

TITLE 11. LAW
Division 3. Gambling Control
Chapter 1. Bureau of Gambling Control
Article 7. Games.

Section 2010. Definitions

For purposes of these regulations, the following terms have the following meanings:

- (a) "Act" means the California Gambling Control Act, Chapter 5, (commencing with Section 19800) of, Division 8 of, the Business and Professions Code.
- (b) "Approval" means authorization by the Bureau for certain acts, transactions, events and/or processes as provided in the Act.
- (c) "Chip" means a tangible representative of value issued by a licensee to a patron.
- (d) "Day" means calendar day unless otherwise specified.
- (e) "Designated Agent" means a person(s) appointed by the owner(s) of a gambling establishment or the ~~primary~~ owner of a third-party provider of proposition player services ~~or gambling business~~ to serve as their representative.
- (f) "Gaming Activity" means any activity or event including, but not limited to, jackpots, bonuses, promotions, cashpots, tournaments, etc., that is appended to, or relies upon any controlled game.
- (g) "Initial deal" means the cards that a player is dealt at the start of the game and prior to the player exercising any player options available according to the game rules.
- (h) "Round of play" means a single play through a controlled game, which begins with the placement of wagers and ends when all wagers are settled, or, when the player-dealer has won or lost the fixed and limited wager, whichever happens first.
- (i) "Standard deck" means a deck of cards in each of the four suits of spades, hearts, diamonds, and clubs, with each suit containing 13 cards with one of each of the following: ace, 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, and king.
- (j) "Target point count" means the total number of points to be achieved as the objective of a game in accordance with the game rules.
- ~~(h)~~(k) "Wager" means a sum of money or thing of value risked or bet on the outcome of a controlled game.

Note: Authority cited: Sections 19800, 19801, 19803, 19810, 19850 and 19910, Business and Professions Code.

Reference: Sections 19805~~(f)~~, 19851, 19854, 19867, 19880 and 19890, Business and Professions Code; ~~and~~ Sections 15001, 15001.1 and 15001.2, Government Code.

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2070. Unsuitable Methods of Operating Games or Gaming Activities.

It shall be an unsuitable method of operation for a gambling ~~establishment~~ enterprise to:

- (a) Offer for play any game or gaming activity that is prohibited or made unlawful by statute, local ordinance, regulation, or ~~any final~~ judgment or order issued by a ~~competent~~ court of law competent jurisdiction;
- (b) Offer ~~to~~ for play any game or gaming activity ~~which that~~ is not ~~authorized~~ approved by the Bureau pursuant to the Act, and these regulations for play at that gambling establishment;
- (c) Fail to display at every table where a game is offered, the specific name of the game, or the Bureau-approved variation thereof, that is then available for play at the table;
- (d) Fail to give ample notice of the fee collection rates applicable to each table to the patrons of the gambling establishment;
- (e) Fail to determine ~~and collect~~ the applicable collection fees required from all each players at the table prior to the start of play of ~~any~~ each hand or round of play. The gambling enterprise may collect the fee before or after the start of the round of play, as provided in the Bureau-approved rules; and or,
- (f) Fail to place in a conspicuous place, or make readily available to the patrons, a printed list of the rules of play for each game and gaming activity offered at the gambling establishment.

Note: Authority cited: Sections 19826 and 19827, Business and Professions Code.

Reference: Sections 19801, 19826, 19866 and 19920, Business and Professions Code; Section 337j, Penal Code.

2071. Game and Gaming Activity Authorization Approval.

- (a) As part of ~~the a~~ a gambling enterprise's application for initial licensure, ~~every applicant the~~ gambling enterprise shall submit to the Bureau a report identifying all games and gaming activities proposed to be offered at the gambling establishment. ~~The report shall include, but not be limited to, the following:~~
 - (1) The report shall include, but not be limited to, the following:
 - (1) The name of each gaming activity;
 - (2) The rules for each gaming activity, including, where applicable, a description of the event that determines the winner of the gaming activity, the wagering conventions, and the fee collection and assessment methods;
 - (3) A glossary of distinctive terms or phrases used in each gaming activity;

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- (4) ~~A statement for each gaming activity that explains why that gaming activity is not prohibited or made unlawful by statute, local ordinance, regulation, or final judgment by a competent court of law; and~~
- (5) ~~Such other information the Bureau, in its discretion, requests. Unless a reported gaming activity is specifically disapproved by the Bureau, all gaming activities identified in the required report shall be deemed authorized upon issuance of the initial license. It shall be an unsuitable method of operation to offer for play any gaming activity that was not specifically identified in the required report, without first obtaining authorization from the Bureau to do so.~~
- (A) The name of each game or gaming activity;
 - (B) The rules for each game or gaming activity, including, where applicable, a description of the event that determines the winner of the game or gaming activity, the wagering conventions, and the fee collection and assessment methods;
 - (C) A glossary of distinctive terms or phrases used in the requested game or gaming activity;
 - (D) A statement for each game or gaming activity that explains why that game or gaming activity is not prohibited or made unlawful by statute, local ordinance, regulation, or by a judgment or order issued by a court of competent jurisdiction; and,
 - (E) Such other information that the Bureau, in its discretion, requests.
- (2) Unless a reported game or gaming activity is specifically disapproved by the Bureau, all games or gaming activities identified in the required report shall be deemed approved upon issuance of the initial license.
- (b) At any time after initial licensure, a gambling ~~establishment~~ enterprise may request that the Bureau ~~to authorize~~ approve a game or gaming activity ~~which that~~ has not been previously ~~authorized~~ approved by the Bureau, ~~for use to be offered for play~~ at that gambling establishment. ~~Within 30 days of a request for authorization of a gaming activity, the Bureau shall review the request for completeness and notify the licensee of any deficiencies in the request, or that the request is complete. Within 90 days from the date a licensee is notified that the request is complete, the Bureau shall act on the request. The request shall include, but not be limited to, the following:~~
- (1) The request shall include, but not be limited to, the following:
 - (1) The name of each requested gaming activity;
 - (2) The rules for each requested gaming activity, including, where applicable, a description of the event that determines the winner of the gaming activity, the wagering conventions, and the fee collection and assessment methods;
 - (3) A glossary of distinctive terms or phrases used in each gaming activity;

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- (4) ~~A statement for each gaming activity that explains why that gaming activity is not prohibited or made unlawful by statute, local ordinance, regulation, or final judgment by a competent court of law; and,~~
- (5) ~~Such other information the Bureau, in its discretion, requests. It shall be an unsuitable method of operation to offer for play any requested gaming activity without first obtaining authorization from the Bureau to do so.~~
- (A) The name of each requested game or gaming activity;
- (B) The rules for each requested game or gaming activity, including, where applicable, a description of the event that determines the winner of the game or gaming activity, the wagering conventions, and the fee collection and assessment methods;
- (C) A glossary of distinctive terms or phrases used in the requested game or gaming activity;
- (D) A statement for the requested game or gaming activity that explains why that game or gaming activity is not prohibited or made unlawful by statute, local ordinance, regulation, or by a judgment or order issued by a court of competent jurisdiction; and,
- (E) Such other information that the Bureau, in its discretion, requests.
- (2) Within 30 days of a request for approval of a game or gaming activity, the Bureau shall review the request for completeness and notify the gambling enterprise of any deficiencies in the request, or notify the gambling enterprise that the request is complete. Within 90 days from the date the gambling enterprise is notified that the request is complete, the Bureau shall act on the request.
- (c) The Bureau, in its sole discretion, may temporarily ~~authorize~~ approve the play of a game or gaming activity during the pendency of the Bureau's review. The Bureau, in its sole discretion, may withdraw this temporary ~~authorization~~ approval at any time. Such temporary ~~authorization~~ approval does not create any presumption as to the suitability or lawfulness of the game or gaming activity, nor does it create any right, of any nature whatsoever, to the ~~continued~~ ing play of the temporarily ~~authorized~~ approved game or gaming activity at the gambling establishment.
- (d) If upon subsequent review it is determined by the Bureau that a game or gaming activity is prohibited or made unlawful by statute, local ordinance, regulation, or ~~final any judgment or order issued by a competent court of law~~ competent jurisdiction, then the ~~authorization~~ approval for that game or gaming activity shall be withdrawn. The Bureau shall serve a notice of the withdrawal of the approval in the manner provided in section 2020.
- (e) Within 10 days of service of a notice from the Bureau either disapproving of, or withdrawing ~~authorization~~ approval for, a game or gaming activity as provided in subdivisions (a), (b), ~~(c), and~~ or (d) above, the gambling enterprise may file an objection thereto ~~may be filed~~ with the Chief. The Chief, in his or her discretion, may then grant or

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deny the objection. Judicial review of the Chief's decision is subject to the limitations of Business and Professions Code ~~§~~section 19804.

Note: Authority cited: Sections 19826 and 19827, Business and Professions Code.
Reference: Sections 19801, 19826, 19865, 19866, 19920, 19924 and 19932, Business and Professions Code.

2072. Report of Games and Gaming Activities.

On or before January 1 and July 1 of each year, each licensed gambling ~~establishment~~ enterprise shall submit a report to the Bureau identifying all games and gaming activities offered at the gambling establishment at any time during the prior six months. The report shall include, but not be limited to, the following:

- (a) The name of each game and gaming activity;
- (b) ~~The rules for each gaming activity, including, where applicable, a description of the event that determines the winner of the gaming activity, the wagering conventions, and the fee collection and assessment methods for each game and gaming activity;~~
- ~~(c) A glossary of distinctive terms or phrases used in each gaming activity;~~
- ~~(d) The dates on which each gaming activity was offered;~~
- ~~(e)~~(c) Copies or transcripts of all advertisements used to promote ~~the~~ each game or gaming activity; and,
- ~~(f)~~(d) Such other information that the ~~Division~~ Bureau, in its discretion, requests.

Note: Authority cited: Sections 19826 and 19827, Business and Professions Code.
Reference: Sections 19826 and 19866, Business and Professions Code.

2073. Blackjack Prohibited.

The game of blackjack shall not be approved for play.

- (a) The game of blackjack, as used in this Article, and for game review purposes only, is played with the following rules:
 - (1) Players place a wager against the player-dealer before the initial deal. The player-dealer places a single wager against all players who have placed a wager.
 - (2) The game is played with one or more standard decks. Numbered cards are assigned points that correspond with their face value; jacks, queens, and kings are assigned a value of 10 points; and aces are assigned a value of one or 11 points, at the discretion of the player in whose hand the ace is present. The object of the game is

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- to obtain a hand that is closer to 21 points than the player-dealer's hand without exceeding 21 points.
- (3) Each player, including the player-dealer, is dealt two cards per hand on the initial deal. The point values of each card in the player's hand are added together to determine the total point value of the cards in the player's hand. Each player is allowed to exercise the following action options after the initial deal, in turn, with the player-dealer acting last:
- (A) "Hit." A player may request one or more additional cards, one card at a time. The player-dealer must hit when required to do so by the game rules.
- (i) If a player exceeds 21 points after hitting, the player immediately loses, or "busts."
- (ii) If the player-dealer exceeds 21 points after hitting, the player-dealer loses, or "busts," and all players whose hands do not exceed 21 points win.
- (B) "Stand." The player may refuse to take additional cards, ending that player's turn. A player may stand at any time during that player's turn. The game rules set forth when the player-dealer must stand.
- (C) "Double down." A player may place an additional wager up to the initial wager amount in exchange for only one additional card. The player may not request any additional cards if the player chooses to double down. A player may double down only upon the first two cards received on the initial deal. The player-dealer may not double down.
- (D) "Split." If a player's first two cards are of the same denomination, the player may convert them into two separate hands by making an additional, identical wager. The player is then dealt one additional card for each separate hand. The player may then exercise the action options described in subdivision (a)(3)(A) through (a)(3)(D) of this section. A player may split any hands that are of the same denomination. The player-dealer may not split any hands.
- (4) After all players and the player-dealer have acted on their hands, the total points of the hand of each player remaining in the game are compared to the total points of the player-dealer's hand to determine whether a player wins, loses, or ties.
- (A) If a player's first two cards include an ace and a 10-point card on the initial deal, the player immediately wins, except in instances where the player-dealer also has an ace and a 10-point card in which case the player and the player-dealer tie, or "push." If the player ties, or "pushes," the player does not win or lose.

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- (B) If the total points of a player's hand are closer to 21 than the total points of the player-dealer's hand, the player wins.
 - (C) If the total points of a player's hand are the same as the total points of the player-dealer's hand, there is a tie or "push." The player does not win or lose.
 - (D) If the total points of a player's hand are not as close to 21 as the total points of the player-dealer's hand, the player loses.
- (5) The amount paid to players who win is determined by the game rules.
- (b) The following modifications do not distinguish a game from the game of blackjack:
- (1) A standard deck altered by the following:
 - (A) The addition of jokers or other cards not specified in section 2010, subdivision (i);
 - (B) The removal of one or more of the cards specified in section 2010, subdivision (i);
 - (C) The marking of specified cards with words, symbols, or other alterations that ascribe a different point value to those cards on the initial deal than those values described in subdivision (a)(2) of this section, and as played in the game after the initial deal; or,
 - (D) Any other changes to a standard deck or decks as provided in the game rules.
 - (2) Specified cards assigned a point value that is operative only on the initial deal.
 - (3) A rule that provides that a player who exceeds the target point count does not immediately lose, or "bust," but may still have a chance to win or push if the player-dealer also exceeds the target point count, based upon certain criteria or conditions.
 - (4) A rule that establishes a target point count at a number other than 21 that is operative only on the initial deal, and that makes it impossible to obtain that target point count after the initial deal.
 - (5) Changes to the number of cards dealt on the initial deal.
 - (6) Removal or modification of any of the options referenced in subdivisions (a)(3)(A) through (a)(3)(D) of this Section.

Note: Authority cited: Section 19826, Business and Professions Code.

Reference: Sections 19801, 19826, Business and Professions Code; *People v. Gosset* (1892) 93 Cal. 641.

2074. Permissible Blackjack Variations; Required Rules.

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A game that includes rules described in section 2073 may be approved only if it is consistent with the Gambling Control Act, these regulations, and any other provision of law governing the play of controlled games, and:

- (a) The game rules do not have a “bust” feature by which a player immediately loses if the point count of the player’s hand exceeds the target point count, or will always lose against a player-dealer whose hand does not exceed the target point count. Whether a player wins or loses shall be determined solely by whether the total points of a player’s hand is closer to the target point count when compared with the total points of the player-dealer’s hand.
- (b) The game rules shall prescribe a target point count that is not 21, and that remains a number other than 21 on the initial deal and throughout the entire play of the game. The points assigned to each card must remain constant throughout the play of the game.
- (c) The game rules do not provide that a hand will automatically win if the player or the player-dealer receives an ace and a 10, jack, queen, or king on the initial deal.

A game that complies with this Section, and that is approved by the Bureau, shall be referred to as a “California-style blackjack” game.

Note: Authority cited: Section 19826, Business and Professions Code.

Reference: Sections 19826, 19866, Business and Professions Code; *People v. Gosset* (1892) 93 Cal. 641.

2075. Effect of Regulations on Previously Approved Games; Effect of Regulations on Pending Game Applications.

- (a) Within 60 days of the effective date of section 2074, a gambling enterprise may elect to continue offering or to seek modification of a game that is required to comply with section 2074 as follows:
 - (1) A gambling enterprise that elects to continue offering for play a game previously approved by the Bureau shall submit a written request for the Bureau’s review of the game rules for compliance with these regulations. The request to review shall include the Bureau identification number and the name of the game to be reviewed.
 - (2) A gambling enterprise may seek to modify a game by submitting an “Application for Controlled Game Review” BGC-APP-026 (Rev. 09/17).

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- (b) The Bureau shall approve or disapprove a request to review or modify a previously approved game, as provided in subdivision (a) of this section, within 60 days of the receipt of the request.
- (c) A game that is pending review when section 2074 becomes effective shall be approved only if it is in compliance with section 2074. The gambling enterprise shall modify a pending game's rules, if necessary, to ensure that it is compliant with section 2074, or, withdraw the proposed game. Refunds of unused monies deposited for the review of a game that is withdrawn shall be made in accordance with section 2037, subdivision (a).
- (d) Any previously approved game for which the Bureau has not received a request for review or an application to modify as provided in subdivision (a) of this section, and that does not comply with section 2074, shall be deemed non-compliant with these regulations and approval for the game shall be withdrawn as provided in section 2071, subdivisions (d) and (e).
- (e) The application fee and the deposit shall be waived for a game that has been requested to be reviewed or modified pursuant to subdivision (a) of this section.

Note: Authority cited: Section 19826, Business and Professions Code.

Reference: Sections 19801, 19826, 19866, Business and Professions Code.

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