

Hand Fees For Low Minimum Blackjack Games

Accounting and Internal Controls

Gaming Equipment

Rules of the Games

Temporary Amendments: N.J.A.C. 19:45-1.20; 19:46-1.10; 19:47-2.1,
2.3 and 8.3

Authority: N.J.S.A. 5:12-5, 63, 69, 70, 99 and 100

The temporary amendments follow:

Summary

The temporary rules are being adopted as the result of a rulemaking petition filed by casino licensee Resorts International Hotel, Inc. (Resorts) pursuant to N.J.A.C. 19:40-3.6 and N.J.A.C. 19:47-8.4. Resorts had requested regulatory amendments which would permit a casino licensee to charge a \$.25 fee per hand for “housing the game” of blackjack at any blackjack table with a minimum bet between \$2.00 and \$9.00.

After reviewing the matter, the Commission determined to authorize temporary amendments which permit a casino licensee to impose a “hand fee” at any blackjack table with a minimum wager of \$5 or less. See N.J.A.C. 19:47-2.1 and 2.3(l). The hand fee cannot exceed \$.25 and is payable at the start of each round of play by any player at that table making an initial wager of \$5 or less, regardless whether any additional wagers are made by the player during the same round of play. See N.J.A.C. 19:47-2.3(l)1 and 2.

The fee shall be paid in coin by the player in addition to any required wager, see N.J.A.C. 19:46-1.15, will not be included in calculating the required minimum wager or the payout on any winning wager, and will be included in the casino licensee’s gross revenue. See N.J.A.C. 19:47-2.3(l)4 and 7. At a casino licensee’s discretion, the payment of a hand fee may be waived for any player prior to any round of play. See N.J.A.C. 19:47-2.3(l)2.

Any blackjack table at which a hand fee is imposed is required to post signage which indicates the requirements and amount of the hand fee, and also states 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. See N.J.A.C. 19:47-2.3(l)3. The amendment to N.J.A.C. 19:46-1.10(r) requires a dedicated area on the blackjack layout for the placement and payment of hand fees. Temporary amendments to N.J.A.C. 19:45-1.20 and 19:47-8.3(c) add references to the new hand fee and also recodify each of those provisions for clarity.

Full text of the temporary adoption follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

19:45-1.20 Table inventories

(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" and 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. - 4. (No change.)

5. [In conformity with N.J.A.C. 19:47-3.3 and 7.3, coin] **Coin** may be used for the purpose of **[marking]**:

i. **Marking** baccarat vigorish **pursuant to N.J.A.C. 19:47-3.3 and 7.3;**

ii. **Placing an ante wager in an amount less than \$1.00 and in denominations of \$.25 or \$.50 in a poker game pursuant to N.J.A.C. 19:-14.7; and**

iii. **Paying a hand fee in blackjack pursuant to N.J.A.C. 19:47-2.3(l);**

6. - 8. (No change.)

(b) - (c) (No change.)

19:46-1.10 Blackjack table; card reader device; physical characteristics;
inspections

(a) – (q) (No change.)

(r) If a casino licensee requires a hand fee pursuant to N.J.A.C. 19:47-2.3(l), 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.

19:47-2.1 Definitions

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

...

“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. 19:47-2.3(l).

...

19:47-2.3 Wagers; **hand fee**

(a) – (k) (No change.)

(l) Notwithstanding any other provision of this subchapter to the contrary, 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;**

3. 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;

4. 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;

5. Retained by the casino licensee regardless whether the player wins or loses any wager during the round of play;

6. Described in signage posted in accordance with N.J.A.C. 19:43-8.3(b), 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

7. Included in the gross revenue of the casino licensee.

19:47-8.3 Rules of the games; notice

(a) – (b) (No change.)

(c) Notwithstanding (b) above, **upon posting a sign at a gaming table and simultaneously making an announcement to patrons who are at the table**, 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. 19:47-8.2(f)], without notifying the Commission [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]:

1. Change the permissible minimum or maximum wager at that table;

2. Add, change or delete any additional wagering requirement at that table permitted by N.J.A.C. 19:47-8.2(f); or

3. Impose a hand fee at that table if permitted by N.J.A.C. 19:47-2.3(l).

(d) (No change.)