

By: Representative Brown

To: Ways and Means

HOUSE BILL NO. 325

1 AN ACT TO AMEND SECTION 75-76-33, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ALCOHOLIC BEVERAGES, BEER AND LIGHT WINE MAY NOT
3 BE PROVIDED TO AN INDIVIDUAL ON THE PREMISES OF A LICENSED GAMING
4 ESTABLISHMENT FOR CONSUMPTION BY THE INDIVIDUAL ON SUCH PREMISES,
5 UNLESS THE ALCOHOLIC BEVERAGE, BEER OR LIGHT WINE IS SOLD TO THE
6 INDIVIDUAL FOR AT LEAST THE RETAIL PRICE CUSTOMARILY CHARGED FOR
7 SALES OF SUCH ITEMS ON THE PREMISES; AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 75-76-33, Mississippi Code of 1972, is
10 amended as follows:

11 75-76-33. (1) The commission shall, from time to time,
12 adopt, amend or repeal such regulations, consistent with the
13 policy, objects and purposes of this chapter, as it may deem
14 necessary or desirable in the public interest in carrying out the
15 policy and provisions of this chapter.

16 (2) These regulations shall, without limiting the general
17 powers herein conferred, include the following:

18 (a) Prescribing the method and form of application
19 which any applicant for a license or for a manufacturer's,
20 seller's or distributor's license must follow and complete before
21 consideration of his application by the executive director or the
22 commission.

23 (b) Prescribing the information to be furnished by any
24 applicant or licensee concerning his antecedents, habits,
25 character, associates, criminal record, business activities and
26 financial affairs, past or present.

27 (c) Prescribing the information to be furnished by a
28 licensee relating to his employees.



29 (d) Requiring fingerprinting of an applicant or
30 licensee, and gaming employees of a licensee, or other methods of
31 identification and the forwarding of all fingerprints taken
32 pursuant to regulation of the Federal Bureau of Investigation.

33 (e) Prescribing the manner and procedure of all
34 hearings conducted by the commission or any hearing examiner of
35 the commission, including special rules of evidence applicable
36 thereto and notices thereof.

37 (f) Requiring any applicant to pay all or any part of
38 the fees and costs of investigation of such applicant as may be
39 determined by the commission, except that no applicant for an
40 initial license shall be required to pay any part of the fees or
41 costs of the investigation of the applicant with regard to the
42 initial license.

43 (g) Prescribing the manner and method of collection and
44 payment of fees and issuance of licenses.

45 (h) Prescribing under what conditions a licensee may
46 be deemed subject to revocation or suspension of his license.

47 (i) Requiring any applicant or licensee to waive any
48 privilege with respect to any testimony at any hearing or meeting
49 of the commission, except any privilege afforded by the
50 Constitution of the United States or this state.

51 (j) Defining and limiting the area, games and devices
52 permitted, and the method of operation of such games and devices,
53 for the purposes of this chapter.

54 (k) Prescribing under what conditions the nonpayment of
55 a gambling debt by a licensee shall be deemed grounds for
56 revocation or suspension of his license.

57 (l) Governing the use and approval of gambling devices
58 and equipment.

59 (m) Prescribing the qualifications of, and the
60 conditions under which, attorneys, accountants and others are
61 permitted to practice before the commission.



62 (n) Restricting access to confidential information
63 obtained under this chapter and ensuring that the confidentiality
64 of such information is maintained and protected.

65 (o) Prescribing the manner and procedure by which the
66 executive director on behalf of the commission shall notify a
67 county or a municipality wherein an applicant for a license
68 desires to locate.

69 (p) Prescribing the manner and procedure for an
70 objection to be filed with the commission and the executive
71 director by a county or municipality wherein an applicant for a
72 license desires to locate.

73 (3) Notwithstanding any other provision of law, each
74 licensee shall be required to comply with the following
75 regulations:

76 (a) No wagering shall be allowed on the outcome of any
77 athletic event, nor on any matter to be determined during an
78 athletic event, nor on the outcome of any event which does not
79 take place on the premises.

80 (b) No wager may be placed by, or on behalf of, any
81 individual or entity or group, not present on a licensed vessel or
82 cruise vessel.

83 (c) No alcoholic beverage as defined in Section 67-1-5
84 or beer or light wine as described in Section 67-3-5 may be
85 provided to an individual on the premises of a licensed gaming
86 establishment for consumption by the individual on such premises,
87 unless the alcoholic beverage, beer or light wine is sold to the
88 individual for at least the retail price customarily charged for
89 sales of such item on the premises. However, if beer or light
90 wine is produced at a brewpub as defined in Section 27-71-301, the
91 beer or light wine shall not be sold at a price less than it cost
92 to manufacture such beer or light wine as provided in Section
93 67-3-22.



94 SECTION 2. This act shall take effect and be in force from
95 and after July 1, 2001.

