HOUSE BILL NO. 325

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

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

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

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

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

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

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

(c) Prescribing the information to be furnished by a licensee relating to his employees.
(d) Requiring fingerprinting of an applicant or licensee, and gaming employees of a licensee, or other methods of identification and the forwarding of all fingerprints taken pursuant to regulation of the Federal Bureau of Investigation.

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

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

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

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

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

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

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

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

(m) Prescribing the qualifications of, and the conditions under which, attorneys, accountants and others are permitted to practice before the commission.
(n) Restricting access to confidential information obtained under this chapter and ensuring that the confidentiality of such information is maintained and protected.

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

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

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

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

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

(c) No alcoholic beverage as defined in Section 67-1-5 or beer or light wine as described in Section 67-3-5 may be provided to an individual on the premises of a licensed gaming establishment for consumption by the individual on such premises, unless the alcoholic beverage, beer or light wine is sold to the individual for at least the retail price customarily charged for sales of such item on the premises. However, if beer or light wine is produced at a brewpub as defined in Section 27-71-301, the beer or light wine shall not be sold at a price less than it cost to manufacture such beer or light wine as provided in Section 67-3-22.
SECTION 2. This act shall take effect and be in force from and after July 1, 2001.