

By: Peranich

To: Universities and
Colleges; Ways and
Means

HOUSE BILL NO. 1108

1 AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE ANY STATE INSTITUTION OF HIGHER LEARNING LOCATED IN A
3 COUNTY WHERE GAMING IS LEGAL TO TEACH CERTAIN GAMING-RELATED
4 COURSES IF THE GOVERNING AUTHORITY OF THE STATE INSTITUTION OF
5 HIGHER LEARNING APPROVES THE TEACHING OF EACH SUCH COURSE; TO
6 PROVIDE THAT IF A STATE INSTITUTION OF HIGHER LEARNING HAS ITS
7 MAIN CAMPUS IN A COUNTY WHERE GAMING IS NOT LEGAL AND A BRANCH
8 CAMPUS IN A COUNTY WHERE GAMING IS LEGAL, THE STATE INSTITUTION OF
9 HIGHER LEARNING MAY TEACH GAMING-RELATED COURSES ONLY AT THE
10 BRANCH CAMPUS IN THE COUNTY WHERE GAMING IS LEGAL; TO PROVIDE THAT
11 IN CERTAIN CASES STATE INSTITUTIONS OF HIGHER LEARNING OFFERING
12 GAMING-RELATED COURSES SHALL NOT BE SUBJECT TO REGULATION BY THE
13 MISSISSIPPI GAMING COMMISSION; TO AMEND SECTIONS 75-76-55 AND
14 37-101-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS
15 OF THIS ACT; AND FOR RELATED PURPOSES.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

17 SECTION 1. Section 75-76-34, Mississippi Code of 1972, is
18 amended as follows:

19 75-76-34. (1) Except as otherwise provided in this section,
20 the Mississippi Gaming Commission is authorized to regulate all
21 schools or training institutions that teach or train gaming
22 employees. Such schools shall only be located in counties where
23 gaming is legal aboard a cruise vessel or vessel or in counties
24 where cruise vessels were legally operating out of a port at the
25 time of passage of the Mississippi Gaming Control Act pursuant to
26 Section 19-3-79. No such school shall be located on publicly
27 owned property unless the property is under the jurisdiction of
28 the Board of Trustees of State Institutions of Higher Learning,
29 and except as otherwise authorized under this section, no public
30 school shall teach or train persons to be gaming employees. Any
31 state institution of higher learning located in such a county may
32 teach certain gaming-related courses authorized under this section

33 if the governing authority of the institution of higher learning
34 approves the teaching of the course or courses. If a state
35 institution of higher learning has its main campus in a county
36 where gaming is not legal and a branch campus in a county where
37 gaming is legal, the institution of higher learning may teach
38 gaming-related courses only at the branch campus in the county
39 where gaming is legal. The gaming activities of schools or
40 training institutions regulated by the commission and those
41 excepted from such regulation or partially regulated shall be
42 deemed to be legal under the laws of the State of Mississippi.
43 Any person desiring to operate a school or training institution
44 must file a license application with the executive director to be
45 licensed by the commission.

46 (2) The commission may adopt regulations it deems necessary
47 to regulate schools and training institutions other than state
48 institutions of higher learning. These regulations shall include,
49 without limiting the general powers of the commission, * * * the
50 following:

51 (a) Prescribing the method and form of application
52 which any applicant for a school or training institution must
53 follow and complete before consideration of his application by the
54 executive director or commission.

55 (b) Prescribing the information to be furnished by the
56 applicant relating to his employees.

57 (c) Requiring fingerprinting of the applicant,
58 employees and students of the school or institution or other
59 methods of identification and the forwarding of all fingerprints
60 taken pursuant to regulation of the Federal Bureau of
61 Investigation.

62 (d) Requiring any applicant to pay all or part of the
63 fees and costs of investigation of the applicant as may be
64 determined by the commission.

65 (e) Prescribing the manner and method of collection and
66 payment of fees and costs and issuance of licenses to schools or
67 training institutions.

68 (f) Prescribing under what conditions a licensee
69 authorized by this section may be deemed subject to revocation or

70 suspension of his license.

71 (g) Defining the curriculum of the school or training
72 institution, the games and devices permitted, the use of tokens
73 only for instruction purposes, and the method of operation of
74 games and devices.

75 (h) Requiring the applicant to submit its location of
76 the school or training institution, which shall be at least four
77 hundred (400) feet from any church, school, kindergarten or
78 funeral home. However, within an area zoned commercial or
79 business, the minimum distance shall not be less than one hundred
80 (100) feet.

81 (i) Requiring that all employees and students of the
82 school or training institution be at least twenty-one (21) years
83 of age and be a resident of the State of Mississippi.

84 (j) Requiring all employees and students of the school
85 or training institution to wear identification cards issued by the
86 commission while on the premises of the school or training
87 institution.

88 (k) Requiring the commission to investigate each
89 applicant, employee and student and determine that the individual
90 does not fall within any one (1) of the following categories:

91 (i) Is under indictment for, or has been convicted
92 in any court of, a felony;

93 (ii) Is a fugitive from justice;

94 (iii) Is an unlawful user of any controlled
95 substance, is addicted to any controlled substance or alcoholic
96 beverage, or is an habitual drunkard;

97 (iv) Is a mental defective, has been committed to
98 a mental institution, or has been voluntarily committed to a
99 mental institution on more than one (1) occasion;

100 (v) Has been discharged from the Armed Forces
101 under dishonorable conditions; or

102 (vi) Has been found at any time by the executive

103 director or commission to have falsified any information.

104 (3) Subject to the provisions of subsection (1) of this
105 section, state institutions of higher learning may offer credited
106 courses in casino management, auditing and security in fulfillment
107 of a degree in general business management, hotel and motel
108 management, food and beverage management, accounting, and criminal
109 justice. State institutions of higher learning are not subject to
110 regulation by the commission for the purposes of this subsection.

111 (4) Subject to the provisions of subsection (1) of this
112 section, state institutions of higher learning may offer courses
113 related to casino hospitality services, cage and count operations,
114 and slot machine maintenance. Slot maintenance training may be
115 performed only on equipment approved by the commission for
116 training purposes only. State institutions of higher learning are
117 not subject to regulation by the commission for the purposes of
118 this subsection.

119 SECTION 2. Section 75-76-55, Mississippi Code of 1972, is
120 amended as follows:

121 75-76-55. (1) Except as otherwise provided in Section
122 75-76-34, it is unlawful for any person, either as owner, lessee
123 or employee, whether for hire or not, either solely or in
124 conjunction with others, without having first procured and
125 thereafter maintaining in effect a state gaming license:

126 (a) To deal, operate, carry on, conduct, maintain or
127 expose for play in the State of Mississippi any gambling game,
128 including without limitation any gaming device, slot machine, race
129 book, or sports pool;

130 (b) To provide or maintain any information service the
131 primary purpose of which is to aid the placing or making of wagers
132 on events of any kind; or

133 (c) To receive, directly or indirectly, any
134 compensation or reward or any percentage or share of the money or
135 property played, for keeping, running or carrying on any gambling

136 game, including without limitation any slot machine, gaming
137 device, race book or sports pool.

138 (2) Except as otherwise provided in Section 75-76-34, it is
139 unlawful for any person knowingly to permit any gambling game,
140 including without limitation any slot machine, gaming device, race
141 book or sports pool to be conducted, operated, dealt or carried on
142 in any house or building or other premises owned by him, in whole
143 or in part, by a person who is not licensed pursuant to this
144 chapter or by his employee.

145 SECTION 3. Section 37-101-13, Mississippi Code of 1972, is
146 amended as follows:

147 37-101-13. It shall be the duty of the Board of Trustees of
148 State Institutions of Higher Learning to begin immediately a
149 comprehensive study of the role and scope of all of the various
150 institutions under its jurisdiction, including a detailed study of
151 the programs of study, degrees and courses offered. Following the
152 completion of such study, the board shall make such adjustments as
153 may be found to be necessary in the programs of the various
154 institutions, to the end that the broadest possible educational
155 opportunities shall be offered to the citizens of this state
156 without inefficient and needless duplication. Subject to the
157 provisions of Section 75-76-34, the board shall, through such
158 officers of the board and through such procedures as it shall see
159 fit to establish, exercise continuing jurisdiction and control
160 over the establishment of new courses of study, new departments
161 and new functions and activities in each institution so that the
162 growth and development of the program of higher education in the
163 state shall proceed in an orderly and rational manner, inefficient
164 and needless duplication may be avoided, and new expanded programs
165 will be undertaken only as the same may become justified, based
166 upon objective criteria to be established by the board. In
167 carrying out the purposes of this section, particular attention
168 shall be given to the extension programs of the various

169 institutions. The board, in conjunction with the chancellor and
170 presidents of the institutions of higher learning, shall take such
171 steps as may be necessary to improve and coordinate such programs
172 and shall exercise such direct control over the establishment,
173 organization, operation and granting of credit for such programs
174 as may be necessary to accomplish such purposes.

175 SECTION 4. This act shall take effect and be in force from
176 and after its passage.