

SUBCHAPTER 38. WHAT THE FLUSH

13:69F-38.1 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 beat the dealer’s hand.

“Flush Rush” means the optional additional wager that the player’s hand will qualify for a posted payout.

“Hand” or “player hand” means the highest ranking flush hand that can be formed using the seven cards dealt to a player.

“Play” or “play wager” means the subsequent wager, required to be made by a player after the player’s cards being dealt in lieu of forfeiting the ante wager, that the player’s hand will beat the dealer’s hand.

“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.

“Super Flush Rush” means the optional additional wager that the player’s hand will qualify for a payout in accordance with a posted pay table regardless of the outcome of any other wager made by the player.

13:69F-38.2 Cards; number of decks

(a) Except as provided in (b) below, the game of What The Flush 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-38.3 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-38.2, 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-38.4 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-38.7, 38.8, or 38.9; 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-38.7, 38.8, or 38.9.

(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 What The Flush 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-38.3(c) and, if applicable, (d) shall be completed.

13:69F-38.5 What The Flush hand rankings

(a) The rank of the cards used in What The Flush, 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, a two shall be considered wild and may be used as an additional card in any flush or straight flush, regardless of suit.

(b) The winning hands in the game of What The Flush shall be:

1. “Straight flush” is a hand consisting of two or more cards of the same suit in consecutive ranking, with ace and king being the highest ranking straight flush and ace and two being the lowest ranking straight flush; and

2. “Flush” is a hand consisting of two or more cards of the same suit, not in consecutive order, with ace and king being the highest ranking and ace and two being the lowest ranking flush.

(c) When comparing two hands which are of identical rank and length 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 flush 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 and length after the application of this subsection, the hands shall be considered a tie.

(d) For purposes of the Flush Rush bonus wager, the permissible hands in the game of What The Flush recognized for a payout in accordance with N.J.A.C. 13:69F-38.11(c) shall be:

1. “Five card flush” is a hand consisting of five cards of the same suit, not in consecutive order

2. “Six card flush” is a hand consisting of six cards of the same suit, not in consecutive order; and

3. “Seven card flush” is a hand consisting of seven cards of the same suit, not in consecutive order.

(e) For purposes of the Super Flush Rush bonus wager, the permissible hands in the game of What The Flush recognized for a payout in accordance with N.J.A.C. 13:69F-38.11(d) shall be:

1. “Four card straight flush” is a hand consisting of four cards of the same suit in consecutive order;

2. “Five card straight flush” is a hand consisting of five cards of the same suit in consecutive order;

3. “Six card straight flush” is a hand consisting of six cards of the same suit in consecutive order; and

4. “Seven card straight flush” is a hand consisting of seven cards of the same suit in consecutive order.

13:69F-38.6 Wagers

(a) All wagers at What The Flush 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-38.10, 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-38.7, 38.8, or 38.9, 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.

(d) Each player who does not surrender the player’s hand shall be required to place a play wager in an amount equal to the amount of the ante wager. Notwithstanding the foregoing, if a player has a five card flush, the player may place a play wager no greater than two times the amount of the player’s ante wager. If a player has a six card flush or seven card flush, the player may place a play wager no greater than three times the amount of the player’s ante wager.

(d) If a casino licensee offers a Flush Rush or Super Flush Rush wager, each player may place a Flush Rush or Super Flush Rush wager.

(e) The outcome of any Flush Rush or Super Flush Rush wager made by a player shall have no bearing on the ante wager or play wager of the player.

(f) Only players who are seated at a What The Flush 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-38.7 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-38.4 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 dealer;**
- 3. A second card face down to each player;**
- 4. A second card face down to the dealer;**
- 5. A third card face down to each player;**
- 6. A third card face down to the dealer;**
- 7. A fourth card face down to each player;**
- 8. A fourth card face down to the dealer;**
- 9. A fifth card face down to each player;**
- 10. A fifth card face down to the dealer;**
- 11. A sixth card face down to each player;**
- 12. A sixth card face down to the dealer;**
- 13. A seventh card face down to each player;**
- 14. A seventh card face down to the dealer; and**
- 15. An eighth card face down to the dealer.**

(e) After three cards have been dealt to each player and to 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 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 has less than seven cards or the dealer has less than eight cards) but 52 cards remain in the deck, all hands shall be void pursuant to N.J.A.C. 13:69F-38.12. 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-38.8 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 What The Flush 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-38.4 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 dealer;
3. A second card face down to each player;
4. A second card face down to the dealer;
5. A third card face down to each player;
6. A third card face down to the dealer;
7. A fourth card face down to each player;
8. A fourth card face down to the dealer;
9. A fifth card face down to each player;
10. A fifth card face down to the dealer;

11. A sixth card face down to each player;
12. A sixth card face down to the dealer;
13. A seventh card face down to each player;
14. A seventh card face down to the dealer; and
15. An eighth card face down to the dealer.

(d) After seven cards have been dealt to each player and eight cards 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 in the deck. The dealer shall count the stub in accordance with the provisions of N.J.A.C. 13:69F-38.7(e) and (f).

13:69F-38.9 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 What The Flush dealt from an automated dealing shoe which dispenses cards in stacks of seven cards for the players hands and eight for the dealers hand, 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-38.4 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 eight cards to the area designated for the dealer's cards. The dealer shall then deliver the next stack of seven 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-38.6. 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-38.6.

(d) After each stack of 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-38.7(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-38.10 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-38.7, 38.8, or 38.9 have been completed, the dealer shall turn face-up the top card of the dealer's stack. If the top card of the dealer's stack has a value of 2, the card shall be discarded and the dealer shall utilize only seven cards. Each player shall then examine his or her cards without exposing them to any person, replace the cards face down on the layout and either place a play wager or surrender the ante wager.

1. If a player chooses to place a play wager, the wager shall be placed in the designated play 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 play wager or surrendered his or her ante wager, the dealer shall turn the dealer's cards face up in the area in front of the dealer. The dealer shall arrange the dealer's cards to constitute the longest flush by number of cards. A 2 in the dealer's hand shall be wild and shall be included in the length of the flush regardless of suit.

(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 seven cards of the player face up and announce the number of cards constituting the length of the flush in the player's hand. A 2 in the player's hand shall be wild and shall be included in the length of the flush regardless of suit. In addition, if the casino licensee offers the Super Flush Rush wager, the dealer shall announce whether the player has a 4-card straight flush, a 5-card straight flush, a 6-card straight flush, or a 7-card straight flush. The dealer shall then collect or pay any Flush Rush or Super Flush Rush wagers, if placed, and any ante and play wagers remaining on the table in order as follows:

1. Flush Rush bonus wagers shall win and be paid by the dealer if the player's cards form a hand recognized for payout in accordance with N.J.A.C. 13:69F-38.11(d). Super Flush Rush bonus wagers shall win and be paid by the dealer if the player's cards form a hand recognized for payout in accordance with N.J.A.C. 13:69F-38.11(e). Losing Flush Rush or Super Flush Rush bonus wagers shall be collected by the dealer and placed in the table inventory container.

2. Ante and play wagers shall lose if the length of the flush in the player's hand, by number of cards, is less than the length of the flush in the dealer's hand or if the hands are of the same length but the player's hand is lower in rank than the dealer's hand. Losing ante and play wagers shall be collected by the dealer and placed in the table inventory container.

3. Ante and play wagers shall win if the length of the flush in the player's hand, by number of cards, is greater than the length of the flush in the dealer's hand or if the hands are of the same length but the player's hand is higher

in rank than the dealer's hand. Winning ante and play wagers shall be paid by the dealer in accordance with the payout odds set forth in N.J.A.C. 13:69F-38.11.

4. Ante and play wagers shall push if the length of the flush is the player's and dealer's hands are identical flushes in length and rank.

(d) 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-38.11 Payout odds

(a) The payout odds for winning ante, play, Flush Rush, and Super Flush Rush 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 and play wager shall be paid at odds of 1 to 1.

(c) Each winning Flush Rush 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>
Seven Card Flush	200 to 1
Six Card Flush	50 to 1
Five Card Flush	4 to 1

(d) Each winning Super Flush Rush bonus wager shall be paid once for the highest ranking qualifying straight flush hand that can be formed and at no less than the odds set forth below:

<u>Hand</u>	<u>Payout Odds</u>
Seven Card Straight Flush	200 to 1
Six Card Straight Flush	50 to 1
Five Card Straight Flush	20 to 1
Four Card Straight Flush	5 to 1

13:69F-38.12 Irregularities

- (a) If any card is exposed after each player has placed an ante wager but prior to each player having either placed a play wager or surrendered his or her ante wager, all ante and play wagers shall be void. Notwithstanding the foregoing, the Flush Rush and Super Flush Rush wagers of all players shall be awarded in accordance with the provisions of N.J.A.C. 13:69F-38.10.**
- (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 Flush Rush and Super Flush Rush wagers of all players shall be awarded in accordance with the provisions of N.J.A.C. 13:69F-38.10.**
- (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-38.13 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 What The Flush table.