

**Maryland State Lottery and Gaming Control Agency  
Standard Rules – Top Five Poker**

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**Chapter 1 – Definitions.**

A. In this chapter the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Ante Wager” shall mean the wager that a player is required to make prior to any cards being dealt in order to compete in a round of play.
- (2) “Play Wager” shall mean the wager that a player is required to make in order to remain in the main game hand.
- (3) “Bonus Wager” shall mean the wager that a player has the option to make prior to any cards being dealt in order to compete in a round of play.
- (4) “Deal” means the distribution of the player’s cards among the players.
- (5) “Round of play” shall mean one complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been settled in accordance with the standard rules.
- (6) “Stub” shall mean the remaining portion of the deck after all cards in the round of play have been dealt or delivered.
- (7) “Suit” shall mean one of the four categories of cards: club, diamond, heart or spade.
- (8) “Face card” shall mean all Jacks, Queens, and Kings featured in the standard deck of cards.

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**Chapter 2 - Top Five Poker Tables.**

A. Top Five Poker shall be played at a table that has:

- (1) Betting positions for six players on one side of the table; and
- (2) A place for the dealer on the opposite side.

B. A facility operator shall submit to the Commission for approval the layout for a Top Five Poker table that contains at least:

- (1) The name or logo of the facility operator;
- (2) Two separate betting areas designed for the placement of Ante and Play wagers for each player required under Chapter 7 – Wagers;
- (3) If a facility operator offers any of the following Wagers authorized under Chapter 7 - Wagers, a separate area designated for the placement of each player's:
  - (a) Top Five Bonus Wager; and
  - (b) Poker Bonus Wager;
- (4) Inscriptions that advise a player of the payout odds or amounts for all permissible wagers offered by the facility operator, except that if payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Top Five Poker table.

C. A Top Five Poker table shall have a:

- (1) Drop box and a tip box attached on the same side of the gaming table as, but on opposite side of, the dealer, as approved by the Commission; and
- (2) Discard rack securely attached to the top of the dealer's side of the table.

E. The Commission may approve an alternative location for the tip box if a card shuffling device or other table game equipment prevents the placement of the drop box and tip box as required in §D of this chapter.

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**Chapter 3 - Cards; Number of Decks.**

A. Except as provided in §B of this chapter, Top Five Poker shall be played with one deck of cards that has:

- (1) Cards that are identical in appearance; and
- (2) One cover card.

B. If an automated card shuffling device is used, Top Five Poker may be played with two decks of cards in accordance with the following requirements:

- (1) The cards in each deck shall be of the same design;
- (2) The backs of the cards in one deck shall be of a different color than the cards included in the other deck;
- (3) One deck shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game;
- (4) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play; and
- (5) The cards from only one deck are placed in the discard rack at any given time.

C. The decks of cards used in Top Five Poker shall be changed at least every:

- (1) Four hours, if the cards are dealt by hand; and
- (2) Eight hours, if the cards are dealt from a manual or automated dealing shoe.

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**Chapter 4 - Opening a Table for Gaming.**

A. After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects and a floorperson assigned to the table shall verify the inspection.

B. After the cards are inspected, the dealer shall spread the cards out face up on the table, in horizontal fan shaped columns by deck according to suit and in sequence, for visual inspection by the first player to arrive at the table.

C. After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the dealer shall:

- (1) Turn the cards face down on the table;
- (2) Mix the cards thoroughly by washing them; and
- (3) Stack the cards.

D. After the cards have been stacked, the dealer shall shuffle them in accordance with Chapter 5 – Shuffling and Cutting the Cards.

E. If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with §§A—D of this chapter.

F. If the decks of cards received at the table are preinspected and reshuffled, §§A—E of this chapter do not apply.

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**Chapter 5 - Shuffling and Cutting the Cards.**

A. Unless the cards were preshuffled, the dealer shall shuffle the cards so they are randomly intermixed, manually or with an automated card shuffling device:

- (1) Immediately prior to commencement of play;
- (2) After each round of play has been completed; or
- (3) When directed by a floorperson or above.

B. A facility operator may use an automated card shuffling device which inserts the stack of cards directly into a dealing shoe after shuffling is complete, and the deck shall be removed from the table if an automated card shuffling device:

- (1) Is being used which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present; and
- (2) The device reveals that an incorrect number of cards are present.

C. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack, and:

- (1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with Chapters 8 - Procedure for Dealing Cards from a Manual Dealing Shoe, 9 - Procedure for Dealing Cards from the Hand or 10 - Procedure for Dealing Cards from an Automated Dealing Shoe or Shuffler.
- (2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with the procedures in §D of this chapter.

D. If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack.

- (1) After the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack.
- (2) The stack of cards shall then be inserted into the dealing shoe for commencement of play.

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E. After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

F. If there is no gaming activity at a Top Five Poker table which is open for gaming, the dealer shall:

(1) Remove the cards from the dealing shoe and discard rack;

(2) Unless a player requests that the cards be spread face up on the table, spread out the cards on the table face down; and

(3) After the first player arriving at the table is afforded an opportunity to visually inspect the cards, complete the procedures in this section and Chapter 4 – Opening a Table for Gaming.

G. A facility operator may use a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Commission and approved prior to its use in the facility.

H. If a facility operator is using a device described in §G of this chapter, §§D—F of this chapter do not apply.

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**Chapter 6 – Top Five Poker Rankings.**

A. In order of highest to lowest rank, the rank of the cards used in Top Five Poker is: Ace, King, Queen, Jack, 10.

B. All suits are equal in rank.

C. In order of highest to lowest rank, the permissible Poker hands in the game of Top Five Poker are:

(1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit;

(2) A four-of-a-kind, which is a hand consisting of four cards of the same rank;

(3) A full house, which is a hand consisting of a three-of-a-kind and a pair;

(4) A five card straight, which is a hand consisting of five cards of the same suit, not in consecutive order;

(5) A three-of-a-kind, which is a hand consisting of three cards of the same rank;

(6) Two pairs, which is a hand consisting of two pairs; and

(7) One pair, which is a hand consisting of two cards of the same rank.

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**Chapter 7 - Wagers.**

A. A player shall make a wager at Top Five Poker by placing a value chip, plaque, or other Commission-approved table game wagering instrument on the appropriate areas of the table layout.

B. Placing Wagers.

(1) Only a player who is seated at a Top Five Poker table may wager at the game.

(2) After a player has placed a wager and received cards, the player shall remain seated until the completion of the round of play.

(3) If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as a losing wager.

C. All wagers at Top Five Poker shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in Chapters 8 – Procedures for Dealing Cards from a Manual Dealing Shoe, 9 – Procedures for Dealing the Cards from the Hand, or 10 – Procedures for Dealing Cards from an Automated Dealing Shoe.

D. Except as provided in Chapter 11 – Procedures for Completing a Round of Play, a wager may not be made, increased, or withdrawn after the dealer has announced “no more bets.”

E. Top Five Poker Wagers.

(1) A player competes against the dealer by placing an ante wager and a play wager, in accordance with Chapter 11 – Procedures for Completing a Round of Play.

(2) If specified in its Rules Submission, a facility operator may offer to each player at a Top Five Poker table the option to make these additional wagers:

(a) A Top Five Bonus Wager that pays odds on the total number of cards ranked Ace through 10 in the Player’s hand;

(b) A Poker Bonus Wager that pays odds on the poker ranking of the cards ranked Ace through 10 in the Player’s hand.

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F. A facility operator shall specify in its Rules Submission under COMAR 36.05.03.19 the number of adjacent boxes on which a player may place a Top Five Poker Wager in one round of play.

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**Chapter 8 - Procedures for Dealing Cards from a Manual Dealing Shoe.**

A. If a manual dealing shoe is used, it shall be located on the table in a location approved by the Commission.

B. After the procedures required under Chapter 5 – Shuffling and Cutting the Cards have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

C. Prior to dealing any cards, the dealer shall announce “no more bets.”

D. The dealer shall:

(1) Remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place each card on the appropriate area of the layout with the opposite hand;

(2) Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal one card at a time face down to a player who has placed a wager in accordance with Chapter 11 – Procedures for Completing a Round of Play and to the dealer; and

(3) After seven cards have been dealt to each player and to the area designated for the placement of the dealer’s hand:

(a) Remove the stub from the manual dealing shoe; and

(b) Except as provided in §E of this chapter, place the stub in the discard rack without exposing the cards.

E. If an automated card shuffling device described in Chapter 5 – Shuffling and Cutting the Cards is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

F. Determining the Number of Cards.

(1) The dealer shall determine the number of cards in the stub as required under §E of this chapter by counting the cards face down on the layout.

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- (2) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.
- (3) If the count of the stub indicates that the number of cards in the deck is not 52, the dealer shall determine if the cards were misdealt.
- (4) If 52 cards remain in the deck but the cards were misdealt so that a player has more or less than seven, all hands are void and the dealer shall return all wagers to the players.
- (5) If the cards were not misdealt, all hands are void and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

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**Chapter 9 - Procedures for Dealing the Cards from the Hand.**

A. Requirements. If the cards are dealt from the dealer's hand, the following requirements shall be met:

- (1) An automated shuffling device shall be used to shuffle the cards.
- (2) After the procedures required under Chapter 5 – Shuffling and Cutting the Cards have been completed, the dealer shall place the stacked deck of cards in either hand.
- (3) After the dealer has chosen the hand in which the dealer will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play.
- (4) The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.
- (5) Before dealing any cards, the dealer shall announce “no more bets.”

B. The dealer shall:

- (1) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to a player who has placed a wager in accordance with Chapter 11 – Procedures for Completing a Round of Play and to the dealer; and
- (2) After seven cards have been dealt to each player and the dealer:
  - (a) Remove the stub from the manual dealing shoe; and
  - (b) Except as provided in §C of this chapter, place the stub in the discard rack without exposing the cards.

C. If an automated card shuffling device described in Chapter 5(B) – Shuffling and Cutting the Cards is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck.

D. Determining the Number of Cards.

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- (1) The dealer shall determine the number of cards in the stub as required under §B(2) of this chapter by counting the cards face down on the layout.
- (2) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.
- (3) If the count of the stub indicates that the number of cards in the deck is not 52, the dealer shall determine if the cards were misdealt.
- (4) If 52 cards remain in the deck but the cards were misdealt so that a player has more or less than seven, all hands are void and the dealer shall return all wagers to the players.
- (5) If the cards were not misdealt, all hands are void and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

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**Chapter 10 - Procedures for Dealing Cards from an Automated Dealing Shoe.**

A. If the cards are dealt from an automated dealing shoe, the following requirements shall be met:

(1) After the procedures required under Chapter 5 – Shuffling and Cutting the Cards have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the dealing shoe dispensing any stacks, the dealer shall announce “no more bets.”

B. The dealer shall:

(1) Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal a stack of seven cards dispensed from the automated dealing shoe or shuffler to each player who has placed a wager in accordance with Chapter 11 – Procedures for Completing a Round of Play and to the dealer; and

(2) After each stack of cards has been dispensed and delivered:

(a) Remove the stub from the automated dealing shoe; and

(b) Except as provided in §C of this chapter, place the cards in the discard rack without exposing the cards.

C. Determining the Number of Cards.

(1) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(2) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt.

(3) If 52 cards remain in the deck but the cards were misdealt so that a player has more or less than seven cards, all hands are void and the dealer shall return all wagers to the players.

(4) If the cards were not misdealt, all hands are void and the dealer shall return all wagers to the players and remove the entire deck of cards from the table.

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**Chapter 11 - Procedure for Completing a Round of Play.**

A. After the dealing procedures required under Chapters 8 - Procedure for Dealing Cards from a Manual Dealing Shoe, 9 - Procedure for Dealing Cards from the Hand or 10 - Procedure for Dealing Cards from an Automated Dealing Shoe or Shuffler have been completed, a player shall examine the player's cards subject to the following limitations:

- (1) A player who wagers at Top Five Poker is responsible for the player's hand;
- (2) No individual other than the dealer and the player to whom the cards were dealt may touch the cards of that player;
- (3) A player shall keep the player's cards in full view of the dealer at all times;
- (4) A player may not exchange or communicate information regarding the player's hand prior to the dealer revealing all of the community cards; and
- (5) Any violation of §§A(1)—(4) of this chapter shall result in a forfeiture of all wagers on that round by the player in violation.

B. After all players have examined their cards and replaced them face down on the layout, beginning with the player farthest to the dealer's left and moving clockwise around the table:

- (1) The dealer shall ask each player who placed an Ante Wager if the player wishes to:
  - (a) Place a Play Wager in an amount equal to the player's Ante Wager; or
  - (b) Fold.
- (2) If a player folds, the dealer shall immediately collect the player's:
  - (a) Ante Wager and place it in the table inventory container; and
  - (b) Folded hand and place it in the discard rack;
- (3) Notwithstanding §B(2) of this chapter, if a folding player made a Top Five Bonus Wager or a Poker Bonus Wager, the player's cards shall be left on the table until all wagers are resolved in accordance with §I of this chapter.

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(4) Reveal the dealer's cards face up or remove the dealer's cards from the shuffler and expose the dealer's cards, remove all card values of 2 through 9, and place the remaining cards so as to form the highest possible ranking Top Five Poker hand;

C. Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards and remove all card values of 2 through 9.

(1) The dealer shall evaluate and announce the best possible Top Five Poker hand that can be formed using the player's cards;

(2) If the number of cards remaining in the dealer's Top Five Poker hand is lower than a queen and jack the Ante Wager is a push, and;

(3) If the number of cards remaining in the player's Top Five Poker hand is:

(a) Lower than the number of cards remaining in dealer's hand, immediately collect the Play Wager made by the player;

(b) Higher than the number of cards remaining in the dealer's hand, pay the Play Wager in accordance with the payout odds in Chapter 12 – Payout Odds; and

(c) Equal to the number of cards remaining in the dealer's hand and ranked lower than the cards in the dealer's hand, immediately collect the Play Wager made by the player.

(d) Equal to the number of cards remaining in the dealer's hand and ranked higher than the cards in the dealer's hand, pay the Play Wager in accordance with the payout odds in Chapter 12 – Payout Odds.

(e) Equal to the number of cards and rank of the remaining cards in the dealer's hand, the Play Wager is a push.

(4) If the dealer's highest ranking Top Five Poker hand is a queen and jack or better, and the number of cards remaining in the player's Top Five Poker hand is:

(a) Lower than the number of cards remaining in the dealer's hand, immediately collect the Ante Wager and Play Wager made by the player;

(b) Higher than the number of cards remaining in the dealer's hand, pay the Ante Wager and Play Wager in accordance with the payout odds in Chapter 12 – Payout Odds; and

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(c) Equal to the number of cards and lower than the ranked cards in the dealer's hand, immediately collect the Ante Wager and Play Wager made by the player.

(d) Equal to the number of cards and higher than the ranked cards in the dealer's hand, pay the Ante Wager and Play Wager in accordance with the payout odds in Chapter 12 – Payout Odds.

(e) Equal to the number of cards and ranked cards in the dealer's hand, the Ante Wager and Play Wager is a push.

(5) The wagers of each remaining player shall be resolved one player at a time regardless of outcome, as follows:

(a) All losing wagers shall immediately be collected by the dealer and placed in the table inventory container and the player's cards shall be collected and placed in the discard rack;

(b) Notwithstanding §C(3)(a) and §C(4)(a) of this subsection, if the player has made a Top Five Bonus Wager or Poker Bonus Wager, the player's cards will remain on the layout; and

(c) All winning Top Five Bonus Wagers shall be paid in accordance with the payout odds in Chapter 12 - Payout Odds

(d) All winning Poker Bonus Wagers shall be paid in accordance with the payout odds in Chapter 12 - Payout Odds

(6) After settling the player's Top Five Wager, the dealer shall settle the Top Five Bonus Wager if offered by the facility operator;

(7) If a player has won the Top Five Bonus Wager, the dealer shall pay the winning Top Five Bonus Wager in accordance with Chapter 12 - Payout Odds.

(8) After settling the player's Top Five Bonus Wager, the dealer shall settle the Poker Bonus Wager if offered by the facility operator;

(9) If a player has won the Poker Bonus Wager, the dealer shall pay the winning Poker Bonus Wager in accordance with Chapter 12 - Payout Odds.

D. After all wagers have been settled, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand if there is a question or player dispute.

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**Chapter 12 - Payout Odds.**

A. A facility operator shall pay each winning Ante Wager and Play Wager at odds of 1 to 1.

B. If a facility operator offers the Top Five Bonus Wager, the facility operator shall pay out winning Top Five Bonus Wagers at the amounts in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

- (a) For seven cards the payout is 100 to 1;
- (b) For six cards the payout is 20 to 1;
- (c) For five cards the payout is 5 to 1; or
- (d) For four cards the payout is 1 to 1;

(2) Paytable B:

- (a) For seven cards the payout is 200 to 1;
- (b) For six cards the payout is 20 to 1;
- (c) For five cards the payout is 4 to 1; or
- (d) For four cards the payout is 1 to 1;

(3) Paytable C:

- (a) For seven cards the payout is 100 to 1;
- (b) For six cards the payout is 15 to 1;
- (c) For five cards the payout is 5 to 1; or
- (d) For four cards the payout is 1 to 1.

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B. If a facility operator offers the Poker Bonus Wager, the facility operator shall pay out winning Top Five Bonus Wagers at the amounts in one of the following paytables selected by the facility operator in its Rules Submission:

(1) Paytable A:

- (a) For a Five card Royal Flush the payout is 500 to 1;
- (b) For a Four-of-a-kind the payout is 100 to 1;
- (c) For a Full House the payout is 40 to 1;
- (d) For a Five card Straight the payout is 25 to 1;
- (e) For a Three-of-a-kind the payout is 7 to 1;
- (f) For Two pair the payout is 3 to 1; or
- (g) For a Pair of aces or kings the payout is 1 to 1;

(2) Paytable B:

- (a) For a Five card Royal Flush the payout is 500 to 1;
- (b) For a Four-of-a-kind the payout is 150 to 1;
- (c) For a Full House the payout is 50 to 1;
- (d) For a Five card Straight the payout is 30 to 1;
- (e) For a Three-of-a-kind the payout is 10 to 1; or
- (f) For Two pair the payout is 5 to 1;

(3) Paytable C:

- (a) For a Five card Royal Flush the payout is 500 to 1;
- (b) For a Four-of-a-kind the payout is 100 to 1;
- (c) For a Full House the payout is 40 to 1;
- (d) For a Five card Straight the payout is 25 to 1;

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- (e) For a Three-of-a-kind the payout is 5 to 1;
- (f) For Two pair the payout is 3 to 1; or
- (g) For a Pair of aces or kings the payout is 1 to 1.

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**Chapter 13 - Irregularities.**

A. A card that is found face up in the shoe or the deck while the cards are being dealt all hands are void.

B. A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

C. If a player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands are void, and the dealer shall return all wagers to the players reshuffle the cards.

D. If an automated dealing shoe is in use and jams, stops dealing cards or fails to deal cards during a round of play, the round of play is void, and the dealer shall return all wagers to the players and remove the cards from the device and reshuffle them with any cards already dealt.

E. If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, before another method of shuffling or dealing may be used at that table, the automated card shuffling device or automated dealing shoe shall be:

(1) Covered; or

(2) Marked with a sign indicating that the automated card shuffling device or automated dealing shoe is out of order.