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**TO: ALL NONRESTRICTED LICENSEES EXCEPT SLOTS-ONLY  
OPERATIONS AND OTHER INTERESTED PERSONS**

**SUBJECT: CLARIFICATION OF AGGREGATE PAYOUT LIMIT**

On January 25, 2001 the Nevada Gaming Commission adopted Regulation 5.190 concerning aggregate payout limits. The purpose of this regulation is to provide both fairness in the setting of aggregate payout limits and improved awareness on the part of Nevada casino patrons that such limits exist.

The Regulation states:

**5.190 Aggregate payout limits for gambling games.**

1. As used within this regulation, "aggregate payout limit" means a maximum payoff amount that will be paid by a licensee to two or more patrons as the result of winning wagers resulting from any single call of the game or hand of play.
2. Except as otherwise provided herein, a licensee may establish an aggregate payout limit on any game as defined within NRS 463.0152, as well as on a separate bonus feature requiring a separate wager made in conjunction with or in association with the game. Aggregate payout limits may not be combined for different types of wagers.
3. Each separate aggregate payout limit established for the game or bonus feature may not be an amount which is less than the highest award with the minimum wager required to play the game or bonus feature.
4. All aggregate payout limits must be prominently displayed on the table layout or on a sign placed on the table, which is unobstructed and clearly visible from all player positions, using language approved by the chairman of the board or his designee.
5. Aggregate payout limits may not be imposed upon payouts from slot machines, race books, sports pools or any game where the highest payoff odds on a winning wager are less than 50 to 1, unless otherwise allowed by regulations of the commission. This section does not apply to bingo or keno.
6. The chairman of the board may, in his sole and absolute discretion, waive one or more of the provisions of this section, subject to such conditions as the chairman may impose.  
(Adopted: 1/01. Effective: 5/01/01.)

The Board has arbitrated a number of disputes since this regulation went into effect involving licensees taking the position that an established “aggregate payout limit” can be used as a table maximum payout limit to reduce payouts to a single patron. As noted in Regulation 5.190(1) above, “aggregate payout limit” means “a maximum payoff amount that will be paid by a licensee to **two or more patrons** as the result of winning wagers resulting from any single call of the game or hand of play.” The table aggregate payout limit would not pertain to a single patron who is playing one or more hands on the game who wins and the payoff amounts exceed the posted limit.

To provide for additional casino patron awareness, if the established aggregate payout limit is also going to be established as a table maximum payout limit (i.e., maximum amount that will be paid for one hand of play without regard to the number of patrons at the table), then it must be stated and displayed on the table. If the aggregate payout limit is different than the table maximum payout limit then that difference must also be stated and displayed.

A second point of clarification was made during Regulation 5.190 industry workshops and again during the January 25, 2001 Commission meeting. When creating payoff schedules for its games, a licensee may state the payoff amount in odds, but must also include a dollar cap amount. For example, it is acceptable for a table game payoff schedule to indicate that a royal flush pays 1000 to 1 with a maximum payout of \$15,000. Any such cap must be clearly displayed on the table layout. Once again, full disclosure and patron awareness are critical when creating payoff schedules and aggregate payout limits.

In conclusion, it is important to understand that an aggregate payout limit applies to two or more patrons, whereas a table maximum payout limit would apply even if only one patron was playing the game. If either one or both is established on any game, such limits need to be **prominently displayed** on the table layout or on a sign clearly visible from all player positions. The “aggregate payout limit” and the “maximum payout limit” may be the same, but it must be so stated.

Any questions and/or concerns regarding this issue should be directed to Special Agent Gordon Howie at (702) 486-2162 or e-mail to [ghowie@gcb.nv.gov](mailto:ghowie@gcb.nv.gov).

Sincerely,

Randall E. Sayre  
Member

RES/GH:kb

c: Dennis K. Neilander, Chairman  
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