

CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 3. GAMBLING CONTROL
CHAPTER 1. THE BUREAU OF GAMBLING CONTROL
TEXT OF PROPOSED REGULATIONS

Article 2. Definitions

§ 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 an unaltered 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, 19826, 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.

Article 7. Games

§ 2073. Blackjack Prohibited.

Any game of blackjack shall not be approved for play.

(a) As used in this Article, and for game review purposes only, the game of blackjack 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 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). 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.

(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.

(b) The following modifications to the rules in subdivision (a), regardless of the number of modifications applied, do not distinguish a game from the game of blackjack:

(1) Any changes to a standard deck or decks. Examples of changes include:

(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), and as played in the game after the initial deal; or,

(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 as specified in subdivision (a)(3).

(6) Removal or modification of any of the options referenced in subdivisions (a)(3)(A) through (a)(3)(D).

(c) Notwithstanding subdivision (a), the game of blackjack also includes any variation of the number “21” or the word “blackjack” in its name.

NOTE: Authority cited: Section 19826, Business and Professions Code. Reference: Sections 19801, 19826, Business and Professions Code; Section 330, Penal Code; *People v. Gosset* (1892) 93 Cal. 641.

§ 2074. Permissible Blackjack Variations; Required Rules.

(a) A game that includes all of the rules described in section 2073, subdivision (a), and any of the modifications to the rules described in section 2073, subdivision (b), may be approved if the game rules provide, or are modified to provide, all of the following:

(1) The game rules do not have a “bust” feature as described in section 2073, subdivision (a)(3)(A)(i) or subdivision (b)(3) by which a player immediately loses if the point count of the player’s hand exceeds 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.

(2) The game rules prescribe a target point count that is not 21 or any point value greater than 20 and less than 22, and the target point count remains the same 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.

(3) Under the game rules, a hand will not immediately win if the player or the player-dealer receives an ace and a 10, jack, queen, or king on the initial deal, as described in section 2073, subdivision (a)(4)(A).

(4) The game rules prescribe that in the event of a tie between the player and the player-dealer, the player wins.

(b) Game names shall not include the number 21 or the word “blackjack.”

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) No later than 60 days after the effective date of section 2074, a gambling enterprise that offers blackjack-style games previously approved by the Bureau that do not comply with section 2074 shall:

(1) Submit a written request for the Bureau’s review of the existing 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) Seek to modify a game by submitting an “Application for Controlled Game Review” BGC-APP-026 (Rev. 09/17).

(b) The Bureau shall approve or disapprove a request to review or an application to modify a previously approved game, as provided in subdivision (a), within 90 days of the receipt of the request.

(c) A game that is pending Bureau review when section 2074 becomes effective shall be approved only if it complies with section 2074. The gambling enterprise shall modify a pending game’s rules, if necessary, to ensure that it complies 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) Gambling Enterprises with previously approved games with names that contain the word “blackjack” shall submit an “Application for Controlled Game Review” BGC-APP-026 (Rev. 09/17) to comply with subdivision (b) of section 2074, by no later than one year after the effective date of this section. This modification may be done separate and apart from the modification in subdivision (a) of section 2074.

(e) Any previously approved blackjack-style game for which the Bureau has not received a request for review or an application to modify as provided in subdivision (a), 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).

(f) The application fee required on the form (BGC-APP-026) and the deposit required by section 2037, subdivision (a)(1)(L), 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.