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

13:69D-1.39 Progressive slot machine jackpots

(a) This section shall apply to any slot machine jackpot that may increase in value as the machine is played (a "progressive jackpot").

(b) Each slot machine that includes a slot machine game that offers a progressive jackpot which increases in value based upon handle and is adjusted and displayed by a device other than the approved program that controls the operation of the slot machine game shall have the following features:

1. For each progressive jackpot offered by the slot machine game, a mechanical, electrical or electronic device, to be known as a "progressive meter," visible from the front of the machine which increases in value based upon handle, and which advises the player of the amount which can be won if the progressive jackpot display appears;

2. A mechanical, electrical or electronic device, to be known as a "progressive jackpot meter" that continuously and automatically records the number of times a progressive jackpot is hit;

i. If a slot machine game offers more than one progressive jackpot, it shall have a separate progressive jackpot meter for each progressive jackpot and a "cumulative progressive jackpot meter" that continuously and automatically records the total number of times that progressive jackpots are hit;

ii. All meters required by (b)2 and (b)2i above shall be capable of being read without opening the slot machine;

3. A separate key and key switch to reset the "progressive meter(s)" or such other separate reset mechanism as may be approved by the Division;

4. A separate key locking the compartment housing the progressive meter(s) or other means by which to preclude any unauthorized alterations to the progressive meters; and

5. Dual key control, one key maintained and controlled by the Security Department of the casino licensee, the other key maintained and

controlled by the Slot Department; or such other key controls as the Division may approve, of the compartment housing the microprocessor or other control unit that controls the progressive meter(s), which compartment shall be in a location approved by the Division.

(c) Except as provided in (j) below, each slot machine that is connected to a common progressive meter ("common display unit") for the purpose of offering the same progressive jackpot on two or more slot machines (a "linked 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 such common display unit;

2. Require that the same amount of handle be invested to entitle the player to a chance at winning the progressive jackpot and that each increase in handle increment the meter(s) by the same rate of progression as every other linked slot machine connected to such common display unit; and

3. Have its microprocessor or other control unit that controls the common display unit housed in a location approved by the Division.

(d) Every casino seeking to utilize a linked slot machine shall submit to the Division for approval the location and manner of installing the common display unit.

(e) No slot machine that includes a slot machine game that offers a progressive jackpot shall be placed on the casino floor until the casino licensee or, as applicable, the slot system operator 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 to these machines;

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 that the reconciliation required by (k) below ; and

4. The calculated probability of winning each progressive jackpot, which probability shall not exceed [50] **100** million to one. For example, a probability of [45] **95** million to one would be permitted, but a probability of [55] **105** million to one would not be permitted. Notwithstanding the foregoing, this paragraph shall not apply to a jackpot with a probability that may exceed [50] **100** million to one during the game cycle due solely to the intervening occurrence of free play awards between the activation of a play and the award of the jackpot.

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

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

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

3. The change is necessitated by a slot machine or meter(s) malfunction, in which case:

i. For progressive jackpots governed by (b) above, an explanation shall be entered on the Progressive Slot Summary required in (k) below and the Division shall be informed.

ii. For progressive jackpots governed by (o) below, an explanation shall be entered on the Machine Entry Authorization Log unless the slot machine automatically addresses the malfunction; or

4. The patron has opted to risk the progressive award as permitted by the rules of the slot machine game.

(g) Once an amount appears on a progressive meter(s), 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 **or transferred** as permitted by regulation.

(h) If the "progressive meter(s)" progresses without a payout until the meter(s) return to zero because of digital limitations on the meter(s), some

means must be utilized to clearly advise the patrons of the value of the undisplayed digit.

(i) Except as otherwise provided in (n) or (q) below, a casino licensee or slot system operator may limit or terminate a progressive jackpot only in accordance with the following procedures.

1. Prior to the time that a particular amount is registered on the progressive meter, a payout limit for the progressive jackpot that is equal to or greater than that particular amount may be established by providing notice of the payout as permitted by regulation.

2. After a progressive jackpot is won, the progressive jackpot may be terminated if:

i. Notice to that effect was provided prior to the jackpot being won; and

ii. Any slot machine that offered the progressive jackpot being terminated is shut down or rendered unplayable as soon as possible after the jackpot is won; provided, however, that if the slot machine or machines in question are not shut down or rendered unplayable within 24 hours after the progressive jackpot is won, the notice required by (i)2i above shall be considered void and the progressive jackpot on that slot machine shall continue to be offered until won and terminated or transferred in accordance with this section.

3. Nothing in this section shall be deemed to prohibit the immediate and permanent removal by a casino licensee of one or more linked slot machines from the casino floor provided that:

i. At least one linked slot machine offering the same progressive jackpot remains on [its] **the** casino floor **of at least two other casinos**, if the progressive jackpot is offered in more than one casino, pursuant to regulation; and

ii. At least two linked slot machines offering the same progressive jackpot remain on its casino floor, if the progressive jackpot is only offered in that casino.

(j) Notwithstanding (c) above:

1. Two or more linked slot machines offering the same progressive jackpot may be of different denominations and/or have different minimum wagers required to win the progressive jackpot, provided that:

i. 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

ii. A notice indicating the proportional probability of winning the progressive jackpot on such a linked progressive system shall be conspicuously displayed on each linked slot 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.

(k) For progressive jackpots which have a reset amount of $1200 or greater, the amount indicated on the primary "progressive meter" on each slot machine governed by (b) above shall be recorded on a Progressive Slot 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 Progressive Slot Summary shall be forwarded to casino accounting by the end of the gaming day on which it is prepared. A computer system shall record the amount indicated on the "in meter" of each progressive slot machine on the same schedule. A representative of the casino accounting department shall be responsible for calculating the correct amount that should appear on the primary progressive meter and notifying the Division of the adjustment. If an adjustment to the primary progressive meter is necessary, the adjustment shall be made by a member of the slot department as follows:

1. Supporting documentation shall be maintained to explain any addition or reduction in the registered amount on the primary progressive meter, which documentation shall include, at a minimum, the date, asset number of the slot machine, the amount of the adjustment and the signature of the slot department member making the adjustment; and

2. The adjustment shall be effectuated within 24 hours of the meter reading.

(l) Except as otherwise authorized by this section, a slot machine offering a progressive jackpot that is temporarily removed from the casino floor shall be returned to or replaced on the casino floor within ten gaming days. The amount on the progressive meter(s) on the returned or replacement machine shall not be less than the amount on the progressive meter(s) at the time of removal. If the slot machine is not returned or replaced, then the progressive meter(s) amount at the time of removal shall, within ten days of the slot machine's removal, be added to a slot machine approved by the Division which machine offers the same or a greater probability of winning the progressive jackpot, and accepts a denomination of coin or slot token the same or less than the denomination accepted by the slot machine which was removed. This subsection shall not apply to the temporary removal by a casino licensee, for a period not to exceed 30 days, of all linked slot machines that are part of a particular multi-casino progressive slot system provided that the progressive jackpots offered by the temporarily removed slot machines remain available on

slot machines that are part of the same multi-casino progressive slot system in another casino.

(m) Slot machines that offer progressive jackpots may have payout-only hoppers from which prize tokens may be paid as jackpots; provided, however, that prize tokens shall not be available as a payout on a winning progressive jackpot.

(n) Notwithstanding any other provision of this section, a casino licensee or slot system operator may terminate a progressive jackpot or in-house linked progressive jackpot by providing a minimum of 30 days notice to patrons. The notice shall conspicuously state that the jackpot will terminate on a specified date if not won by that time. Any game featuring a progressive jackpot or any linked game system terminated pursuant to this section must be permanently removed from the casino or in the case of a linked system, from all casino floors. Notice of termination is to be provided to the Division's Technical Services Bureau at the time that notice of termination is provided to the public. This provision shall not apply to progressive jackpots inter-linked in more than one casino.

(o) Each slot machine that offers a progressive jackpot which increases in value based upon either handle contributions that are adjusted and displayed by the approved program that controls the slot machine or events that are dictated by the approved program, shall conform with the following requirements:

1. The slot machine shall include a meter or display, visible from the front of the slot machine, that advises the player of the amount which can be won if the progressive jackpot display appears; and

2. The approved program for the slot machine shall limit the progressive jackpot to an amount which is less than $1200 unless the program is also capable of configuring, storing and recalling the parameters relating to the progressive jackpot, including but not limited to, the current amount of the progressive jackpot, the progressive reset amount, the maximum progressive amount and the increment amount.

(p) Any progressive jackpot governed by (o) above shall not be subject to the provisions of (k) and (l) above.

(q) For progressive jackpots inter-linked in more than one casino, a lot system operator may transfer such jackpot or jackpots to any other inter-linked jackpot system upon providing 10 days notice to patrons. Any secondary jackpots on such systems shall be transferred to the same system to which the primary jackpot is transferred and may be placed on any level of jackpot on the new system. **Any system which has its progressive jackpot or jackpots transferred pursuant to this section must be permanently removed from all Atlantic City casinos.**