HOUSE BILL NO. 885

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

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

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

75-76-34. (1) Except as otherwise provided in this section, the Mississippi Gaming Commission is authorized to regulate all schools or training institutions that teach or train gaming employees. Such schools shall only be located in counties where gaming is legal aboard a cruise vessel or vessel or in counties where cruise vessels were legally operating out of a port at the time of passage of the Mississippi Gaming Control Act pursuant to Section 19-3-79. No such school shall be located on publicly owned property unless the property is under the jurisdiction of the Board of Trustees of State Institutions of Higher Learning, and except as otherwise authorized under this section, no public school shall teach or train persons to be gaming employees. Any state institution of higher learning located in such a county may teach certain gaming-related courses authorized under this section.
if the governing authority of the institution of higher learning approves the teaching of the course or courses. If a state institution of higher learning has its main campus in a county where gaming is not legal and a branch campus in a county where gaming is legal, the institution of higher learning may teach gaming-related courses only at the branch campus in the county where gaming is legal. The gaming activities of schools or training institutions regulated by the commission and those excepted from such regulation or partially regulated shall be deemed to be legal under the laws of the State of Mississippi. Any person desiring to operate a school or training institution must file a license application with the executive director to be licensed by the commission.

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

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

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

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

(d) Requiring any applicant to pay all or part of the fees and costs of investigation of the applicant as may be determined by the commission.
(e) Prescribing the manner and method of collection and payment of fees and costs and issuance of licenses to schools or training institutions.

(f) Prescribing under what conditions a licensee authorized by this section may be deemed subject to revocation or suspension of his license.

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

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

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

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

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

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

   (ii) Is a fugitive from justice;

   (iii) Is an unlawful user of any controlled substance, is addicted to any controlled substance or alcoholic beverage, or is an habitual drunkard;
(iv) Is a mental defective, has been committed to a mental institution, or has been voluntarily committed to a mental institution on more than one (1) occasion;
(v) Has been discharged from the Armed Forces under dishonorable conditions; or
(vi) Has been found at any time by the executive director or commission to have falsified any information.

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

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

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

75-76-55. (1) Except as otherwise provided in Section 75-76-34, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, either solely or in conjunction with others, without having first procured and thereafter maintaining in effect a state gaming license:
(a) To deal, operate, carry on, conduct, maintain or expose for play in the State of Mississippi any gambling game, including without limitation any gaming device, slot machine, race book, or sports pool;
(b) To provide or maintain any information service the primary purpose of which is to aid the placing or making of wagers on events of any kind; or

(c) To receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played, for keeping, running or carrying on any gambling game, including without limitation any slot machine, gaming device, race book or sports pool.

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

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

37-101-13. It shall be the duty of the Board of Trustees of State Institutions of Higher Learning to begin immediately a comprehensive study of the role and scope of all of the various institutions under its jurisdiction, including a detailed study of the programs of study, degrees and courses offered. Following the completion of such study, the board shall make such adjustments as may be found to be necessary in the programs of the various institutions, to the end that the broadest possible educational opportunities shall be offered to the citizens of this state without inefficient and needless duplication. Subject to the provisions of Section 75-76-34, the board shall, through such officers of the board and through such procedures as it shall see fit to establish, exercise continuing jurisdiction and control over the establishment of new courses of study, new departments and new functions and activities in each institution so that the growth and development of the program of higher education in the
state shall proceed in an orderly and rational manner, inefficient
and needless duplication may be avoided, and new expanded programs
will be undertaken only as the same may become justified, based
upon objective criteria to be established by the board. In
carrying out the purposes of this section, particular attention
shall be given to the extension programs of the various
institutions. The board, in conjunction with the chancellor and
presidents of the institutions of higher learning, shall take such
steps as may be necessary to improve and coordinate such programs
and shall exercise such direct control over the establishment,
organization, operation and granting of credit for such programs
as may be necessary to accomplish such purposes.

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