HOUSE BILL NO. 940

AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC COMMUNITY AND JUNIOR COLLEGES TO OFFER CERTAIN LIMITED COURSES; TO PROVIDE THAT IN CERTAIN CASES STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC COMMUNITY AND JUNIOR COLLEGES OFFERING SUCH COURSES SHALL NOT BE SUBJECT TO REGULATION BY THE MISSISSIPPI GAMING COMMISSION; TO AMEND SECTIONS 75-76-55, 37-101-13, 37-29-1 AND 37-29-63, 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:

Section 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, unless the schools, courses or training is offered by a state institution of higher learning or a public community or junior college. 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 or a public community or junior college. Except as authorized under this section, no public school shall teach or train persons to be gaming employees. The gaming activities of schools or training institutions regulated by the commission and of those schools or training institutions excepted from such regulation or partially regulated, as provided in this section,
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 and public community and junior colleges. These regulations shall, without limiting the general powers of the commission, include 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) 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) State institutions of higher learning and public community and junior colleges may offer courses related to casino hospitality services, cage and count operations, and slot machine maintenance. Slot machine maintenance training may be performed only on equipment approved by the commission for training purposes only. State institutions of higher learning and public community and junior colleges 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. Section 37-29-1, Mississippi Code of 1972, is amended as follows:

37-29-1. (1) The creation, establishment, maintenance and operation of community and junior colleges is authorized. From and after May 1, 1998, community and junior colleges may admit students if they have earned one (1) unit less than the number of units required for high school graduation established by State Board of Education policy or have earned a General Education Diploma (GED) in courses correlated to those of senior colleges or professional schools. Subject to the provisions of Section 75-76-34, they shall offer education and training preparatory for occupations such as agriculture, industry, business, homemaking and for other occupations on the semi-professional and vocational-technical level. They may offer courses and services to students regardless of their previous educational attainment or further academic plans.

(2) The boards of trustees of the community and junior college districts are authorized to establish a dual enrollment program under which high school students meeting the requirements prescribed herein may enroll at a community or junior college while they are still attending high school and enrolled in high school courses. Students may be admitted to enroll in community or junior college courses under the dual enrollment program if they meet the following recommended admission requirements:

(a) Students must have completed a minimum of fourteen (14) core high school units;

(b) Students must have a minimum ACT composite score of twenty-one (21) or the equivalent SAT score;

(c) Students must have a 3.0 grade point average on a 4.0 scale, or better, on all high school courses, as documented by an official high school transcript; a home-schooled student must submit a transcript prepared by a parent, guardian or custodian.
with a signed, sworn affidavit to meet the requirement of this paragraph (c); and

(d) Students must have an unconditional written recommendation from their high school principal and/or guidance counselor. A home-schooled student must submit a parent, legal guardian or custodian's written recommendation to meet the requirement of this paragraph (d).

Students may be considered for the dual enrollment program who have not completed the minimum of fourteen (14) core high school units if they have a minimum ACT composite score of thirty (30) or the equivalent SAT score, and have the required grade point average and recommendations prescribed above.

Students admitted in the dual enrollment program shall be counted for minimum program funding purposes in the average daily attendance of the public school district in which they attend high school. Any additional transportation required by a student to participate in the dual enrollment program shall be the responsibility of the parents or legal guardians of the student.

Grades and college credits earned by students admitted to the dual enrollment program shall be recorded on the college transcript at the community or junior college where the student attends classes. The transcript of such college course work may be released to another institution or used for college graduation requirements only after the student has received his high school diploma.

(3) The boards of trustees of the community and junior college districts are authorized to establish an early admission program under which applicants meeting all requirements prescribed in subsection (2)(a), (c) and (d) and have a minimum ACT composite score of twenty-six (26) or the equivalent SAT score may be admitted as full-time college students if the principal or guidance counselor of the student recommends in writing that it is in the best educational interest of the student. Such recommendation shall also state that the student's age will not
keep him from being a successful full-time college student. Students admitted in the early admission program shall not be counted for minimum program funding purposes in the average daily attendance of the school district in which they reside, and transportation required by a student to participate in the early admission program shall be the responsibility of the parents or legal guardians of the student. Grades and college credits earned by students admitted to the early admission program shall be recorded on the college transcript at the community or junior college where the student attends classes, and may be released to another institution or used for college graduation requirements only after the student has successfully completed one (1) full semester of course work.

(4) In addition to the foregoing, the community and junior colleges shall provide, through courses or other acceptable educational measures, the general education necessary to individuals and groups which will tend to make them capable of living satisfactory lives consistent with the ideals of a democratic society.

SECTION 5. Section 37-29-63, Mississippi Code of 1972, is amended as follows:

37-29-63. The president of any junior college shall have the power to recommend to the board of trustees all teachers to be employed in the district. He may remove or suspend any member of the faculty subject to the approval of the trustees. He shall be the general manager of all fiscal and administrative affairs of the district with full authority to select, direct, employ and discharge any and all employees other than teachers; however, the board may make provisions and establish policies for leave for faculty members and other key personnel.

The president shall have the authority, subject to the provisions of Section 75-76-34 and Sections 37-29-1 through 37-29-273 and the approval of the trustees, to arrange and survey
courses of study, fix schedules, and establish and enforce rules and discipline for the governing of teachers and students. He shall be the general custodian of the property of the district.

**SECTION 6.** This act shall take effect and be in force from and after its passage.