotional gaming credits are wagered in the casino of a particular casino operator during a tax year, and \$ 100 million in promotional gaming credits are wagered in the casinos of all casino operators during the same tax year, the proportionate share of that particular casino operator would be 15 percent.

**13:69L-1.3 Tax year**

The tax year shall be the calendar year. In the year in which a casino operator commences gaming operations, the tax year for that casino operator shall begin with the commencement of operations and terminate on the last gaming day of the current calendar year.

**13:69L-1.4 Tax payer**

(a) The obligation to file returns and reports and to pay the gross revenue tax, the Internet gaming gross revenue tax, and any investment alternative taxes shall be upon the casino operator who shall be primarily liable therefor. In the event of a transfer of operations to a different casino operator, the transferor-operator will be obligated to file a return and to pay all taxes based upon the revenues derived by the said transferor during the tax year in which the transfer occurred. The appointment of a conservator under the Act shall not be deemed a transfer to a different casino operator but, for the duration of the conservatorship, the conservator shall file all returns and pay all taxes on behalf of the former or suspended casino licensee who shall remain primarily liable therefor.

(b) In accordance with section 82 of the Act, each casino licensee which is a party to either a casino management agreement or a lease with the casino operator, shall be individually and severally liable for any acts, omissions and violations by the casino operator regarding the taxation obligations imposed by the Act regardless of actual knowledge of such act, omission or violation and notwithstanding any provision of such agreement or lease to the contrary.

(c) In the event of a sale or other transfer by the casino operator of its interest in the licensed premises to another casino licensee, the transferee shall be liable for any default by the former casino operator in its taxation obligations with respect to the licensed premises. The liability of the transferee shall not, however, release any other party from potential liability.

(d) Nothing in this section shall be construed to limit the authority of the Division of Taxation or the Division to enforce any tax obligation by way of a lien against the property of a

taxpayer or otherwise as provided by the "State Tax Uniform Procedure Law," Subtitle 9 of Title 54 of the Revised Statutes, by the Act or by any other applicable law.

**13:69L-1.5 Payment of taxes**

(a) In accordance with subsection 148a of the Act, the gross revenue tax shall be due and payable annually on or before the 15th calendar day of March except that if the 15th calendar day of March is a Saturday, Sunday or legal holiday, the due date shall be advanced to the next regular business day. The gross revenue tax shall be based upon the gross revenue derived by the casino operator during the previous tax year.

(b) The annual nature of the gross revenue tax notwithstanding, the casino operator shall make weekly deposits of the tax at such times, under such conditions, and in such depositories as shall be prescribed by the Division of Taxation pursuant to subsection 145b of the Act, provided that deposits for a given week shall be made no later than the Monday of the succeeding week. If such Monday is a legal holiday, the deposit shall be made on the next business day. In the event that the week for which the weekly deposit is being made includes gaming days from two calendar months, the casino operator shall deposit and report separately, the amount of the deposit attributable to the gaming days of each month. The deposits shall be deposited to the credit of the Casino Revenue Fund. The amount of gross revenue upon which the weekly tax payment is based shall be filed with the Division concurrently with the payment to the State Treasurer.

(c) The amount of the required gross revenue tax weekly deposit for a given week shall be determined by subtracting the total amount of deposits made by the casino operator in the current tax year up to and including the week preceding the given week from the total tax liability incurred by the casino operator for the current tax year. The total tax liability for the current tax

year shall be based upon the gross revenue derived by the casino operator from the commencement of the current tax year to the end of the gaming day which commenced on the Friday of the given week. Any casino operator that estimates slot machine drop pursuant to N.J.A.C. 13:69L-1.7(c) shall include a weekly slot machine drop estimate, calculated in accordance with methodology approved pursuant to that subsection, in each weekly tax deposit required by this section.

(d) The amount of gross revenue tax deposits required for a given month shall be the amount determined by subtracting the total amount of deposits made by the casino operator in the current tax year up to and including the month preceding the given month from the total tax liability incurred by the casino operator for the current tax year. The total tax liability for the current tax year shall be based upon the gross revenue derived by the casino operator from the commencement of the tax year to the end of the gaming day which commenced on the last calendar day of the given month.

(e) In the event that the total amount of gross revenue tax deposits made for the entire tax year is determined to be less than the annual tax liability for the entire year, the casino operator shall remit the requisite additional payment to the Division of Taxation. In the event that the total amount of such deposits is determined to be greater than the annual gross revenue tax liability, the casino operator may reduce the amount of its weekly deposits in the succeeding tax year by the amount of the overpayment, provided, however, that the casino operator shall not claim any such credit against deposits unless the Division of Taxation first certifies the existence and amount of the overpayment. Nothing in this section shall limit any authority of the Division of

Taxation under sections 149 and 150 of the Act and the "State Tax Uniform Procedure Law," Section 9 of Title 54 of the Revised Statutes, including the authority to determine the insufficiency of any gross revenue tax deposit or deposits, to require payments of penalties and interest or to allow or disallow any claim for refund due to overpayment of taxes.

(f) The Internet gaming gross revenue tax for each month shall be due and payable monthly on or before the 10th calendar day of the next month in such depository as shall be prescribed by the Division except that if the 10th calendar day is a Saturday, Sunday, or legal holiday, the due date shall be advanced to the next regular business day.

(g) Nothing in this section shall limit the authority of the Division under the "State Tax Uniform Procedure Law," Section 9 of Title 54 of the Revised Statutes, to require payments of penalties and interest on the insufficiency of any Internet gaming gross revenue tax deposit or to allow or disallow any claim for refund due to an overpayment of such taxes. Interest shall be calculated from the date the tax was originally due through the actual date of payment provided, however, that if the deficiency is paid within 10 business days from the date of the Division's tax deficiency notice, interest shall be calculated through the date of such notice.

**13:69L-1.6 Computation of taxes**

(a) The gross revenue tax shall be eight percent of gross revenue. The gross revenue for the tax year, or portion thereof, shall be the amount obtained from the following calculation: the total of all sums for the tax year, or portion thereof, that are actually received by a casino operator from its gaming operations, which sums include, but are not limited to, cash, slot tokens, prize tokens counted at face value pursuant to N.J.A.C. 13:69D-1.41, the value of electronic credits withdrawn from patron accounts pursuant to N.J.A.C. 13:69D-1.37, checks received by a casino operator pursuant to N.J.S.A. 5:12-101, whether collected or not, gaming vouchers and coupons counted pursuant to N.J.A.C. 13:69D-1.33 and documents evidencing credit and debit card chip transactions processed pursuant to N.J.A.C. 13:69D-1.18A regardless of validity, less only the total of all sums paid out as winnings to patrons.

(b) Nothing in this section shall be construed to limit the authority of the Division of Taxation to re-determine the amount of gross revenue tax liability or to require adjustments or corrections to the accounts of the casino operator.

(c) For each tax year, the amount recorded on each document evidencing a section 100k credit or debit card transaction and counted pursuant to N.J.A.C. 13:69D-1.33 shall be included in the totals "actually received by a casino operator from its gaming operations" referred to in (a)1 above, and no adjustment thereof shall be allowed in the event the taxpayer does not receive full and final payment of the amount charged to a credit card account.

(d) For purposes of calculating the tax on gross revenue pursuant to (a) above, a casino operator shall be entitled to a deduction from gross revenue for the value of eligible promotional gaming credits allocable to the casino operator in accordance with N.J.A.C. 13:69L-1.11.

(e) The Internet gaming gross revenue tax shall be 15 percent. The Internet gaming gross revenue for the tax year, or portion thereof, shall be the amount obtained from the total of all sums received by a casino licensee from Internet gaming operations, less only the total of all sums actually paid out as winnings to patrons.

(f) Nothing in this section shall be construed to limit the authority of the Division to re-determine the amount of Internet gaming gross revenue tax liability or to require adjustments or corrections to the accounts of the casino operator.

**13:69L-1.7 Return and reports**

(a) The casino operator shall file with the Division of Taxation an annual tax return for purposes of the gross revenue tax. The return shall be filed no later than March 15 following the tax year. Filing of the annual tax return shall satisfy the reporting of gross revenue requirement imposed by subsection 148a of the Act. The annual tax return shall be made on a form promulgated and distributed by the Division of Taxation pursuant to section 151 of the Act.

(b) On or before the 10th calendar day of each month, the casino operator shall file a monthly gross revenue report with the Division, and a monthly gross revenue tax return with the Division of Taxation, which shall reflect the amount of gross revenue derived during the preceding month, the amount of tax deposits required for that month, the amount of gross revenue derived during the year to the end of the preceding month, and the tax liability for the year calculated to the end of the preceding month.

1. The monthly gross revenue report shall be on a form promulgated and distributed by the Division, pursuant to section 145 of the Act.
2. The monthly gross revenue tax return shall be on a form promulgated by the Division of Taxation, and shall be filed and paid by electronic means.

(c) For purposes of the monthly gross revenue reports required in (b)1 above and the monthly gross revenue tax return required in (b)2 above, the casino operator may estimate slot machine drop provided that:

1. Such estimates are calculated through an approved system of reading and recording slot machine meters pursuant to N.J.A.C. 13:69D-1.42(s);

2. Such estimates are calculated in accordance with methodology approved by the Division;
3. The approved methodology is utilized for each monthly gross revenue report, except that the casino operator may discontinue use of such methodology upon 30 days prior written notice to the Division and with prior Division approval; and
4. The casino operator complies with the requirements of N.J.A.C. 13:69L-1.5(c).

(d) The casino operator shall file with the Division a summary report of the Internet gross gaming revenue for each weekly period of Saturday through Friday no later than the Monday of the succeeding week. If such Monday is a legal holiday, the summary report shall be made on the next business day. In the event that the weekly period includes gaming days from two calendar months, the casino operator shall report separately the amount of revenue attributable to the gaming days of each month.

(e) On or before the 10th calendar day of each month, the casino operator shall file a monthly Internet gaming gross revenue tax return with the Division which shall reflect the amount of gross revenue derived during the preceding month and the associated tax paid.

**13:69L-1.8 Examination of accounts and records**

(a) The Division may perform audits of the books and records of a casino licensee, at such times and intervals as it deems appropriate, in order to certify gross revenue and Internet gaming gross revenue.

(b) The casino operator shall permit duly authorized representatives of the Division to examine the operator's accounts and records for the purpose of certifying gross revenue and Internet gaming gross revenue. In the event that any records or documents deemed pertinent by a Division examiner are in the possession of another licensee or entity, the casino operator shall be responsible for making those records or documents available to the examiner. Further, the casino operator shall be individually and severally liable for any relevant accounts, records or documents maintained or required to be maintained by any other licensee or entity with regard to the casino.

(c) The gross revenue certification process may incorporate audit work performed by a casino operator's internal audit department provided that:

1. Such audit work is conducted in accordance with minimum standard internal audit procedures which have been submitted to and approved by the Division, including, at a minimum, a detailed description of the audit tests to be performed;
2. The casino operator submits to the Division by January 31 of each year an annual audit plan specifying the scheduled audit dates for that upcoming calendar year; and

3. The casino operator submits to the Division, no later than March 15 of each year, copies of all internal audit reports and any other reports directly relating to the reporting of gross revenue for the preceding tax year.

(d) The Division shall notify the casino operator of any gross revenue or Internet gaming gross revenue tax deficiencies disclosed during the gross revenue certification process.

**13:69L-1.9 through 13:69L-1.10 (Reserved)**

**13:69L-1.11 Deduction for promotional gaming credits**

(a) A casino operator shall be entitled to a deduction from gross revenue in an amount equal to its proportionate share of the eligible promotional gaming credits wagered in the casinos of all casino operators or through the licensee's Internet gaming system during the tax year.

(b) On or before the third calendar day of each month, each casino operator shall report to the Division the value of the promotional gaming credits that were wagered in its casino or through the licensee's Internet gaming system during the preceding month. Upon timely receipt of this information, the Division shall, on or before the seventh calendar day after month-end, make available to all casino operators the industry promotional gaming credit information, including the value of promotional gaming credits wagered and the value of eligible promotional gaming credits allocable to each casino operator for deduction from gross revenue.

(c) In accordance with the information provided by the Division pursuant to (b) above, each casino operator shall be entitled, in its monthly gross revenue report and monthly gross revenue tax return, to deduct from its gross revenue the value of eligible promotional gaming credits allocated by the Division to such casino operator.

(d) Any increase or decrease in the value of eligible promotional gaming credits from the previous month shall be reported on the next weekly tax transfer made in accordance with N.J.A.C. 13:69L-1.5.

## **SUBCHAPTER 2. INVESTMENT TAX CREDITS**

### **13:69L-2.1 Definitions**

As used in this subchapter, the following words and terms shall have the meaning herein ascribed to them unless a different meaning clearly appears from the context.

"Authority" or "CRDA" means the Casino Reinvestment Development Authority established pursuant to the provisions of N.J.S.A. 5:12-153.

**13:69L-2.2 Deferral petitions: Determination of extreme financial hardship**

(a) In accordance with the provisions of N.J.S.A. 5:12-144.1(c), a contract between a casino licensee and the CRDA may provide for the deferral of the payment for and delivery of bonds otherwise required to be purchased by the licensee or for the deferral of the making of approved eligible investments otherwise required to be made by the licensee. A deferral of a casino licensee's obligation to purchase bonds or make other approved eligible investments may not be granted by the CRDA unless, among other things, the licensee obtains a determination from the Division that the purchase of the bonds or the making of the approved eligible investments would cause extreme financial hardship to the casino licensee.

(b) A casino licensee shall apply for a deferral pursuant to N.J.S.A. 5:12-144.1(c) by filing a petition with the CRDA in accordance with its rules and regulations. Copies of this petition and all application materials submitted to the CRDA by the licensee shall also be filed with the Division. The CRDA shall give notice of its receipt of a petition for deferral to the Division within three days of the date on which the licensee files the petition. The Division shall render a decision on whether the licensee has established extreme financial hardship within 60 days after notice of the petition has been received from the CRDA. Notwithstanding the foregoing, the Division shall not consider any request for a determination of extreme financial hardship unless the petitioning casino licensee demonstrates that the contract required by N.J.S.A. 5:12-144.1(c) and (a) above has been executed.

(c) In order to obtain a determination of extreme financial hardship from the Division, a licensee shall be required to demonstrate by a preponderance of the evidence that the economic

effect of purchasing the bonds or making the investments which are sought to be deferred would be to increase materially the risk that the licensee would be unable to maintain its qualification for a casino license under the financial stability criterion of N.J.S.A. 5:12-84(a).

(d) In addition to supplying the Division with any documentation or information filed with the CRDA in support of its petition for deferral, it shall be the affirmative obligation of the casino licensee to produce or cooperate in the production of any other information, documentation or assurances relating to the assets, liabilities, resources and operating performance of the licensee, its holding and intermediary companies and any other related entity which is required to qualify or hold a casino license under the Act, necessary to establish its entitlement to a determination of extreme financial hardship. A casino licensee shall promptly provide any information or assistance requested by the Division within the time period specified. Failure to provide in a timely manner any such information or assistance to the Division may, in the discretion of the Division, result in the information being excluded from consideration and an adverse inference being drawn against the interests of the casino licensee.

(e) A determination of extreme financial hardship shall be decided on the basis of the information submitted by the casino licensee with its petition and any other information or documentation requested by the Division or previously obtained from the casino licensee unless the casino licensee requests in writing that a hearing be provided in accordance with the relevant provisions of N.J.A.C. 13:69B.

# **CHAPTER 69M**

## **CASINO SIMULCASTING**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69M-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Breakage" means the odd cents over a multiple of five or 10 cents arising from the computation of odds and payouts on amounts wagered on a simulcast horse race, as determined by the law governing the sending track.

"Casino Control Act" means the State of New Jersey Casino Control Act approved June 2, 1977, as amended.

"Casino pari-mutuel cashier" means a casino employee who sells pari-mutuel tickets representing simulcast wagers, sells credit vouchers for simulcast wagers, pays cash for credit vouchers, and makes simulcast payouts in a casino simulcasting facility.

"Casino simulcasting" means the simultaneous transmission by picture of running or harness horse races conducted at racetracks to casino licensees and pari-mutuel wagering at casino simulcasting facilities operated by casino licensees on the results of those races.

"Casino Simulcasting Act" means the State of New Jersey Casino Simulcasting Act, P.L. 1992, c. 19, approved June 12, 1992, as amended.

"Casino simulcasting facility" means a facility in an approved hotel operated by a casino licensee which conforms to the provisions of this chapter.

"Credit voucher" means a ticket issued by:

1. A pari-mutuel cashier in exchange for cash, gaming chips, slot tokens or coupons;
2. A credit voucher machine in exchange for cash; or
3. A self-service pari-mutuel machine as a simulcast payout or as the balance returnable after a simulcast wager has been placed.

"Credit voucher machine" means a mechanical, electrical or other device connected to a totalisator which, upon the insertion of cash, automatically issues a credit voucher of an equal value.

"Dedicated line" means a telephone line which is reserved for the exclusive use of transmitting pari-mutuel wagering data between a casino simulcasting facility and a sending track.

"Delay period" means the time between off-time and the start of a simulcast horse race.

"Dial-up line" means a telephone line between a casino simulcasting facility and a sending track which is not reserved for the exclusive use of transmitting pari-mutuel wagering data.

"Division" means the Division of Gaming Enforcement of the New Jersey Department of Law and Public Safety.

"Hub facility" means a facility located in this State which acts as an intermediary between a casino simulcasting facility and a sending track with respect to the transmission of pari-mutuel wagering data and which is responsible for generating all

reports necessary for the reconciliation of payments between casino licensees, sending tracks and the Racing Commission. The hub facility may also, but is not required to, perform other functions, including the transmission of pictures of simulcast horse races and pari-mutuel non-wagering data.

"In-State sending track" means a racetrack within the State of New Jersey which is operated by a permit holder and is equipped to conduct casino simulcasting.

"Manual merge" means the process used in the event of a systems or communications failure by which a casino simulcasting facility transmits to a sending track through telephone, facsimile machine, cellular telephone or other means of communication, the casino simulcasting facility's pari-mutuel wagering information and the process by which the sending track includes such pari-mutuel wagers in the common pari-mutuel pool in such event.

"Minus pari-mutuel pool" means a pari-mutuel pool in which insufficient monies have been wagered to permit the minimum pay-offs of winning wagers required by the rules of pari-mutuel wagering governing the race.

"Off-time" means when wagering is ceased prior to the start of a horse race by a signal transmitted from a sending track to the totalisator through which a casino simulcasting facility is conducting wagering or, in the event that the transmission of data from a sending track has been interrupted, by the totalisator in accordance with internal controls.

"Out-of-State sending track" means a racetrack in a jurisdiction other than the State of New Jersey which is equipped to conduct casino simulcasting and the operator

of which is lawfully permitted to conduct a horse race meeting and to provide simulcast horse races to a casino licensee.

"Outstanding pari-mutuel ticket" means a winning or refundable pari-mutuel ticket which is not claimed within six months of the date of its sale.

"Pari-mutuel machine" means a mechanical, electrical or other device which is connected to a totalisator and which generates pari-mutuel tickets and credit vouchers, reads pari-mutuel tickets and receives from the totalisator the amount to be paid for winning, cancelled or refunded pari-mutuel tickets, and reads credit vouchers and calculates the amount to be paid therefor.

"Pari-mutuel ticket" means a ticket issued by a pari-mutuel machine or a self service pari-mutuel machine which represents a wager on a simulcast horse race.

"Permit holder" means the holder of an annual permit issued by the Racing Commission to conduct a horse race meeting.

"Pool definition" means a computer-generated printout, itself generated by a sending track, of the pari-mutuel wagering format and scratch information for that day's racing program.

"Racing Commission" means the New Jersey Racing Commission.

"Receiving track" means a racetrack which is equipped to receive simulcast horse races and to conduct intertrack wagering on those races.

"Scratch" means the withdrawal of an entered horse from a race after the closing of overnight entries.

"Self-service pari-mutuel machine" means a mechanical, electrical or other

device connected to a totalisator which, upon the insertion of a credit voucher, coupon or currency, or any combination thereof, and the selection of a permissible simulcast wager automatically issues a pari-mutuel ticket together with a credit voucher for any balance which may be due and which, upon the insertion of a winning or refunded pari-mutuel ticket, reads the ticket and automatically issues a credit voucher in the amount of the correct payout.

"Sending track" means an in-State or out-of-State sending track.

"Simulcast horse race" means a running or harness horse race conducted at a racetrack which is simultaneously transmitted by picture to a casino licensee.

"Totalisator" means a computer which, among other things, directly or indirectly through one or more other totalisators, receives pari-mutuel wagering information, calculates payoffs for winning pari-mutuel tickets, generates reports with respect to such information, and automatically ceases wagering, in accordance with internal controls, in the event that the transmission of data from a sending track has been interrupted.

**13:69M-1.2 Rules of Racing Commission**

Except as otherwise provided in the Casino Simulcasting Act or this chapter, the rules of racing and conduct of pari-mutuel wagering in casino simulcasting facilities and hub facilities shall be subject to the rules of the Racing Commission.

## **SUBCHAPTER 2. CONDUCT OF CASINO SIMULCASTING**

### **13:69M-2.1 Conduct of casino simulcasting**

A casino licensee may conduct casino simulcasting in a casino simulcasting facility in accordance with the provisions of the Casino Simulcasting Act and this chapter.

**13:69M-2.2 Hub facility**

A casino licensee which conducts casino simulcasting shall, absent approval from the Division and the Racing Commission to do otherwise, utilize a hub facility.

### **13:69M-2.3 Receipt of races from in-State sending tracks**

A casino licensee which conducts casino simulcasting shall, as a condition of continued operation of casino simulcasting, receive all live races which are transmitted by in-State sending tracks. A permit holder which is authorized by the Racing Commission to conduct casino simulcasting shall have discretion to transmit all or some of the live horse races conducted at the racetrack to casino simulcasting facilities; provided, however, any race which is transmitted from an in-State sending track shall be transmitted to all casino simulcasting facilities. A permit holder which wishes to transmit some, but not all, of its live horse races to casino simulcasting facilities shall do so only with the prior approval of the Racing Commission.

**13:69M-2.4 Receipt of races from out-of-State sending tracks**

A casino licensee may, with the approval of the Division and Racing Commission and subject to the provisions of the Casino Control Act, the Casino Simulcasting Act and this chapter, conduct casino simulcasting on races from an out-of-State sending track which has been approved by the Racing Commission to participate in casino simulcasting. An out-of-State sending track which transmits any race to a casino simulcasting facility shall offer to transmit such race to all casino simulcasting facilities on the same terms.

**13:69M-2.5 Agreements with sending tracks**

(a) Agreements for casino simulcasting between a casino licensee and a sending track shall be in writing and shall be filed with the Racing Commission and with the Division in accordance with the provisions of N.J.S.A. 5:12-104. Such agreements may be negotiated on behalf of casino licensees by an entity jointly established by casino licensees.

(b) Every agreement between a casino licensee and a sending track shall, in a manner consistent with the provisions of the Casino Simulcasting Act and this chapter, define, and provide for the distribution of, outstanding pari-mutuel tickets, and define, and provide for the allocation of losses in the event of, a minus pari-mutuel pool. Every such agreement shall also provide for manual merging in the event of a systems or communications failure and shall further set forth a procedure, acceptable to the Division and Racing Commission, which shall be followed in the event that manual merging is not possible.

**13:69M-2.6 Conduct of authorized games in a casino simulcasting facility**

A casino licensee may, subject to the rules of the Division, conduct any authorized game as defined by N.J.S.A. 5:12-5 or by rule of the Division, other than slot machines, in a casino simulcasting facility.

**13:69M-2.7 Hours of operation**

A casino simulcasting facility may be open during permitted hours of casino operation, and shall be open and operated during such hours whenever simulcast horse races are being transmitted to a casino licensee.

**13:69M-2.8 Gaming and simulcast wagering by certain persons prohibited**

It shall be unlawful for any person who is prohibited from wagering at a game in a casino in this State pursuant to N.J.S.A. 5:12-100n to wager in a casino simulcasting facility on either an authorized game or on casino simulcasting.

**13:69M-2.9 Wagering limited to casino simulcasting facility**

Wagering on simulcast horse races within the premises of a casino licensee shall be conducted only in a casino simulcasting facility. However, pictures and sound of simulcast horse races may be shown in such other areas of the establishment as approved by the Division.

**13:69M-2.10 No fee to be charged**

No fee shall be charged for placing a wager on a simulcast horse race in addition to the amount wagered.

**13:69M-2.11 Ticket claims**

(a) Subject to the time limitations imposed by N.J.A.C. 13:69M-2.12 and 2.12A, a winning pari-mutuel ticket or credit voucher purchased at a casino simulcasting facility shall be presented for cashing at a pari-mutuel window or a self service pari-mutuel machine at that facility or at any simulcasting facility in accordance with internal controls.

(b) No claim shall be considered for tickets which have been discarded, lost, altered, destroyed or mutilated beyond identification.

(c) Payment of wagers shall be made only upon presentation of appropriate pari-mutuel tickets.

(d) A casino licensee may request the Supervisor of Mutuels to authorize a lost or stolen ticket or credit voucher to be locked on behalf of a patron. Locking a ticket or credit voucher will not preclude the ticket or credit voucher from expiring, after which it can no longer be cashed.

(e) To lock or unlock a ticket or credit voucher, a casino licensee's internal controls shall include procedures which provide for the following:

1. The use of a two-section form to request the locking/unlocking of a ticket or credit voucher. One section of the form shall be completed to request the locking of a ticket or credit voucher, and the other section of the form shall be completed to request the unlocking of the same ticket or credit voucher.

2. The form shall be prepared by a simulcast supervisor or simulcast manager and shall include, at a minimum, the following:

- i. To lock a ticket or credit voucher:
  - (1) The date lock is requested;
  - (2) The time lock is requested;
  - (3) The reason for the request;
  - (4) The issuance date of the ticket or credit voucher;
  - (5) The issuance time of the ticket or credit voucher;
  - (6) The ticket or credit voucher number;
  - (7) The amount of the ticket or credit voucher;
  - (8) The location from where the ticket or credit voucher was issued;
  - (9) The patron name;
  - (10) The patron signature;
  - (11) The name of the employee preparing the form;
  - (12) The signature of the employee preparing the form;
  - (13) An indication that the lock has been approved or rejected;
  - (14) The name of the Supervisor of Mutuels approving the lock; and
  - (15) The date lock approved or rejected by the Racing Commission; and

- ii. To unlock a ticket or credit voucher:
  - (1) The date unlock is requested;
  - (2) The time unlock is requested;
  - (3) The reason for the request, such as ticket or credit voucher found;
  - (4) The patron name;
  - (5) The patron signature;
  - (6) The name of the employee preparing the form;
  - (7) The signature of the employee preparing the form;
  - (8) The name of the Supervisor of Mutuels approving the unlock; and
  - (9) The date unlock approved.

3. To request that a ticket or credit voucher be locked, a simulcast manager or supervisor shall complete the lock section of the form required in (e)1 and 2i above, and e-mail or fax the completed form to the Supervisor of Mutuels located at the hub facility. The Supervisor of Mutuels will review the form and notify the casino licensee that the request has been approved or denied. The simulcast supervisor or simulcast manager shall note the decision of the Supervisor of Mutuels on the form and record the Supervisor of Mutuels name, and the date of the decision, on the form. If the Supervisor of Mutuels approves the request, the

Supervisor of Mutuels will instruct the hub to lock the ticket or credit voucher.

4. To request that a ticket or credit voucher be unlocked, a simulcast manager or supervisor shall complete the form required in (e)1 and 2ii above, and e-mail or fax the completed form to the Supervisor of Mutuels located at the hub facility. As required by the Racing Commission, the request to unlock a ticket or credit voucher must be accompanied by either a Uncontested Pari-Mutuel Ticket or Credit Voucher Certification Form if the patron information is the same in the lock and unlock sections of the Request, or a Contested Pari-Mutuel Ticket or Credit Voucher Certification Form if the patron information is different in the lock and unlock sections of the form. The Supervisor of Mutuels will notify the casino licensee that ticket or credit voucher has been unlocked and the request has been approved. The simulcast manager or supervisor shall record the Supervisor of Mutuels name and date of notification on the form.
5. All completed request forms and Uncontested Pari-Mutuel Ticket or Credit Voucher Certification Forms or Contested Pari-Mutuel Ticket or Credit Voucher Certification Forms shall be retained by the casino licensee for a period of one year from the date of the initial request.

**13:69M-2.12 Expiration of pari-mutuel tickets**

(a) A pari-mutuel ticket shall be claimed within six months of the date of its sale, after which it becomes an outstanding pari-mutuel ticket to be paid to the Racing Commission and deposited in the Casino Simulcasting Special Fund for distribution in accordance with the provisions of the Casino Simulcasting Act. Notice of this expiration provision shall be prominently posted in a casino simulcasting facility or printed on the pari-mutuel tickets sold at the casino simulcasting facility.

(b) Prior to the expiration of an unredeemed ticket, data pertinent to its issuance shall not be removed from the totalisator.

**13:69M-2.12A Expiration of credit vouchers**

(a) A credit voucher shall be redeemed within one year of the date of its issuance, after which it is to be paid to the Racing Commission and deposited in the Casino Simulcasting Special Fund for distribution in accordance with the provisions of the Casino Simulcasting Act. Notice of this expiration provision shall be prominently posted in a casino simulcasting facility or printed on the credit voucher issued at the casino simulcasting facility.

(b) Prior to the expiration of a credit voucher, data pertinent to its issuance shall not be removed from the totalisator.

## **SUBCHAPTER 3. CASINO SIMULCASTING FACILITY**

### **13:69M-3.1 Location**

A casino simulcasting facility shall be one or more locations or rooms within an approved hotel operated by a casino licensee as approved by the Division for the conduct of simulcasting.

**13:69M-3.2 Space not to reduce space authorized for casino gaming**

The space required to establish and maintain a casino simulcasting facility shall not reduce the space authorized for casino gaming pursuant to N.J.S.A. 5:12-83.

**13:69M-3.3 Square footage requirements**

(a) A casino licensee which wishes to conduct casino simulcasting shall establish and maintain a casino simulcasting facility of sufficient square footage to promote:

1. Maximum comfort for patrons and efficient operation of the facility;
2. Viewing of simulcast horse races by patrons in a comfortable manner which is not obtrusive to the conduct of authorized games within the facility; and
3. Optimum security of the facility, which shall include the installation and maintenance of security and surveillance equipment, including closed circuit television equipment, according to specifications approved by the Division. The Division shall have direct access to the system or its signal.

**13:69M-3.4 Satellite cage**

A casino licensee which wishes to conduct casino simulcasting shall, unless otherwise approved by the Division, establish and maintain a satellite cage in, or immediately adjacent to, its casino simulcasting facility.

## **SUBCHAPTER 4. PARI-MUTUEL POOLS**

### **13:69M-4.1 Horse races from in-State sending tracks**

Sums wagered in a casino simulcasting facility on horse races at an in-State sending track shall be included in the appropriate pari-mutuel pool generated at the in-State sending track for the race being transmitted, and the pari-mutuel pool shall be divided in accordance with the provisions of the Casino Simulcasting Act. Pari-mutuel pay-offs at casino simulcasting facilities shall be made in accordance with the odds generated at the in-State sending track.

**13:69M-4.2 Horse races from out-of-State sending tracks**

(a) Except as provided in this section, sums wagered in a casino simulcasting facility on horse races at an out-of-State sending track shall be combined with comparable pari-mutuel pools at the out-of-State sending track, and the types of wagering, takeout, distribution of winnings, rules of racing and percentage of deposits remaining undistributed from pari-mutuel pools after payment is made to winning ticket holders shall be determined in accordance with the law or policy applicable to the out-of-State sending track.

(b) With the prior approval of the Racing Commission and the concurrence of an out-of-State sending track, a casino licensee may form an interstate common pool with receiving tracks or entities in other states other than the state in which the sending track is located.

(c) In any event, however, monies resulting from breakage on amounts wagered on horse races in a casino simulcasting facility and outstanding pari-mutuel tickets sold at a casino simulcasting facility shall in all instances be paid to the Racing Commission and deposited in the Casino Simulcasting Special Fund for distribution in accordance with the provisions of the Casino Simulcasting Act.

**13:69M-4.3 Transmission data line**

A transmission data line shall be a dedicated line. There shall be a minimum of one back-up line, which may be a dial-up line. In addition, each out-of-State sending track shall maintain a cellular phone in its totalisator room. The dedicated line requirement may be waived for good cause shown with the prior written approval of the Division and Racing Commission.

**13:69M-4.4 Facsimile machines and telephone lines**

A simulcast counter, hub facility and the totalisator room at a sending track shall each contain a facsimile machine and a direct dial-up telephone line, the numbers of which shall be provided to the Division and Racing Commission.

**13:69M-4.5 Pool definition**

Prior to the opening of wagering on a simulcast horse race, a sending track shall transmit a pari-mutuel pool definition to a casino simulcasting facility. Upon receipt of the pool definition, pari-mutuel machines at a casino simulcasting facility may be opened for wagering.

**13:69M-4.6 Scratches**

A sending track shall at all times inform a casino simulcasting facility of scratches and pool change information, and any scratch from a simulcast horse race after wagering has commenced shall be verified immediately by facsimile from the sending track to the casino simulcasting facility.

**13:69M-4.7 Locking of pari-mutuel machines**

All pari-mutuel machines in a casino simulcasting facility shall be locked at off-time.

**13:69M-4.8 Ticket sales**

No ticket may be issued after the totalisator has been locked or wagering has ceased, whichever occurs first.

**13:69M-4.9 Cease wagering**

Wagering shall cease not later than off-time.

#### **13:69M-4.10 Cancellation of tickets**

(a) Except as provided in this section, no pari-mutuel ticket shall be cancelled.

(b) A pari-mutuel ticket with a total value of \$500.00 or less may be cancelled at any time prior to off-time.

(c) A pari-mutuel ticket of any value may be cancelled prior to the end of the delay period if the patron has not left the pari-mutuel window at which the ticket was purchased or if the patron left the window without paying for or accepting the ticket.

(d) A pari-mutuel ticket of any value may be cancelled prior to off-time if the ticket is on a wager (such as trifecta) where probable payoffs or odds are not displayed to the public.

(e) A pari-mutuel ticket of any value may be cancelled if the ticket is on an advance race and the race immediately preceding the race for which the cancellation has been requested has not been declared official.

(f) A pari-mutuel ticket with a total value exceeding \$500.00 which is not otherwise cancelable pursuant to this section may be cancelled by a simulcast counter shift supervisor or supervisor thereof at any time prior to off-time if he or she determines that the cancellation will not significantly alter a pari-mutuel pool. The factors to be considered before approving or disapproving a cancellation request include the size of the mutuel pool, the reason for the requested cancellation, current odds, minutes to post time, and any late changes such as track conditions or jockey (driver) changes. Any request to cancel such a ticket shall be reported to the Racing

Commission on a form approved by the Racing Commission within 48 hours.

### **13:69M-4.11 Refunds**

A pari-mutuel ticket on a horse that is scratched may be refunded. Pari-mutuel tickets representing wagers where a patron must select more than one horse may be refunded only as to the combinations including the scratched horse.

**13:69M-4.12 Odds display**

A casino licensee which conducts casino simulcasting shall prominently display in its casino simulcasting facility the approximate odds for each horse in a simulcast horse race for the purpose of informing patrons of the actual wagering on each horse.

**13:69M-4.13 Pari-mutuel machines closed**

(a) If, for any reason, pari-mutuel machines are closed during the wagering on a simulcast race before off-time, they shall remain closed until after the race. Wagering shall cease on that race, and the pay-offs for that race shall be computed on the sums then wagered in each pari-mutuel pool.

(b) In the event that pari-mutuel ticket issuing machines are inadvertently closed for any reason, said machines shall be opened only by the Supervisor of Mutuels at the hub facility.

**13:69M-4.14 Overpays caused by totalisator error**

Overpays caused by totalisator error shall be borne by the operator of the totalisator equipment causing the error.

### **13:69M-4.15 Mechanical breakdowns**

(a) In the event of an irreparable breakdown of the totalisator or all pari-mutuel and self-service pari-mutuel machines during the wagering on a race, the wagering on that race shall be declared closed, and the pay-off for that race shall be computed on the sums wagered in each pari-mutuel pool at the time of the breakdown.

(b) In the event of a totalisator malfunction requiring the operator of the totalisator equipment to purchase any non-issued ticket "lost" in the totalisator computer, the operator of the totalisator equipment shall be permitted to credit losing tickets so purchased to the extent of winning tickets similarly purchased. The proceeds of such winning tickets which exceed any credit for losing tickets shall be paid to the Racing Commission and deposited in the Casino Special Simulcasting Fund for distribution in accordance with the provisions of the Casino Simulcasting Act. For example, if the "lost" tickets on a race cost \$1,000 and pay off \$800.00, the operator of the totalisator equipment must pay \$200.00. However, if the "lost" tickets cost \$1,000 and pay off \$1,200, the operator of the totalisator equipment need pay nothing and \$200.00 shall be paid to the Racing Commission and deposited in the Casino Simulcasting Special Fund.

**13:69M-4.16 Emergencies not covered by this chapter**

In the event that an emergency arises with respect to simulcast wagering in a casino simulcasting facility which is not covered by this chapter and an immediate decision is necessary, the simulcast shift supervisor or above shall make a good faith effort to contact and consult with the Supervisor of Mutuels prior to taking action, and shall promptly render a written report regarding the incident to the Division and Racing Commission.

**13:69M-4.17 Transmission failure**

In the event of failure to transmit pari-mutuel information to a sending track, no further wagers shall be accepted in a casino simulcasting facility until and unless the failure has been corrected. The casino simulcasting facility and sending track shall attempt to manually merge any wagers which have already been accepted but which have not been transmitted to the sending track due to the failure. Notice of this procedure and any backup procedure established in accordance with N.J.A.C. 13:69M-2.5(b) shall be posted in a prominent location in the casino simulcasting facility. In any instance where manual merging or recourse to the backup procedure is required, actual notice thereof shall be publicly announced in the casino simulcasting facility.

**13:69M-4.18 Commingling notice**

A casino licensee shall display prominently in its casino simulcasting facility notice that it is commingling wagers as required by the Casino Simulcasting Act. Such notice shall further provide that this procedure may result in changes in pools and pari-mutuel odds during the running of a simulcast race.

## **SUBCHAPTER 5. LICENSING OF EMPLOYEES**

### **13:69M-5.1 Employees of casino simulcasting facilities**

All employees of a casino simulcasting facility shall be licensed pursuant to the Casino Control Act or registered in accordance with the rules of the Division.

## **SUBCHAPTER 6. LICENSING AND REGISTRATION ENTITIES AND THEIR EMPLOYEES**

### **13:69M-6.1 Sending tracks**

All sending tracks shall be registered in accordance with the provisions of N.J.S.A. 5:12-92c. Each sending track shall have on file with the Division a vendor registration form, any updates to which shall be filed with the Division within 10 days of the occurrence of any changes.

**13:69M-6.2 Simulcast wagering equipment**

All manufacturers, suppliers and repairers of simulcast wagering equipment, including totalisators, pari-mutuel machines, self-service pari-mutuel machines and credit voucher machines, to casino licensees or hub facilities shall be licensed in accordance with the provisions of N.J.S.A. 5:12-92a.

**13:69M-6.3 Hub facility**

A hub facility shall be licensed in accordance with the provisions of N.J.S.A. 5:12-92a, and all employees of the hub facility shall be licensed pursuant to the Casino Control Act or registered in accordance with the rules of the Division. Additionally, a hub facility shall submit for Division approval a description of its security procedures and accounting controls. A hub facility and its employees, and vendors of a hub facility other than casino licensees, shall further be subject to the licensure jurisdiction of the Racing Commission.

**13:69M-6.4 Other enterprises**

Any other enterprise transacting business with a casino licensee or hub facility with respect to casino simulcasting shall be subject to the vendor registration and casino service industry licensing requirements applicable to any enterprise which transacts business with a casino licensee.

## **SUBCHAPTER 7. RECONCILIATION WITH SENDING TRACKS AND PAYMENTS TO RACING COMMISSION**

### **13:69M-7.1 Reconciliation with sending tracks**

Each casino licensee which conducts casino simulcasting shall, in conformance with information provided by the hub facility, reconcile all simulcast wagers with sending tracks on at least a weekly basis unless the casino licensee and a sending track agree to a different term of payment, which shall be set forth in the agreement between the casino licensee and sending track.

**13:69M-7.2 Outstanding pari-mutuel tickets**

Each casino licensee which conducts casino simulcasting shall deposit all funds for outstanding pari-mutuel tickets in a separate account and maintain an ongoing, daily record of such tickets.

**13:69M-7.3 Payments to Racing Commission**

Each casino licensee which conducts casino simulcasting shall, after the reconciliation of wagers, payment of fees to sending tracks, and retention of monies to which it is entitled under the provisions of the Casino Simulcasting Act, transmit to the Racing Commission all underpays and moneys due it pursuant to this chapter and in accordance with the provisions of the Casino Simulcasting Act.

## **SUBCHAPTER 8. RACE INFORMATION**

### **13:69M-8.1 Race information availability**

A casino licensee which conducts casino simulcasting shall make available to patrons of its casino simulcasting facility the following information for each simulcast race: the names of entrants, their sires, dams and maternal grandsires, their wagering numbers, post positions, jockeys or drivers, assigned weight, morning line odds, owners and owners' colors or drivers' colors, trainers, sex, color, year of birth; the distance and number of the race; amount of purse; and conditions and claiming price, if any. For harness races, the performance lines for at least the last six races of each entrant shall also be available. The availability of such information, and the procedures for obtaining same, shall prominently be displayed in the casino simulcasting facility. Nothing in this chapter shall preclude a casino licensee from charging patrons a fee for providing such information.

## **SUBCHAPTER 9. SUPERVISORS OF MUTUELS**

### **13:69M-9.1 Supervisors of Mutuels**

A Supervisor of Mutuels shall be present at a hub facility at all times when casino simulcasting is being conducted. The Supervisor of Mutuels shall be an employee or designee of the Racing Commission whose compensation shall be reimbursed to the Racing Commission by the hub facility, or, if a designee, paid directly by the hub facility. If a Supervisor of Mutuels is not an employee of the Racing Commission, he or she shall be licensed as a casino key employee.

### **13:69M-9.2 Duties of Supervisor of Mutuels**

- (a) The duties of a Supervisor of Mutuels at the hub facility shall include:
1. Overseeing the pari-mutuel-related activities of the hub facility;
  2. Determining calculations, overpays, underpays and directing any necessary adjustments to race totals;
  3. Verifying machine computation of all daily double, exacta and other multiple wagering pools;
  4. Reviewing all necessary computer sheets and test checking the machine calculations of payouts, breakage, and commissions of each pool;
  5. Verifying cancellation reports as transmitted from casino simulcasting facilities;
  6. Preparing and submitting to the Racing Commission a daily summary result of the pari-mutuel operations, with a copy to the Division;
  7. Preparing and submitting to the Racing Commission a seven-day financial report and a seven-day comparative statistic report, with a copy to the Division;
  8. Daily reconciliation of the daily pari-mutuel sales with the hub facility's daily statement thereof and the Racing Commission's daily summary of results from pari-mutuel wagering; and
  9. Reporting all discrepancies and irregularities to the Racing

Commission and Division.

**13:69M-9.3 Continued access to hub facility by Racing Commission**

The Racing Commission, its employees and agents shall at all times have access to the hub facility in order to maintain the integrity of horse racing and, together with the Division, to effectuate the purposes of the Casino Simulcasting Act.

# **CHAPTER 69N**

## **SPORTS WAGERING**

### **SUBCHAPTER 1. SPORTS POOL LICENSING AND OPERATIONS**

#### **13:69N-1.1 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Event number” means a set of alpha and/or numeric characters that correspond to specific odds for a sports event or an event ancillary to a sports event.

“Layoff wager” means a wager placed by a New Jersey wagering operator with another New Jersey wagering operator for the purpose of offsetting patron wagers made pursuant to this chapter.

“Odds maker” means a person licensed as a casino key employee or a casino service industry enterprise responsible for the final approval of all odds established on any wager made pursuant to this chapter.

“Operations wagering manager” means a person licensed as a casino key employee or a casino service industry enterprise responsible for the operations of sports wagering as authorized.

“Operator” or “wagering operator” means a party or parties licensed by the Division to accept parimutuel and non-parimutuel wagers on sports events authorized pursuant to this chapter.

“Racetrack” means the physical facility where a permit holder conducts a horse race meeting with pari-mutuel wagering under a license issued by the New Jersey Racing

Commission pursuant to P.L. 1940, c. 17 (N.J.S.A. 5:5-22 et seq.) and includes the site of any former racetrack.

“Sports pool lounge” means an area wherein a sports pool is operated.

“Sports wager” means a wager placed on an authorized sporting event.

“Totalisator” means a computer approved by the Division which, among other things, receives sports wagering information, calculates payoffs for winning wagering tickets, generates reports with respect to such information, automatically prevents wagering after a predetermined time preceding each individual event, and generates all required revenue reports.

“Wagering account” means an electronic account that may be established by a patron for the purpose of wagering pursuant to this chapter, including deposits, withdrawals, wagered amounts, and payouts on winning wagers.

“Wagering station” means hardware and software approved by the Division that allows a patron located within a sports pool lounge to utilize a wagering account.

“Wagering system” means the methodology and equipment approved by the Division including, but not limited to, the totalisator for accepting and recording wagers authorized by this chapter.

“Wagering event” means an occurrence on which a wager authorized pursuant to this chapter may be placed.

“Wagering ticket” means a printed record issued or an electronic record maintained by the wagering system that evidences a sports wager.

**13:69N-1.2 License eligibility and issuance; interim permit; Division and Racing Commission approval**

(a) Only a casino licensed by the Casino Control Commission or a racetrack licensed by the New Jersey Racing Commission shall be eligible to obtain a sports pool license.

(b) An operator of a sports pool lounge within a casino facility shall obtain a sports pool license issued by the Division. A casino operating pursuant to interim casino authorization which has applied for a sports pool license shall also be issued an interim sports pool permit by the Division. Such interim permit shall terminate if the casino license application is denied by the Casino Control Commission.

(c) Upon the approval of the Division and the Racing Commission, an operator of a sports pool lounge within a racetrack, including a joint operation between a casino licensee and a racetrack, shall obtain a sports pool license issued by the Division.

**13:69N-1.3 Application fee; resubmission fee**

The initial application fee for a sports pool license shall be \$50,000. Every five years thereafter, an operator shall pay a resubmission fee of \$50,000. All application and resubmission fees are non-refundable. The State of New Jersey and any agency or authority thereof shall be exempt from paying such fees.

**13:69N-1.4 Percentage of application fee and resubmission fee for compulsive gambling programs**

Fifty percent (50%) of any application fee or resubmission fee paid pursuant to N.J.A.C. 13:69N-1.3 shall be remitted by the Division to the Department of Treasury to be deposited into the State General Fund for appropriation by the Legislature to the Department of Human Services to provide funds for prevention, education, and treatment programs for compulsive gambling programs that meet the criteria developed pursuant to section 2 of P.L.1993, c.229 (C.26:2-169), such as those provided by the Council on Compulsive Gambling of New Jersey, and including the development and implementation of programs that identify and assist problem gamblers.

**13:69N-1.5 Operators responsible for additional costs of regulation**

All sports pool wagering applicants or licensees shall be required to pay, in addition to any license fee, the costs of the Division on matters directly related to the applicant or licensee's conduct of wagering operations authorized by this Chapter at hourly rates to be set by the Division in accordance with N.J.A.C. 13:69A, and to reimburse any unusual costs or out of pocket expenses incurred by the Division in regard to such matters.

**13:69N-1.6 Non-casino application form**

Each non-casino applicant for a sports pool license shall submit to the Division a Business Entity Disclosure Form in accordance with N.J.A.C. 13:69A-5.6.

**13:69N-1.7 Non-casino entity**

A non-casino entity that an operator contracts with to conduct sports pool wagering shall obtain a casino service industry enterprise license pursuant to N.J.S.A. 5:12-92a and N.J.A.C. 13:69J. Employees of such a non-casino entity shall be licensed or registered consistent with the provisions of N.J.A.C. 13:69N-1.8.

**13:69N-1.8 Individual license or registration**

A person directly involved in sports pool wagering shall be licensed by the Casino Control Commission as a casino key employee or registered by the Division as a casino employee, as determined by the Casino Control Commission. A person employed in a sports wagering facility but not directly involved in wagering may also be required to register with the Division as a casino employee, if appropriate, consistent with the registration standards applied to persons not directly involved in casino gaming.

**13:69N-1.9 Sports pool lounge; surveillance required**

A sports pool operator that conducts sports pool wagering shall establish and maintain a sports pool lounge of sufficient square footage to promote optimum security of the facility, which shall include the installation and maintenance of security and surveillance equipment, including closed circuit television equipment, according to specifications approved by the Division. The Division shall have direct access to the system and its transmissions. Nothing in this section shall preclude the Division from permitting a sports pool operator to conduct sports pool wagering, subject to appropriate terms and conditions, in a location other than a sports pool lounge upon petition of a sports pool operator.

**13:69N-1.10 Sports pool lounge; cage required**

A sports pool operator which wishes to conduct sports pool wagering shall, unless otherwise approved by the Division, establish and maintain a cage or satellite cage in, or immediately adjacent to, its sports pool lounge.

**13:69N-1.11 Internal controls**

Sports pool operators shall file with the Division internal controls for all aspects of sports pool wagering operations. Sports pool operators shall not commence sports pool wagering until internal controls have been approved by the Division.

**13:69N-1.12 Equipment suppliers; license required**

All manufacturers, suppliers and repairers of sports pool wagering equipment, including without limitation totalisators, pari-mutuel machines, self-service pari-mutuel machines and credit voucher machines, to sports pool licensees shall be licensed in accordance with the provisions of N.J.S.A. 5:12-92a.

## **SUBCHAPTER 2. SPORTS POOL WAGERING AND FACILITY REQUIREMENTS**

### **13:69N-2.1 Betting on behalf of another prohibited**

Persons shall place a wager at a sports wagering operation only on their own behalf and shall not wager on the account of or for any other person. Any person wagering or attempting to wager on behalf of another person shall be subject to the civil penalties set forth in the Casino Control Act. No licensee shall accept a wager from a person on the account of or for any other person.

**13:69N-2.2 Wagering area; required personnel; wagering counter**

(a) Sports wagering shall occur in the simulcasting facility or other designated area as approved by the Division. Slot machines shall not be permitted in any area designated for the acceptance of sports wagers located in a racetrack or a casino simulcasting facility. Slot machines may not be located in any other area designated for acceptance of sports wagers without the approval of the Division.

(b) Each wagering operator shall have an:

1. Oddsmaker; and
2. Operations wagering manager.

(c) All wagers pursuant to this chapter shall be placed with a wagering cashier at a wagering counter or approved wagering station. A wager from a laptop computer, cell phone, tablet computer or other mobile device, unless specifically authorized by the Division, shall be prohibited. The wagering counter and the operation thereof shall conform to the requirements for a simulcast counter as set forth at N.J.A.C. 13:69D-1.14(e). Nothing shall preclude a casino simulcast cashier from processing sports wagers, provided that the casino licensee is able to distinguish casino simulcast revenue therefrom and accurately report thereon.

(d) Each wagering operator's accounting internal controls shall detail the reconciliation of assets and documents contained in the wagering cashier drawers. These procedures shall provide for the reporting of any overage or shortage. All such documents shall be forwarded to casino accounting or a racetrack's accounting department on a daily basis.

(e) Each casino licensee and wagering operator shall adopt and conspicuously display, in the area where sports wagers are accepted, comprehensive house rules governing wagering transactions with patrons. The Division reserves the right to reject any house rule. A record of any change to house rules shall be maintained for a period of one year from the date of the change. The house rules shall conform to the provisions of this chapter and shall specify:

1. Amounts paid on winning wagers;
2. Effect of schedule changes;
3. Method of notifying patrons of odds or proposition changes;
4. Acceptance of wagers at other than posted terms; and
5. Expiration of any winning ticket one year after the date of the event.

(f) No one under the age of twenty one (21) years of age may place a wager pursuant to this Chapter in a sports pool lounge.

**13:69N-2.3 Patron wagers**

(a) A wagering operator shall not accept any wager pursuant to this chapter unless it has provided written notification to the Division of the first time that wagering on a category of wagering event (for example, wagering on a particular type of professional sport) is offered to the public at least two business days prior to accepting a wager on such category of wagering event, provided that notice is not required whenever the odds change on a previously offered wagering event. The Division reserves the right to prohibit the acceptance of wagers, and may order the cancellation of wagers and require refunds on any event for which wagering would be contrary to the public policies of the State.

(b) A wagering operator shall only accept wagers on wagering events for which:

1. The outcome can be verified;
2. The outcome can be generated by a reliable and independent process;
3. The outcome would not be affected by any wager placed; and
4. The event is conducted in conformity with all applicable laws.

(c) Upon accepting a wager pursuant to this chapter, a wagering cashier shall cause the wagering system to generate a wagering ticket. The wagering ticket shall include, at a minimum, the following:

1. Operator's name;
2. Address at which a winning ticket may be redeemed by mail;
3. Event number;
4. Description of event;
5. Unique wagering ticket identifier;

6. For paper tickets, a barcode or similar symbol or marking, as approved by the Division, corresponding to the unique wagering ticket number;
7. Date and time of issuance;
8. Cashier identifier;
9. Location of issuance;
10. Amount of the wager;
11. Payout odds; and
12. The date of the event.

(d) A wagering operator shall not unilaterally rescind any wager pursuant to this chapter without the prior written approval of the Division.

(e) Patron wagers pursuant to this chapter shall be made in cash and, if authorized by the Division, vouchers and gaming chips.

(f) The available wagers shall be displayed in a manner visible to the public and the operator's CCTV system. The display shall include the event number, odds and a brief description of the event.

(g) Wagers on the following are prohibited:

1. Any collegiate sport or athletic event that takes place in New Jersey or any individual sporting or athletic event in which any New Jersey college team directly participates regardless of where the event takes place; and
2. Any event which the Division deems to be contrary to public policy.

(h) Winning wagering tickets shall be redeemed by a wagering cashier after verifying the validity of the wagering ticket through the wagering system. The cashier shall cause the system to electronically redeem and cancel the wagering ticket upon redemption.

(i) A patron may redeem by mail a winning wagering ticket to the address provided thereon. Upon receipt, the wagering ticket shall be forwarded to the accounting department where a member of the accounting department with no incompatible function shall record on a log the name of the patron, the date the wagering ticket was received, the date the ticket was issued, the ticket number and the event number. The ticket shall then be forwarded to the wagering counter or, if applicable, the simulcast counter where a cashier shall cause the electronic cancellation of the ticket and the issuance of a check to the patron in the amount of the winning wager in accordance with the wagering operator's internal controls.

(j) Any unclaimed winning ticket expires one year after the date of the event. Expired tickets shall be subject to provisions of N.J.S.A. 5:12-141.2b.

(k) No wagering ticket shall be voided after the start of the wagering event on which a wager has been placed.

**13:69N-2.4 Layoff wagers**

A wagering operator may, in its discretion, accept a layoff wager from another New Jersey wagering operator. A wagering operator placing a layoff wager shall disclose its identity to the wagering operator accepting the wager. A layoff wager and, if applicable, a resultant payout shall not be included in the calculation of gross revenue.

**13:69N-2.5 Operator reserve requirements**

Operators shall maintain adequate cash reserves, as determined by the Division, to cover winning wagers.

### **SUBCHAPTER 3. REQUIRED REPORTS; RECONCILIATION**

#### **13:69N-3.1 Totalisator reports; wagering revenue; reconciliation**

(a) The totalisator shall be required to generate the following reports as approved by the Division. Such reports shall distinguish by type and status where applicable:

1. Sports Wagering Intake Detail Report used to detail and support the totals reported on the Sports Wagering Intake Summary Report;
2. Sports Wagering Intake Summary Report used to report gross revenue in accordance with Division rules;
3. Sports Wagering Ticket Redemption Detail Report used to detail and support the totals reported on the Sports Wagering Ticket Redemption Summary Report;
4. Sports Wagering Ticket Redemption Summary Report used to reconcile cashier redemptions and to summarize the daily amounts paid out for winning wagers;
5. Sports Wagering Ticket Expiration Detail Report used to detail and support the totals reported on the Sports Wagering Expiration Summary Report;
6. Sports Wagering Ticket Expiration Summary Report used to report expired sports wagering tickets in accordance with Division rules;
7. Sports Wagering Ticket Voided Detail Report used to provide a record for voided sports wagers;

8. Sports Wagering Ticket Liability Detail Report used to detail and support the totals reported on the Sports Wagering Ticket Liability Summary Report; and
9. Sports Wagering Ticket Liability Summary Report used to summarize the outstanding sports wagering liability.

(b) Wagering revenue generated pursuant to this chapter shall equal the total of all wagers received less voided wagers less amounts paid out for winning wagers.

(c) For sports wagering operations, an accounting department member shall determine the daily win amount by comparing a win report from the totalisator to the reconciliation of the sports wagering drawers. The wagering operator shall be required to report sports wagering revenue as the higher amount unless otherwise authorized by the Division.

(d) The wagering operator shall permit duly authorized representatives of the Division to examine the operator's accounts and records for the purpose of certifying gross revenue.

# **CHAPTER 690**

## **INTERNET AND MOBILE GAMING**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:690-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Authentication process" means a method used by a system to verify the validity of software. Such method requires the calculation of an output digest, which is compared to a secure embedded value. The output digest shall be of 128-bit complexity, at a minimum. Software shall be deemed to have been authenticated if the calculated digest equals the secure embedded value.

"Authorized Internet or mobile game" means any game authorized by the Division for use with an Internet or mobile gaming system.

"Client terminal" means any device that is used to interact with a gaming system for the purpose of conducting server-based gaming activity.

"Data warehouse" means a system of one or more servers located in New Jersey for the purpose of storing transactions received from the primary gaming equipment.

"Dormant account" means an Internet gaming account, which has had no patron initiated activity for a period of one year.

"Funds on game" means the sum of pending wagers and funds transferred to a game not yet wagered less pending wins.

"Game server" means the server that contains game software and control programs.

"Gaming system" means either a server-based gaming system, an Internet gaming system, a mobile gaming system, or table game simulcasting system.

"Internet gaming" means the placing of wagers through a server-based gaming system with a casino licensee at a casino located in Atlantic City using a computer network of both Federal and non-Federal interoperable packet switched data networks through which the casino licensee may offer authorized Internet games to a patron who has established an Internet gaming account with the casino licensee.

"Internet gaming account" means an account established by a casino licensee that a patron shall use for the deposit and withdrawal of funds used for Internet wagering.

"Internet gaming intermediary" means an independent entity approved by the Division to offer Internet gaming and affiliated with an Internet gaming operator. The customer accounts of such intermediaries shall be owned by the Internet gaming permit holder.

"Internet gaming manager" means a person licensed as a casino key employee responsible for the operations of internet gaming.

"Internet gaming network" means the linking of patrons of one or more Internet gaming operators to participate in peer-to-peer gaming.

"Internet gaming operator" means a party or parties permitted by the Division to operate an Internet gaming system.

"Internet gaming system" means all hardware, software, and communications that comprise a type of server-based gaming system for the purpose of offering authorized Internet games.

"Mobile gaming" means the placing of wagers with a casino licensee through a server-based gaming system at a casino located in Atlantic City using a computer network through which the casino licensee may offer authorized games to individuals who have established a wagering account with the casino licensee and who are physically present within the property boundaries of an approved hotel facility.

"Mobile gaming account" means an account established by a casino licensee that a patron may use for the deposit and withdrawal of funds used for mobile wagering.

"Mobile gaming operator" or "mobile operator" means a party or parties licensed by the Division to operate a mobile gaming system.

"Mobile gaming system" means all hardware, software, and communications that comprise a type of server-based gaming system for the purpose of offering electronic versions of authorized casino games to be played on client terminals within the property boundaries of an approved casino facility.

"Multi-factor authentication" means a type of strong authentication that uses two of the following to verify a patron's identity:

1. Information known only to the patron, such as a password, pattern or answers to challenge questions;
2. An item possessed by a patron such as an electronic token, physical token or an identification card; or
3. A patron's biometric data, such as fingerprints, facial or voice recognition.

"Patron session" means a period of time when a patron is logged on to an Internet or mobile gaming system.

"Peer-to-peer gaming" means all gaming activity, such as poker, where patrons are competing against each other.

"Pending wager account" means the account maintained by a server-based gaming system that holds the total balance of all wagers pending disposition and all other funds attributable to uncompleted games.

"Primary gaming equipment" means all hardware, software, and other technology or equipment of any kind determined by the Division to be necessary for the conduct of an authorized Internet game on the premises of a casino hotel within the territorial limits of Atlantic City.

"Secure transaction file" means a file that contains data, which is unalterable or cannot be modified without detection.

"Server-based gaming" means all gaming activity conducted via a client terminal where the outcome of a game is determined by a random number generator (RNG) maintained on a

server or a dealer-verified outcome from a simulcast table game.

"Server-based gaming system" means all hardware, software, and communications that comprise a system utilized for the purpose of offering electronic versions of authorized casino games where material aspects of game functionality occur at the server level.

"Strong authentication" means a method that has been demonstrated to the satisfaction of the Division to effectively provide higher security than a user name and password alone.

"Suspended account" means an Internet or mobile gaming account that has been temporarily disabled from engaging in wagering activity.

"Table game simulcasting system" means all hardware, software, and communications that comprise a system used to simulcast table games.

**13:690-1.2 General requirements for Internet and mobile gaming**

(a) Internet or mobile gaming shall only be engaged in by patrons who have established an Internet or mobile gaming account.

(b) The message "If you or someone you know has a gambling problem and wants help, call 1-800-Gambler" shall be displayed prominently within the Internet or mobile gaming log on screen and a command to display this message on the log off screen shall be transmitted whenever the system detects a log off.

(c) When a patron logs on to an Internet or mobile gaming system, the system shall display the date and time of the patron's previous log on.

(d) If a patron has suspended his or her account, a casino licensee shall not send gaming-related electronic mail to such patron while the account is suspended.

(e) The Internet or mobile gaming system shall employ a mechanism to detect the physical location of a patron upon logging into the gaming system and as frequently as specified in the Internet gaming permit holder's approved submission. If the system detects that the physical location of the patron is in an area unauthorized for Internet or mobile gaming, the system shall not accept wagers until such time that the patron is in an authorized location as follows:

1. Mobile gaming shall only occur within the property boundaries of an approved casino hotel facility. For purposes of this chapter, the approved casino hotel facility shall include any area located within the property boundaries of the casino hotel facility, including any recreation area or swimming pool, where mobile gaming devices may be used by patrons,

but excluding parking garages or parking areas. A mobile gaming system shall disable all gaming activity on a client terminal whenever it is removed from the property boundaries; and

2. Internet gaming shall only occur within the State of New Jersey, unless the conduct of such gaming is not inconsistent with Federal law, law of the jurisdiction, including any foreign nation, in which the participating patron is located, or such gaming activity is conducted pursuant to a reciprocal agreement to which this State is a party that is not inconsistent with Federal law.

(f) A client terminal used for Internet or mobile gaming shall not contain patron account information or game logic that determines the outcome of any game.

(g) Client terminal software used for Internet or mobile gaming shall not contain unauthorized data collection, file extraction, malware, or any other feature that compromises the integrity of the client terminal or the data contained therein.

(h) Software utilized for Internet or mobile gaming shall either:

1. Continuously display the current time in the time zone where the game server is physically located and the time elapsed while in the current patron session; or
2. Cause a pop-up notification, at least every half-hour, to be prominently displayed on the client terminal advising the patron of the current time and the amount of time elapsed since his or her log on.

(i) A casino licensee offering Internet wagering shall have an Internet gaming

manager responsible for the operation and integrity of Internet gaming and reviewing all reports of suspicious behavior. A casino licensee offering mobile wagering shall have a mobile gaming manager responsible for ensuring the operation and integrity of mobile gaming and reviewing all reports of suspicious behavior. The Internet or mobile gaming manager shall be a key employee, however nothing shall preclude a casino licensee from having one key employee perform the functions of both the Internet and mobile gaming managers. The Internet and mobile gaming manager(s) shall immediately notify the Division upon detecting any person participating in Internet or mobile wagering who is:

1. Engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, collusion, money laundering, or any other illegal activities, including those activities prohibited in Article 9 of the Act;
2. Required to be excluded pursuant to N.J.S.A. 5:12-71, 5:12-71.2, or any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119(a); or
3. Prohibited by the casino licensee from Internet wagering.

(j) A licensee shall file with the Division, internal controls for all aspects of Internet and mobile gaming operations prior to implementation and any time a change is made thereafter. The internal controls shall include detailed procedures for system security, operations, accounting, and reporting of problem gamblers.

(k) A casino licensee offering Internet or mobile gaming shall describe in its internal controls the method for securely issuing, modifying, and resetting a patron's account password,

Personal Identification Number (PIN), or other approved security feature, where applicable. Any method shall include notification to the patron following any modification via electronic or regular mail, text message, or other manner approved by the Division. Such method shall include at a minimum:

1. Proof of identity, if in person;
2. The correct response to two or more challenge questions; or
3. Strong authentication.

(l) All terms and conditions for Internet or mobile gaming shall be included as an appendix to the internal controls of the licensee addressing all aspects of the operation, including the following:

1. Name of the party or parties with whom the patron is entering into a contractual relationship, including any licensee;
2. Patron's consent to have the licensee confirm the patron's age and identity;
3. Rules and obligations applicable to the patron other than rules of the game including, but not limited to:
  - i. Prohibition from allowing any other person to access or use his or her Internet or mobile gaming account;
  - ii. Prohibition from engaging in Internet or mobile wagering activity, unless they are physically present in New Jersey;

- iii. Consent to the monitoring and recording by the operator and/or the Division of any wagering communications and geographic location information;
  - iv. Consent to the jurisdiction of the State of New Jersey to resolve any disputes arising out of Internet or mobile gaming; and
  - v. Prohibition against utilizing automated computerized software or other equivalent mechanism, such as a "bot," to engage in play.
4. Full explanation of all fees and charges imposed upon a patron related to gaming transactions;
5. Availability of account statements detailing patron account activity;
6. Privacy policies, including information access;
7. Legal age policy, including a statement that it is a criminal offense to allow a person who is under the age of 21 to participate in Internet or mobile wagering;
8. Notification that if the patron's Internet gaming account remains dormant for a period of one year any funds remaining on deposit and any pending wagers shall be forfeited;
9. Patron's right to set responsible gaming limits and to self-exclude;
10. Patron's right to suspend his or her account for a period of no less than 72 hours;
11. Actions that will be taken in the event a patron becomes disconnected from the Internet or mobile gaming system during game play;

12. Notice that a malfunction voids all pays;
13. Estimated time period for withdrawal of funds from Internet or mobile account; and
14. Information to be displayed on a patron protection page. The patron protection page shall be accessible to a patron during a patron session.

The patron protection page shall contain, at a minimum, the following:

- i. A prominent message, which states "If you or someone you know has a gambling problem and wants help, call 1-800-Gambler";
- ii. A direct link to the Council on Compulsive Gambling New Jersey, Inc. and one other organization based in the United States dedicated to helping people with potential gambling problems; and
- iii. The following responsible gaming information:
  - (1) A clear statement of the Internet gaming operator's policy and commitment to responsible gaming;
  - (2) Information regarding the subjects in (l)14iii(2)(A) through (D) below, or a direct link to information regarding the following subjects, if available, from an organization based in the United States dedicated to helping people with potential gambling problems:
    - (A) Practical tips to stay within safe limits;
    - (B) Myths associated with gambling;

- (C) Information regarding the risks associated with gambling; and
  - (D) The potential signs of a gambling problem;
- (3) Rules governing self-imposed responsible gaming limits;
- iv. Method for changing or retrieving a password or other approved access security feature and the ability to choose "strong authentication" log in protection;
- v. Method for filing a complaint with the licensee;
- vi. Method for filing with the Division an unresolved complaint after all reasonable means to resolve the complaint with the licensee have been exhausted utilizing the Internet Dispute Form on the Division's website;
- vii. Method for obtaining a copy of the terms and conditions agreed to when establishing an Internet or mobile gaming account;
- viii. Method for the patron to obtain account and game history from the licensee;
- ix. Notification that underage gambling is a criminal offense and that anyone who facilitates someone under the age of 21 to gamble has committed a criminal offense and shall be prohibited from Internet gaming;

- x. Notification that the patron is responsible to configure his or her client terminal's auto-lock feature to protect the client terminal from unauthorized use;
- xi. Notification that a patron is prohibited from allowing any other person to access or use his or her Internet or mobile gaming account;
- xii. Notification of Federal prohibitions and restrictions regarding Internet gaming, specifically, any limitations upon Internet gaming as set forth in 18 U.S.C. §§ 1084 et seq. (The Wire Act) and 31 U.S.C. §§ 3163 through 3167 (UIEGA). The notice shall explicitly state that it is a Federal offense for persons physically located outside of New Jersey to engage in Internet wagering through a New Jersey casino, unless explicitly authorized by the Division;  
and
- xiii. Notification that for mobile gaming if the mobile device is removed from the property boundaries of the casino hotel facility the connection will be terminated.

(m) Whenever the terms and conditions that apply to Internet or mobile gaming are changed, the licensee shall require a patron to acknowledge acceptance of such change. Unless otherwise authorized by the Division, the patron's acknowledgement shall be date and time stamped by the Internet or mobile gaming system, as applicable.

(n) A casino operator's gaming equipment used to conduct Internet or mobile

gaming shall be located, with the prior approval of the Division, as set forth below:

1. Primary gaming equipment shall be located:
  - i. In a restricted area on the premises of the casino hotel within the territorial limits of Atlantic City, New Jersey; or
  - ii. In another facility owned or leased by the casino licensee that is secure, inaccessible to the public, and specifically designed to house that equipment, and where the equipment shall be under the complete control of the casino licensee or its Internet gaming affiliate, within the territorial limits of Atlantic City, New Jersey.  
  
For the purposes of this subsection, a secure facility within Atlantic City that is owned or leased by the casino licensee to house Internet gaming equipment shall be considered to be part of the casino hotel facility notwithstanding that the facility may not be contiguous with the premises of the casino hotel.
2. Backup gaming equipment used to conduct Internet or mobile gaming may also be located:
  - i. Subject to Division approval, in a restricted area on the premises of a casino hotel facility within the territorial limits of Atlantic City to conduct Internet gaming for a time period not to exceed 60 days unless otherwise authorized by the Division; or
  - ii. In another facility owned or leased by the casino licensee that is secure, inaccessible to the public, and specifically designed to

house that equipment, and where the equipment shall be under the complete control of the casino licensee or its Internet gaming affiliate, within the territorial limits of Atlantic City, New Jersey.

For the purposes of this subsection, a secure facility within Atlantic City that is owned or leased by the casino licensee to house Internet gaming equipment shall be considered to be part of the casino hotel facility notwithstanding that the facility may not be contiguous with the premises of the casino hotel.

3. Backup gaming equipment that is not used to conduct Internet or mobile gaming but which is used only to restore data to primary Internet gaming equipment may be located within the State of New Jersey.

(o) Internet or mobile gaming systems shall require a patron after 15 minutes of user inactivity, as measured by the Internet or mobile gaming system, to re-enter his or her username and password.

(p) A casino licensee offering Internet or mobile gaming shall comply with all Federal requirements including, but not limited to, suspicious activity reporting and W2-G reporting.

(q) Each casino licensee offering Internet gaming shall perform an annual system integrity and security assessment conducted by an independent professional selected by the licensee, subject to the approval of the Division. The independent professional's report on the assessment shall be submitted to the Division annually and shall include:

1. Scope of review;
2. Name and company affiliation of the individual(s) who conducted the

assessment;

3. Date of the assessment;
4. Findings;
5. Recommended corrective action, if applicable; and
6. Casino licensee's response to the findings and recommended corrective action.

(r) A casino licensee shall investigate each patron complaint related to Internet gaming and provide a response to the patron within five calendar days. For complaints that cannot be resolved to the satisfaction of the patron, related to patron accounts, game outcomes, and/or illegal activity, a copy of the complaint and licensee's response including all relevant documentation shall be provided to the Division. All other complaints and responses related to Internet gaming (for example, password problems, online chat disputes and technical matters) shall be provided biweekly or with such frequency approved by the Division.

(s) An Internet or mobile gaming system may offer games that do not require a wager or payment from a patron's Internet gaming account to patrons who have not exceeded any daily time-based limit, provided that the games comply with the following requirements:

1. Any game substantially similar to a game approved by the Division shall utilize a payout percentage equal to or less than the lowest payout percentage of the approved game;
2. Any game not substantially similar to a game approved by the Division shall prominently display the following prior to the start of the game and during game play:

- i. The game is offered for entertainment purposes only;
  - ii. The game is not approved by the Division; and
  - iii. The game outcomes may not be representative of those for a Division-approved game; and
3. Games traditionally played on social networks that may require a payment for certain game features (social games) shall not be fundable or accessible from a patron's Internet gaming account.

(t) An Internet or mobile gaming system shall not induce a patron to continue placing wagers when play is in session, when the patron attempts to end a session, or when the patron wins or loses a bet.

(u) If a patron is prohibited by the permit holder or the Internet gaming intermediary from engaging in Internet wagering for reasons other than those enumerated in (i) above, the casino licensee shall notify the Division within 24 hours of the patron's prohibited status and suspend the Internet gaming account of that patron and prohibit such patron from creating an Internet gaming account. If an account suspended pursuant to this section is reinstated, the casino licensee shall notify the Division within 24 hours of the reinstatement.

(v) An Internet or mobile gaming system shall allow patrons to access a player protection page at all times while logged into their Internet or mobile gaming account. The player protection page shall include all features listed in (f)14 above.

(w) Employees of an Internet gaming operator who perform activities such as Internet casino accounting, patron identification and verification, problem gaming detection, anti-money laundering detection, fraud prevention, or other similar functions and that require

access to confidential patron account information shall be physically present in New Jersey.

(x) Internet gaming operators and related vendors shall be prohibited from retaining patron account information without the expressed written consent of the Internet gaming permit holder.

(y) All Internet gaming operators with employees who have direct contact with patrons via phone, e-mail, electronic chat, or other means, shall implement training for those employees, at the start of their employment and at regular intervals thereafter, addressing areas set forth in (y)1 through 3 below. If the training requirement under this subsection follows the standards set forth by the Council on Compulsive Gambling of New Jersey it shall be deemed sufficient.

1. Recognizing the nature and symptoms of problem gambling behavior and how to assist players in obtaining information regarding help for a gambling problem and self-exclusion programs;
  2. Responding to patrons who may disclose that they have a gambling problem;  
and
  3. Responding to reports from third parties, such as family members, about patrons who may have a gambling problem.
- (z) The authorization to conduct Internet gaming shall expire on October 21, 2020.

### **13:690-1.3 Internet or mobile gaming accounts**

(a) Prior to engaging in Internet or mobile gaming, a patron shall establish an Internet or mobile gaming account. The Internet or mobile gaming system shall be required to display a message stating that those casino key employees and casino employees prohibited from wagering in any casino or simulcasting facility in the State shall not be permitted to establish an Internet or mobile account.

(b) In order to establish an Internet or mobile gaming account, a casino licensee shall:

1. Create an electronic patron file, which shall include at a minimum:
  - i. Patron's legal name;
  - ii. Patron's date of birth;
  - iii. Entire or last four digits of the patron's Social Security number, if voluntarily provided, or equivalent for a foreign patron such as a passport or taxpayer identification number;
  - iv. Patron's Internet and/or mobile account number;
  - v. Patron's address;
  - vi. Patron's electronic mail address;
  - vii. Patron's telephone number;
  - viii. Any other information collected from the patron used to verify his or her identity;
  - ix. The method used to verify the patron's identity; and
  - x. Date of verification.

2. Encrypt all of the following information contained in an electronic patron file:
  - i. Patron's Social Security number or equivalent for a foreign patron such as a passport or taxpayer identification number;
  - ii. Patron's passwords and/or PINs; and
  - iii. Credit card numbers, bank account numbers, or other personal financial information.
3. Verify the patron's identity in accordance with:
  - i. N.J.A.C. 13:69D-1.5A and, in addition, record the document number of the government issued credential examined; or
  - ii. Other methodology for remote multi-sourced authentication, which may include third-party and governmental databases, as approved by the Division.
4. Require the patron to establish a password or other access security feature as approved by the Division and advise the patron of the ability to utilize "strong authentication" log in protection;
5. Verify that the patron is of the legal age of 21, not self-excluded, on the exclusion list, or otherwise prohibited from participation in gaming;
6. Record the patron's acceptance of the licensee's terms and conditions to participate in Internet or mobile gaming;
7. Record the patron's certification that the information provided to the operator by the individual who registered is accurate;

8. Record the patron's acknowledgement that the legal age for Internet or mobile gaming is 21 and that he or she is prohibited from allowing any other person to access or use his or her Internet or mobile gaming account; and
9. Notify the patron of the establishment of the account via electronic mail or regular mail.

(c) A patron shall have only one Internet or mobile gaming account for each Internet gaming intermediary. Each Internet or mobile gaming account shall be:

1. Non-transferable;
2. Unique to the patron who establishes the account; and
3. Distinct from any other account number that the patron may have established with the casino licensee.

(d) A patron's Internet or mobile gaming account may be funded through the use of:

1. A patron's deposit account pursuant to N.J.A.C. 13:69D-1.24;
2. A patron's credit or debit card;
3. A patron's deposit of cash, gaming chips, or slot tokens at a cashiering location approved by the Division.
4. A patron's reloadable prepaid card, which has been verified as being issued to the patron and is non-transferable;

5. Cash complimentaries, promotional credits, or bonus credits;
6. Winnings;
7. Adjustments made by the licensee with documented notification to the patron; or
8. Any other means approved by the Division.

(e) Prior to any withdrawal, if a patron used a credit or debit card to fund an Internet or mobile gaming account, any remaining balance in the account up to the amount of the deposit shall be refunded to the patron's credit or debit card account used to fund the Internet or mobile gaming account provided that a credit or debit card issuer permits the return of a withdrawal from an Internet or mobile gaming account funded by the credit or debit card of the issuer.

(f) Funds may be withdrawn from a patron's Internet or mobile gaming account for the following:

1. The funding of game play;
2. Cash-out at the cashier's cage immediately upon patron request;
3. A cash-out transfer to a patron's deposit account established pursuant to N.J.A.C. 13:69D-1.24;
4. A cash-out transfer to a patron's reloadable prepaid cash card, which has been verified as being issued to the patron and is non-transferable;

5. Adjustments made by the licensee with documented notification to the patron;
6. Cash-out transfers directly to the patron's individual account with a bank or other financial institution (banking account) provided that the licensee verifies the validity of the account with the financial institution; or
7. Any other means approved by the Division.

(g) A casino licensee shall not permit a patron to transfer funds to another patron.

(h) All adjustments to patron accounts for amounts of \$ 500.00 or under shall be periodically reviewed by supervisory personnel as set forth in the licensee's internal controls. All other adjustments shall be authorized by supervisory personnel prior to being entered.

(i) Internet or mobile gaming systems shall provide an account statement with account details to a patron on demand, which shall include detailed account activity for at least the six months preceding 24 hours prior to the request. In addition, an Internet or mobile gaming system shall, upon request, be capable of providing a summary statement of all patron activity during the past year. Information to be provided on the summary statement shall include, at a minimum, the following:

1. Deposits to the Internet or mobile gaming account;
2. Withdrawals from the Internet or mobile gaming account;
3. Win or loss statistics;

4. Beginning and ending account balances; and
5. Self-imposed responsible gaming limit history, if applicable.

(j) A casino licensee shall maintain a New Jersey bank account separate from all other operating accounts to ensure the security of funds held in patron Internet gaming accounts. The balance maintained in this account shall be greater than or equal to the sum of the daily ending cashable balance of all patron Internet gaming accounts, funds on game, and pending withdrawals. A casino licensee shall have unfettered access to all patron Internet gaming account and transaction data to ensure the amount held in its independent account is sufficient. The casino controller or above shall file a monthly attestation with the Division that the funds have been safeguarded pursuant to this subsection.

(k) Patron funds held in an Internet gaming account shall not be automatically transferred by a casino licensee nor shall a casino licensee be permitted to require a patron to transfer funds from his or her Internet gaming account in order to circumvent the requirements of (i) above.

(l) A casino licensee shall periodically reverify a patron's identification upon reasonable suspicion that the patron's identification has been compromised.

**13:690-1.4 Internet or mobile gaming system standards and operational controls**

(a) An Internet or mobile gaming system shall utilize sufficient security to ensure patron access is appropriately limited to the account holder. Unless otherwise authorized by the Division, security measures shall include at a minimum:

1. A Username;
2. Password of sufficient length and complexity to ensure its effectiveness;
3. Upon account creation the option for users to choose "strong authentication" log in protection; and
4. Electronic notification to the patron's registered e-mail address, cellular phone or other device each time an Internet or mobile gaming account is accessed provided however that a patron may opt out of such notification.

(b) An Internet or mobile gaming system shall be designed with a methodology approved by the Division to ensure secure communications between a client terminal and the Internet or mobile gaming system.

(c) An Internet or mobile gaming system shall be designed to detect and report:

1. Suspicious behavior, such as cheating, theft, embezzlement, collusion, money laundering, or any other illegal activities; and
2. Excluded persons pursuant to N.J.S.A. 5:12-71, 5:12-71.2, or any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119(a).

(d) Patron account access information shall not be permanently stored on client

terminals used with a mobile gaming system. Such information shall be masked after entry, encrypted immediately after entry is complete, and may be temporarily stored or buffered during patron entry provided that the buffer is automatically cleared as follows:

1. After the patron confirms that the account access entry is complete; or
2. If the patron fails to complete the account access entry within one minute.

(e) Unless otherwise approved by the Division, an Internet and mobile gaming system shall associate a patron's account with a single client terminal during each patron session.

(f) Each patron session shall have a unique identifier assigned by the Internet or mobile gaming system.

(g) The Internet and mobile gaming system shall immediately terminate a patron session whenever:

1. Required by the Division or licensee;
2. The patron ends a session;
3. The patron fails any authentication during a game or patron session; or
4. A system error impacts game play.

(h) Internet and mobile gaming systems shall employ a mechanism that can detect and prevent any patron initiated wagering or withdrawal activity that would result in a negative balance of an Internet and mobile gaming account.

(i) Internet and mobile gaming systems shall disable a patron's account after three failed log in attempts and require strong authentication to recover or reset a password or

username.

(j) Internet and mobile gaming systems shall employ a mechanism that places an Internet or mobile gaming account in a suspended mode:

1. When requested by the patron for a specified period of time, which shall not be less than 72 hours;
2. When required by the Division; or
3. When initiated by a licensee that has evidence that indicates:
  - i. Illegal activity;
  - ii. A negative patron account balance; or
  - iii. A violation of the terms of service has taken place on an authorized patron's Internet or mobile gaming account.

(k) When an Internet or mobile gaming account is in a suspended mode, the licensee shall not remove funds from the account without prior approval from the Division and the system shall:

1. Prevent the patron from engaging in Internet or mobile gaming;
2. Prevent the patron from depositing funds;
3. Prevent the patron from withdrawing funds from his or her Internet or mobile gaming account, unless the suspended mode was initiated by the patron;
4. Prevent the patron from making changes to his or her Internet or mobile gaming account;
5. Prevent the removal of the Internet or mobile gaming account from the

gaming system; and

6. Prominently display to the authorized patron that the account is in a suspended mode, the restrictions placed on the account, and any further course of action needed to remove the suspended mode.

(l) A licensee shall notify the Internet or mobile wagering account holder via electronic mail, regular mail, or other method approved by the Division, whenever his or her account has been closed or placed in a suspended mode. Such notification shall include the restrictions placed on the account and any further course of action needed to remove the restriction.

(m) A suspended account may be restored:

1. Upon expiration of the time period established by the patron;
2. When permission is granted by the Division; or
3. When the licensee has lifted the suspended status.

(n) An Internet or mobile gaming system shall be capable of allowing a patron to establish the following responsible gaming limits. Any decrease to these limits shall be effective no later than the patron's next log in. Any increase to these limits shall become effective only after the time period of the previous limit has expired and the patron reaffirms the requested increase.

1. A deposit limit shall be offered on a daily, weekly, and monthly basis and shall specify the maximum amount of money a patron may deposit into his or her Internet gaming account during a particular period of time.
2. A spend limit shall be offered on a daily, weekly, and monthly basis and

shall specify the maximum amount of patron deposits that may be put at risk during a particular period of time.

3. A time-based limit shall be offered on a daily basis and shall specify the maximum amount of time, measured hourly from the patron's log in to log off, a patron may spend playing on an Internet gaming system, provided, however, that if the time-based limit is reached a patron will be permitted to complete any round of play, or active or prepaid tournament.

(o) An Internet or mobile gaming system shall implement automated procedures to identify and prevent the following persons from placing a wager:

1. Persons under the age of 21;
2. Persons on the self-exclusion list;
3. Persons on the Internet self-exclusion list;
4. Persons on the exclusion list;
5. Patrons who have had their account closed;
6. Patrons who have had their account suspended; and
7. Patrons who have exceeded their spend or time-based limit.

(p) An Internet or mobile gaming system shall provide a patron with the ability to view the outcome and subsequent account balance changes for the previous game, including a game completed subsequent to an outage (for example, network disconnection or client terminal malfunction).

(q) Unless otherwise approved by the Division, a record of all bonus and

promotional wagering offers related to Internet gaming shall be maintained in an electronic file that is readily available to the Division. All bonus and promotional wagering offers shall be stated in clear and unambiguous terms and shall be readily accessible by the patron. Offer terms and the record of all offers shall include at a minimum:

1. The date and time presented;
2. The date and time the offer is active and expires; and
3. Patron eligibility and redemption requirements.

(r) Manual adjustments by a casino licensee to Internet or mobile gaming data shall only be made by a software application approved by the Division.

(s) When a patron's lifetime deposits exceed \$ 2,500, the Internet or mobile gaming system shall immediately prevent any wagering until the patron acknowledges the following:

1. The patron has met the Division's gaming deposit threshold of \$ 2,500;
2. The patron has the capability to establish responsible gaming limits or close his or her account; and
3. The availability of 1-800-GAMBLER.

(t) The acknowledgement prescribed in (s)2 and 3 above shall be required on an annual basis thereafter.

(u) Internet gaming operators may utilize celebrity or other players to participate in peer to peer games for advertising or publicity purposes. Such players may have their accounts funded in whole or in part by an Internet gaming operator. An Internet gaming operator may pay a fee to the celebrity player. If a celebrity player is utilized and the celebrity player generates winnings that the Internet gaming operator does not permit the celebrity player to

retain, such winnings shall be included as Internet gaming gross revenue in a manner approved by the Division.

**13:690-1.5 Server-based gaming system; server-based games (table games, slot machines, and peer-to-peer gaming)**

(a) A server-based gaming system shall:

1. Comply with N.J.A.C. 13:69D-2;
2. Ensure continued operation in the event of a temporary power failure via an Uninterrupted Power Supply (UPS);
3. Maintain the integrity of the hardware, software, and data contained therein in the event of a shutdown;
4. Ensure the system recovers to the state it was in prior to any system outage;
5. Have physical and logical controls, as appropriate, to ensure that only authorized hardware components are connected to the system;
6. Ensure only approved client terminal software is used to conduct gaming activity;
7. Ensure that client terminals meet minimum compatibility requirements in order to conduct gaming activity; and
8. Be designed with a method for the Division to approve all game software installations before the game software may be offered to patrons.

(b) Any software used in server-based gaming shall be designed with a method to permit the validation of software using a Gaming Authentication Tool (GAT) or other method

approved by the Division.

(c) A server-based gaming system shall perform an authentication process on all control programs on demand and at least once every 24 hours.

(d) Server-based gaming systems shall provide a mechanism to notify the operator whenever an authentication process has failed. The operator shall immediately cease operation of the software and immediately notify the Division.

(e) Client terminals used with a server-based gaming system may be installed in a fixed location in the casino hotel facility as approved by the Division, and may be configured to offer multiple and simultaneous wagering opportunities to patrons. The Division may require such location to be used in the calculation of casino floor space.

(f) A server-based gaming system shall be designed with a methodology approved by the Division to ensure secure communications between a client terminal and a server-based gaming system.

(g) Server-based gaming systems shall notify patrons, via the client terminal, of software that is scheduled for or ordered to be removed by the Division. Unless otherwise authorized by the Division, the system shall:

1. Immediately disable a game, which has been ordered to be removed by the Division; or
2. Notify the patron that the game will be removed at the conclusion of the round of play.

(h) A server-based gaming system shall be designed with a method to automatically identify potential collusion or cheating activity and shall provide a method for a patron to report such activity to the licensee.

(i) Server-based gaming systems shall provide a patron with the ability to view the outcome and subsequent account balance changes for the previous game including a game completed subsequent to an outage (for example, network disconnection or client terminal malfunction).

(j) The following information shall be readily available through a client terminal before a patron begins play on an Internet or mobile gaming system and at all times during play, where applicable:

1. Sufficient information to identify the specific game selected;
2. Game play and payout rules, which shall not rely on sound to convey their meaning; and
3. All charges imposed on patrons, such as fees, rake, and vigorish.

(k) Server-based gaming systems with client terminals that utilize a bill changer or are connected to a gaming voucher system shall:

1. Be permitted exclusively on approved casino floor space;
2. Comply with all applicable Division rules governing slot machines and electronic table games; and

3. Provide for revenue reporting separately as server-based games on the Slot Win Report pursuant to N.J.A.C. 13:69D-1.43A.

(l) Game play shall be initiated only after a patron has affirmatively placed a wager and activated play. No auto play feature shall be permitted in game software unless authorized by the Division.

(m) Unless otherwise authorized by the Division, all server-based table games shall:

1. Accurately represent the layout and equipment used to play its corresponding authorized non-electronic table game including, when applicable, wagering areas, cards, dice, or tiles;
2. Function in accordance with approved rules for its corresponding authorized non-electronic table game;
3. Function as approved by the Division pursuant to the software submission process;
4. Conspicuously indicate minimum and maximum wagers; and
5. Contain help screens that provide information and rules regarding approved variations, such as the number of decks used, special odds, and supplemental wagers.

(n) Server-based table games may be designed to permit a patron to occupy more than one betting position at an individual game, provided that same option is available in its

authorized non-electronic version.

(o) All server-based slot machine games shall comply with standards established by N.J.A.C. 13:69E-1.28A and 1.28G.

(p) Server-based games shall operate in accordance with rules submitted to and approved by the Division, which describe procedures in case of patron disconnection from the network server during a game in accordance with the following:

1. Where no patron input is required to complete the game, the game shall produce the final outcome as determined by the RNG and the patron's account shall be updated accordingly;
2. For single patron games, where patron input is required to complete the game, the game shall:
  - i. Upon subsequent activation, return the patron to the game state immediately prior to the interruption and allow the patron to complete the game; or
  - ii. After an approved period of time, cancel the game resulting in either the forfeiture of the patron's wager or the return of funds to the patron in accordance with a methodology approved by the Division; or
  - iii. Make a selection on behalf of the patron in order to complete the game; and

3. For games with multiple patrons, where the result is affected by the time to respond to a game event, such as poker or blackjack, the game shall, after an approved period of time, make a selection on behalf of the patron in order to complete the game.

(q) Unless otherwise authorized by the Division, server-based table game software used to conduct peer-to-peer gaming, such as poker, shall:

1. Be prohibited from utilizing automated computerized patrons to compete with patrons; and
2. Provide a patron the option to be randomly assigned to a table where all patrons have been selected at random.

(r) Unless otherwise authorized by the Division, server-based table games with multiple patrons, where the result is affected by the time to respond to a game event, such as poker or blackjack, shall be designed with a game recall feature which allows the patron to recall the last five game outcomes and associated wagers. The game recall information shall be viewable from the client terminal.

(s) A server-based gaming system utilizing an approved data warehouse shall be designed to securely transmit a copy of all transactions received from a server-based gaming system's primary gaming equipment to the data warehouse. The data stored in the data warehouse shall be owned by the Internet gaming permit holder.

(t) Equipment used by a server-based gaming system for the sole purpose of

restoring data following a disaster shall be located in the State of New Jersey.

(u) All wagers pending disposition under (p)2i above shall be held in a pending wager account.

(v) One or more Internet gaming operators may, with prior approval of the Division, participate in an Internet gaming network in accordance with a written agreement that has been executed by each Internet gaming operator. The agreement shall:

1. Designate the party responsible for the operation and administration of the network;
2. Identify and describe the role, authority, and responsibilities of each participating Internet gaming operator and, if applicable, any third-party network provider;
3. Include a description of the process by which significant decisions that affect the operation of the network are approved and implemented by each operator; and
4. Allocate the Internet gaming gross revenue and tax liability thereon between the participating Internet gaming operators to ensure the accurate reporting thereof.

(w) Each party to an agreement for an Internet gaming network in (v) above shall be jointly and severally liable for acts, omissions, and violations of the Act or the rules of the Division.

(x) An Internet gaming operator may conduct an Internet gaming tournament for any game approved by the Division pursuant to N.J.S.A. 5:12-5. No Internet gaming tournament shall be conducted unless the Internet gaming operator, prior to the first time a tournament type is offered, files written notice with the Division of its intent to offer such a tournament. Each Internet gaming operator shall have on file internal controls for each tournament type, which shall address at a minimum:

1. Game type (for example, hold 'em poker);
2. Rules concerning tournament play and participation;
3. Entry fee amount(s) per participant;
4. Funding source amount(s) comprising the prize pool (for example, buy-ins, re-buys, or add-ons);
5. Prize structure on payout; and
6. Methodology for determining win

**13:690-1.6 Table game simulcasting**

(a) A casino licensee shall obtain Division approval to simulcast authorized table games.

(b) Table game simulcasting shall utilize a simulcast control server for the purpose of recording all wagering activity and game results. The simulcast control server shall:

1. Provide the patron with real time visual access to the live game being played;
2. Prevent anyone from accessing the wagering outcome prior to finalizing a wager;
3. Record dealer-verified game results before posting; and
4. Be equipped with a mechanism to void game results, if necessary.

(c) Information about wagering conducted during table game simulcasting shall be provided to a patron in real time and shall include all game play information that would normally be available from the table game equivalent. Such information shall include at a minimum:

1. The table number and location;
2. The table minimum and maximum wagers;
3. The number of decks used, if applicable;
4. Dealer actions, if applicable;
5. The amount wagered;

6. The game outcome;
7. Vigorish amount, if applicable;
8. Payout odds, where applicable; and
9. The amount won or lost.

(d) The following information shall be readily available through the client terminal before a patron begins play on an Internet or mobile gaming system and at all times during play, where applicable:

1. Sufficient information to identify the specific game selected;
2. Game play and payout rules, which shall not rely on sound to convey their meaning; and
3. All charges imposed on the patron, such as fees and vigorish, when applicable.

**13:690-1.7 Communications standards for gaming systems**

(a) All gaming systems authorized by this chapter shall be designed to ensure the integrity and confidentiality of all patron communications and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the system shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.

(b) Wireless communications between the authenticator device and the authentication server shall be encrypted using a robust method such as IPsec, WPA2, or other method approved by the Division.

(c) A licensee shall mask the service set identification (SSID) of the gaming system network to ensure that it is unavailable to the general public.

(d) All communications that contain patron account numbers, user identification, or passwords and PINs shall utilize a secure method of transfer (for example, 128-bit key encryption) approved by the Division.

(e) Only devices authorized by the Division shall be permitted to establish communications between a client terminal and a gaming system.

(f) Server-based gaming systems shall maintain an internal clock that reflects the current date and time that shall be used to synchronize the time and date between all components that comprise the gaming system. The system date and time shall be visible to the patron when logged on.

**13:690-1.8 Mandatory gaming system logging**

(a) Gaming systems shall employ a mechanism capable of maintaining a separate copy of all of the information required to be logged in this section on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the gaming system can be configured such that any logged data is contained in a secure transaction file, a separate logging device is not required.

(b) Gaming systems shall provide a mechanism for the Division to query and export, in a format required by the Division, all gaming system data.

(c) Gaming systems shall electronically log the date and time any Internet or mobile gaming account is created or terminated (Account Creation Log).

(d) A gaming system shall maintain all information necessary to recreate patron game play and account activity during each patron session, including any identity or location verifications, for a period of no less than 10 years.

(e) Unless otherwise authorized by the Division, when software is installed on or removed from a gaming system, such action shall be recorded in a secure electronic log (Software Installation/Removal Log), which shall include:

1. The date and time of the action;
2. The identification of the software; and
3. The identity of the person performing the action.

(f) Unless otherwise authorized by the Division, when a change in the availability of

game software is made on a gaming system, the change shall be recorded in a secure electronic log (Game Availability Log), which shall include:

1. The date and time of the change;
2. The identification of the software; and
3. The identity of the person performing the change.

(g) Unless otherwise exempted by the Division, a gaming system shall record all promotional offers (Promotions Log) issued through the system. Such log shall provide the information necessary to audit compliance with the terms and conditions of current and previous offers.

(h) Results of all authentication attempts shall be retained in an electronic log (Authentication Log) and accessible for a period of 90 days.

(i) All adjustments to gaming system data made using stored procedures shall be recorded in an electronic log (Adjustments Log), which lists:

1. The date and time;
2. The identification and user ID of user performing the action;
3. A description of the event or action taken; and
4. The initial and ending values of any data altered as a part of the event or action performed.

**13:690-1.9 Required reports; reconciliation; test accounts**

(a) The system shall be designed to generate reports as specified by the Division that shall include at a minimum:

1. The report title;
2. The version number of the current system software and report definition;
3. The date or time period of activity, or description "as of" a point in time;
4. The date and time the report was generated;
5. Page numbering, indicating the current page and total number of pages;
6. Subtotals and grand totals as required by the Division;
7. A description of any filters applied to the data presented in the document;
8. Column and row titles, if applicable; and
9. The name of the casino licensee.

(b) All required reports shall be generated by the system, even if the period specified contains no data to be presented. The report generated shall indicate all required information and contain an indication of "No Activity" or similar message if no data appears for the period specified.

(c) Gaming systems shall provide a mechanism to export the data generated for any

report to a format approved by the Division.

(d) An Internet gaming system and a mobile gaming system shall generate the following daily reports, at a minimum, for each gaming day in order to calculate the taxable revenue:

1. A Patron Account Summary Report, which shall include transaction information for each patron account for the following categories:
  - i. Beginning balance;
  - ii. Total amount of deposits;
  - iii. Total amount of non-cashable bonuses deposited;
  - iv. Total amount of non-cashable bonuses wagered;
  - v. Total amount of non-cashable bonuses expired;
  - vi. Total amount of transfers to games;
  - vii. Total amount of transfers from games;
  - viii. Total amount of withdrawals;
  - ix. Total amount of funds on game at the beginning of the gaming day (the amount of pending wagers at the end of the prior gaming day);
  - x. Total amount of funds on game at the end of the gaming day (the

amount of pending wagers plus funds transferred to a game but not yet wagered);

xi. Win or loss, calculated as the amount of transfers from games and beginning funds on game less the amount of transfers to games and ending funds on game; and

xii. Ending balance;

2. A Wagering Summary Report, which shall include the following by authorized game and poker variation, as applicable:

i. Total amounts wagered;

ii. Total amounts won;

iii. Total tournament entry or participation fees;

iv. Rake or vigorish;

v. Total amounts of guaranteed funds paid to players;

vi. Total amounts due to or from an Internet gaming network; and

vii. Win or loss calculated as the net of the total amounts wagered and total amounts won plus tournament entry fees, rake, or vigorish, guaranteed funds, and amounts due to or from an Internet gaming network; and

3. A Non-cashable Promotional Account Balance Report, which shall include the ending non-cashable promotional balance in each patron account.

(e) An Internet gaming network shall generate the following daily reports for each participating casino operator, at a minimum, for each gaming day in order to reconcile the daily Internet gross gaming revenue:

1. A Network Patron Account Summary Report, which shall include the following transaction information for each patron account:
  - i. Patron identification number;
  - ii. Total amount of transfers to games;
  - iii. Total amount of transfers from games;
  - iv. Win or loss statistics;
  - v. Total amount of rake; and
  - vi. Total amount of entry fees; and
2. A Network Wagering Summary Report, which shall include the following game activity by authorized game or poker variation:
  - i. Total amounts wagered;
  - ii. Total amounts won;
  - iii. Total tournament entry or participation fees;

- iv. Rake or vigorish;
- v. Total amounts of guaranteed funds paid to players; and
- vi. Win or loss statistics, calculated as the net of the total amounts wagered and total amounts won plus tournament entry fees, rake, or vigorish, and guaranteed funds.

(f) A casino licensee shall utilize the Wagering Summary Report to calculate mobile gaming gross revenue and Internet gaming gross revenue on a daily basis for reporting purposes. In addition, the casino licensee shall:

1. Prepare a Variance Report documenting the win/loss amounts from the Patron Account and Wagering Summary Reports;
2. Calculate the variance between the two amounts;
3. Document the reason for the variance; and
4. Report a manual adjustment to increase revenue by the amount of the variance whenever the total of the Patron Account Summary Report is greater than the total of the Wagering Summary Report, unless the reason for the variance as documented in (f)3 above is sufficient to support a determination that revenue was properly reported.

(g) In lieu of (f) above, a licensee may accumulate the daily Variance Report information on a monthly Variance Report in a manner described in the licensee's internal

controls.

(h) A gaming system shall generate, on a daily basis commencing one year after the creation of the first Internet or mobile gaming account, a Dormant Account Report, which shall list all patron accounts including the Pending Wager Account that have had no activity for a period of one year. The report shall include:

1. The patron name and account number;
2. The date of the last transaction; and
3. The account balance.

(i) No voids of completed wagering transactions shall occur without Division approval.

(j) A gaming system shall generate a Performance Report, which compares the theoretical Return to Patron (RTP) as defined in N.J.A.C. 13:69D-1.1 to the actual RTP of each game offered by a gaming system. The report shall also provide the total number of rounds of play for each game and shall be generated and reviewed monthly by the licensee to evaluate the performance of all games offered to the public. The Performance Report shall include the data required by this subsection from the first day Internet gaming was offered to the date of the report.

(k) A gaming system shall generate a Patron Account Adjustments Report, which shall be reviewed on a daily basis by either the permit holder or Internet gaming intermediary to evaluate the legitimacy of patron account adjustments. If the daily review is performed by

the Internet gaming intermediary, the permit holder shall conduct a weekly review of the Patron Account Adjustment Reports. Unless otherwise authorized by the Division, the report shall at a minimum include:

1. The patron's name;
2. An account number;
3. The date and time of the adjustment;
4. The person who performed the adjustment;
5. The reason for the adjustment; and
6. The amount of the adjustment.

(l) An Internet gaming system shall generate a report on a weekly basis identifying potential problem gamblers, including those patrons who self-report. The casino licensee shall review the report and document any action taken.

(m) An Internet gaming system shall be capable of generating a Pending Transaction Account Report, which shall include and separately itemize all pending transactions for each patron account, including, but not limited to, funds on game and deposits and withdrawals not yet cleared.

(n) In accordance with internal controls, a casino licensee shall periodically submit to the Division a copy of the bank statement that reflects the balance of the restricted account maintained to protect patron funds required pursuant to N.J.A.C. 13:69O-1.3(j).

(o) Internet gaming operators may establish test accounts to be used to test the various components and operation of an Internet gaming system in accordance with internal controls, which, at a minimum, address the following:

1. The procedures for the issuance of funds used for testing, including the identification of who is authorized to issue the funds and the maximum amount of funds that may be issued;
2. The procedures for assigning each test account for use by only one person;
3. The maintenance of a record for all test accounts, to include when they are active, to whom they are issued, and the employer of the person to whom they are issued;
4. The procedures for the auditing of testing activity by the Internet gaming permit holder to ensure the accountability of funds used for testing and proper adjustments to Internet gross revenue;
5. The ability to withdraw funds from a test account without the Division's prior approval shall be disabled by the Internet gaming system;
6. For testing of peer-to-peer games:
  - i. A person may utilize multiple test accounts; and
  - ii. Test account play shall be conducted without the participation of

patrons; and

7. In addition to the required internal controls in (o)1 through 6 above, for any wagering on test accounts conducted outside the boundaries of the State of New Jersey, the procedures for auditing of testing activity shall include the method for ascertaining the location from which persons using test accounts access the Internet gaming system.

## **SUBCHAPTER 2. INTERNET GAMING RECIPROCAL AGREEMENTS**

### **13:690-2.1 Reciprocal agreements; prohibition of Internet gaming in establishments that do not hold an Internet gaming permit**

(a) The Division may authorize a permit holder in New Jersey to participate in Internet gaming with patrons located in jurisdictions outside New Jersey pursuant to a reciprocal agreement that has been entered into by the State of New Jersey, if the Division determines that such wagering is not inconsistent with Federal law or the law of the jurisdiction in which any such person is located or such wagering is conducted.

(b) No organization or commercial enterprise, other than a casino located in Atlantic City or its Internet gaming affiliate that has been issued a permit to conduct Internet gaming and has located all of its equipment used to conduct Internet gaming, including computers, servers, monitoring rooms, and hubs, in Atlantic City, shall make its premises available for placing wagers at casinos using the Internet or advertise that its premises may be used for such purpose.

(c) An organization or commercial enterprise that is determined by the Division to have violated the provisions of this section shall be subject to a penalty of \$ 1,000 per patron per day for making its premises available for placing wagers at casinos using the Internet and of \$ 10,000 per violation for advertising that its premises may be used for such purpose.

## **CHAPTER 69P FANTASY SPORTS TOURNAMENTS**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **13:69P-1.1 General provisions**

(a) A casino licensee may offer fantasy sports tournaments to its patrons subject to requirements of this chapter and 31 U.S.C. §§ 5361 et seq. A fantasy sports tournament is any fantasy or simulated game or contest involving athletic events in which a patron owns or manages an imaginary sports team and competes against other patrons or a target score for a predetermined prize.

(b) The conduct of a fantasy sports tournament shall not be considered "gaming" or "gambling" as defined in N.J.S.A. 5:12-22, nor shall the entry fee, management fee, or any other revenue generated from the conduct of a fantasy sports tournament be considered "gross revenue" as defined in N.J.S.A. 5:12-24.

(c) All prizes and awards offered to winning participants in a fantasy sports tournament shall be established and made known to all participants prior to the start of the tournament.

(d) The winning outcome of a fantasy sports tournament shall:

1. Reflect the relative skill of the participating patrons and be determined by statistics generated by actual individuals participating in real-world athletic events; and
2. Not be based solely on the performance of an individual athlete, or on the score, point spread, or any performances of any single real-world team or combination of real-world teams.

(e) A casino licensee may permit a patron to utilize, in a manner approved by the Division, a mobile wagering account established pursuant to N.J.A.C. 13:69O-1.3 or a patron deposit account established pursuant to N.J.A.C. 13:69D-1.24 to enter fantasy sports tournaments.

(f) A casino licensee may utilize the casino cage to accept entry fees for fantasy sports tournaments and pay out winnings resulting from fantasy sports tournaments in a manner approved by the Division.

(g) A casino licensee may partner or otherwise contract with one or more third-party entities to offer fantasy sports tournaments. Such other entities shall be registered as a vendor pursuant to N.J.S.A. 5:12-92.c. The provisions of N.J.S.A. 5:12-104.a shall not apply to any such partnership or contractual relationship.

(h) The minimum age for participating in fantasy sports tournaments conducted pursuant to this chapter is 21 years old.