Omissions in brackets [thus]; new material in bold **thus**

13:69D-1.39B Table game progressive payout wagers

(a) This section shall apply to any table game offering a progressive payout wager. If a casino licensee offers a table game with a progressive payout wager, it may be offered individually at each gaming table or the casino licensee may connect the progressive wager among two or more tables so that the progressive amount increments for all wagers at these two or more tables.

(b) Except as provided in this subsection, each table which offers a progressive payout wager shall have the following features:

1. A mechanical, electrical or electronic device to be known as an "in-meter" that continuously and automatically counts the number of gaming chips wagered by patrons on the progressive payout;

2. A mechanical, electrical or electronic device to be known as a "progressive meter," visible from the front of the gaming table, which increments at a set rate of progression when gaming chips are wagered and accepted for the progressive payout and which prominently displays the amount which can be won if the outcome which awards the entire progressive payout is achieved; provided, however, that more than one gaming table may be connected to a common progressive display unit if:

i. A casino licensee elects to connect two or more tables to the same progressive payout wager pursuant to (d) below; and

ii. The display unit is visible to every player at each of the connected tables;

3. A mechanical, electrical or electronic device to be known as a "progressive payout meter" that continuously and automatically records the number of times each progressive payout wager is won;

4. A separate key and key switch to reset or alter the amount on the "progressive meter" or such other separate mechanism as described in the casino licensee's internal controls;

5. A separate locking system, described in the casino licensee's internal controls, for the compartment housing the component which acknowledges the acceptance of the progressive payout wager and initiates an increase in the progressive meter or some other means by which to preclude any unauthorized or unintentional alterations to the progressive meter;

6. A system of locking, with two locking mechanisms controlled by two independent mandatory departments of the casino licensee of the location in which the computer that controls the progressive payout wager system and any related component is housed; and

7. Storage of and access to any disks specified by the Division for the computer that controls the progressive payout wager system shall be in accordance with procedures filed with the Division.

(c) A casino licensee may use a percentage of each progressive payout wager that is accepted at a table to fund a portion of the reset amount for the progressive meter. If a reset fund is established by a casino licensee pursuant to this subsection, each table shall have or be connected to a device known as a "reset meter" which increments at a set rate of progression when gaming chips are wagered and accepted for the progressive payout and which records the amount which shall be transferred to the progressive meter, inclusive of any reset amount funded by the casino licensee, when the entire amount on the progressive meter is won by a player. Each table shall have the following features in addition to those specified in (b) above:

1. A separate key and key switch to reset or alter the amount on the reset meter or such other separate mechanism; and

2. A separate locking system for the compartment housing the component which operates the reset meter or some other mechanism which precludes any unauthorized or unintentional alterations to the reset meter.

(d) If a casino licensee elects to connect two or more tables for a progressive payout wager, the following shall be required:

1. The same denomination gaming chip shall be wagered at all gaming tables connected;

2. The same number of gaming chips shall be wagered to entitle a player to a chance at winning the progressive payout wager, and each gaming chip shall increment the meter by the same rate of progression at all tables connected;

3. The same progressive payouts shall be offered and the probability of hitting those payouts be the same at the connected tables; and

4. A device which shall either automatically or manually lockout all progressive meters if a patron has won a progressive payout wager.

(e) No table game with a progressive payout wager shall be placed in a casino or casino simulcasting facility until the casino licensee has submitted and obtained Division approval of the following:

1. The authorized game and outcome which will award the progressive payout wager;

2. The initial and reset amounts at which the progressive meter will be set;

3. The proposed rate of progression for each progressive meter and reset meter, if applicable, and the procedure by which any change to the rate of progression will be made, which shall include, at a minimum, prior notice to the Division;

4. The procedures governing the reset switch or mechanism referenced in (b) and, if applicable, (c) above which shall, at a minimum, preclude the dealer from resetting or altering the amount on the progressive or reset meter;

5. The procedures for operating all the equipment associated with the table game progressive wager including the lockout feature

referenced in (d) above;

6. The installation of the computer system that controls the progressive payout wager system, which installation shall occur only after advance written notice of at least three business days to the MIS department of the casino licensee and to designated representatives of the Division's Technical Services Bureau, and which notice shall:

i. Be provided by an authorized representative of the casino games department of the casino licensee or manufacturer or servicing vendor other than the person who will perform the actual installation; and

ii. Include, at a minimum, the following:

(1) A list of each computer program (software or firmware) to be installed including the version number and version date, if applicable, and the date each program was approved by the Division pursuant to N.J.A.C. 19:46-1.20;

(2) The date of and estimated time needed to complete the installation; and

(3) The name of the person authorized to perform the installation;

7. The procedures for assigning access to the computer installed pursuant to (e)6 above and completing or modifying the progressive payout wager system set up, as applicable;

8. Except as provided by (e)9 below, the procedures utilized by any computer that controls the progressive payout wager system to provide complete and prompt recovery of all system information in the event of any malfunction, which data recovery capability shall include:

i. The recording of all system information as it occurs and in a redundant manner; and

ii. The immediate notification by the casino licensee of any malfunction consistent with the provisions of (l) below;

9. In the absence of computer system capability for

recording all system information as it occurs and in a redundant manner in accordance with (e)8i above, the procedures utilized by any computer that controls the progressive payout wager system to provide complete and prompt recovery of all system information, except for information not recorded up to five minutes prior to any malfunction, and the procedures utilized by the casino licensee in the event of such malfunction for the manual reconstruction of information not recorded by the system necessary to accurately adjust system meters; and

10. Such other procedures or features that may be required by the Division as a result of the operation of the specific table game progressive wager.

(f) No progressive meter shall be turned back to a lesser amount unless:

1. The amount has been actually paid to a winning patron;

2. The progressive payout amount won by the patron has been recorded in accordance with an approved system of internal controls;

3. The time limit for the progressive payout established pursuant to (g) below has expired; or

4. The change is necessitated by an equipment or meter malfunction, in which case a written explanation must be entered on the Table Game Progressive Summary required in (i) below and provided to the Division.

(g) When a casino licensee decides to permanently remove the offer of 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.

(h) Once the time limit in accordance with (g) above has expired, the amount on any progressive meters shall be documented in accordance with the casino licensee's internal control procedures and filed with the Division. The [initial or reset] amount **on the progressive meter or meters** may be retained by the casino licensee [and deducted from the ending amount on any meters and the remaining portion shall be paid to the Casino Revenue Fund. If a reset meter is utilized in accordance with (c) above, the entire amount on the reset meter, less the reset amount funded by the casino licensee, shall be paid to the Casino Revenue Fund].

(i) 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 adjustment shall be made by a member of the table games department as follows:

1. Supporting documentation shall be maintained 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; and

2. The adjustment shall be effectuated within 48 hours of the meter reading.

(j) Except as otherwise authorized by this section, any gaming table offering a progressive payout wager may only be 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 (g) 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.

(k) Each gaming table offering a progressive payout wager shall have such other devices, equipment, features and capabilities as may be required by the Division for the game after the prototype model is examined by the Division.

(l) Following any malfunction of a computer that controls the progressive payout wager system, the casino licensee shall immediately notify the Division and shall not utilize the system until the malfunction has been successfully repaired. Notwithstanding the foregoing, a casino licensee may continue to utilize the system prior to it being successfully repaired, 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 casino licensee seeks to install a modification to a computer that controls a progressive payout wager system, including, but not limited to, a new or modified computer program (software or firmware) or hardware design, the installation shall occur only after advance written notice of at least three business days to the MIS department of the casino licensee and to the Division. The written notice shall:

1. Be provided by an authorized representative of the casino games department of the casino licensee or manufacturer or servicing vendor other than the person who will perform the actual installation; and

2. Include, at a minimum, the following:

i. If the modification involves computer programs:

(1) A list of each computer program (software or firmware) to be modified or replaced, including the version number and version date, if applicable, and the date each modification was approved by the Division pursuant to N.J.A.C. 19:46-1.20; and

(2) A list of each new computer program to be installed, if any, including the version number and version date, if applicable, and the date each new program was approved by the Division pursuant to N.J.A.C. 19:46-1.20;

ii. If the modification involves hardware design, a list of each type of hardware being modified or replaced, including the date that each modified or new type of hardware was approved by the Division pursuant to N.J.A.C. 19:46-1.20;

iii. The date of and estimated time needed to complete the installation; and

iv. The name of the person authorized to perform the

installation.

(n) Any installation pursuant to this section shall be performed in the presence of a representative of the MIS department of the casino licensee. Following the completion of the installation, the computer that controls the progressive payout wager system shall generate a record of the installation or, if the computer does not have the capability to generate such a record, the casino licensee shall otherwise create such record of the installation.