

By: Representative Clark

To: Universities and  
Colleges; Ways and Means

HOUSE BILL NO. 824

1 AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC  
3 COMMUNITY AND JUNIOR COLLEGES TO OFFER GAMING-RELATED COURSES; TO  
4 PROVIDE THAT STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC  
5 COMMUNITY AND JUNIOR COLLEGES OFFERING SUCH COURSES SHALL NOT BE  
6 SUBJECT TO REGULATION BY THE MISSISSIPPI GAMING COMMISSION; TO  
7 AMEND SECTIONS 75-76-55, 37-101-13, 37-29-1 AND 37-29-63,  
8 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
9 ACT; AND FOR RELATED PURPOSES.

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

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

13 75-76-34. (1) Except as otherwise provided in this section,  
14 the Mississippi Gaming Commission is authorized to regulate all  
15 schools or training institutions that teach or train gaming  
16 employees. Such schools shall only be located in counties where  
17 gaming is legal aboard a cruise vessel or vessel or in counties  
18 where cruise vessels were legally operating out of a port at the  
19 time of passage of the Mississippi Gaming Control Act pursuant to  
20 Section 19-3-79, unless the school, course or training is offered  
21 by a state institution of higher learning or a public community or  
22 junior college. No such school shall be located on publicly owned  
23 property other than property under the jurisdiction of the Board  
24 of Trustees of State Institutions of Higher Learning or a public  
25 community or junior college. Except as authorized under this  
26 section, no public school shall teach or train persons to be  
27 gaming employees. The gaming activities of schools or training  
28 institutions regulated by the commission and of state institutions  
29 of higher learning and public community and junior colleges shall  
30 be deemed to be legal under the laws of the State of Mississippi.



31 Any person desiring to operate a school or training institution  
32 other than a state institution of higher learning or community or  
33 junior college must file a license application with the executive  
34 director to be licensed by the commission.

35 (2) The commission may adopt regulations it deems necessary  
36 to regulate schools and training institutions other than state  
37 institutions of higher learning and public community and junior  
38 colleges. These regulations shall, without limiting the general  
39 powers of the commission, include the following:

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

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

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

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

54 (e) Prescribing the manner and method of collection and  
55 payment of fees and costs and issuance of licenses to schools or  
56 training institutions.

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

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



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

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

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

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

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

82 (ii) Is a fugitive from justice;

83 (iii) Is an unlawful user of any controlled  
84 substance, is addicted to any controlled substance or alcoholic  
85 beverage, or is an habitual drunkard;

86 (iv) Is a mental defective, has been committed to  
87 a mental institution, or has been voluntarily committed to a  
88 mental institution on more than one (1) occasion;

89 (v) Has been discharged from the Armed Forces  
90 under dishonorable conditions; or

91 (vi) Has been found at any time by the executive  
92 director or commission to have falsified any information.

93 (3) State institutions of higher learning may offer credited  
94 courses specifically relating to gaming management, including, but  
95 not limited to, courses that provide instruction in accounting,  
96 hospitality, marketing, auditing, finance, procurement, security



97 and regulatory requirements in fulfillment of a degree in general  
98 business management, hotel and motel management, food and beverage  
99 management, gaming management, accounting or criminal justice.  
100 State institutions of higher learning are not subject to  
101 regulation by the commission for the purposes of this subsection.

102 (4) State institutions of higher learning and public  
103 community and junior colleges may offer courses related to casino  
104 hospitality services, cage and count operations, and slot machine  
105 maintenance. Slot machine maintenance training may be performed  
106 only on equipment approved by the commission for training purposes  
107 only. State institutions of higher learning and public community  
108 and junior colleges are not subject to regulation by the  
109 commission for the purposes of this subsection.

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

112 75-76-55. (1) Except as otherwise provided in Section  
113 75-76-34, it is unlawful for any person, either as owner, lessee  
114 or employee, whether for hire or not, either solely or in  
115 conjunction with others, without having first procured and  
116 thereafter maintaining in effect a state gaming license:

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

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

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



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

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

138           37-101-13. It shall be the duty of the Board of Trustees of  
139 State Institutions of Higher Learning to begin immediately a  
140 comprehensive study of the role and scope of all of the various  
141 institutions under its jurisdiction, including a detailed study of  
142 the programs of study, degrees and courses offered. Following the  
143 completion of such study, the board shall make such adjustments as  
144 may be found to be necessary in the programs of the various  
145 institutions, to the end that the broadest possible educational  
146 opportunities shall be offered to the citizens of this state  
147 without inefficient and needless duplication. Subject to the  
148 provisions of Section 75-76-34, the board shall, through such  
149 officers of the board and through such procedures as it shall see  
150 fit to establish, exercise continuing jurisdiction and control  
151 over the establishment of new courses of study, new departments  
152 and new functions and activities in each institution so that the  
153 growth and development of the program of higher education in the  
154 state shall proceed in an orderly and rational manner, inefficient  
155 and needless duplication may be avoided, and new expanded programs  
156 will be undertaken only as the same may become justified, based  
157 upon objective criteria to be established by the board. In  
158 carrying out the purposes of this section, particular attention  
159 shall be given to the extension programs of the various  
160 institutions. The board, in conjunction with the chancellor and  
161 presidents of the institutions of higher learning, shall take such



162 steps as may be necessary to improve and coordinate such programs  
163 and shall exercise such direct control over the establishment,  
164 organization, operation and granting of credit for such programs  
165 as may be necessary to accomplish such purposes.

166 **SECTION 4.** Section 37-29-1, Mississippi Code of 1972, is  
167 amended as follows:

168 37-29-1. (1) The creation, establishment, maintenance and  
169 operation of community and junior colleges is authorized.  
170 Community and junior colleges may admit students if they have  
171 earned one (1) unit less than the number of units required for  
172 high school graduation established by State Board of Education  
173 policy or have earned a General Education Diploma (GED) in courses  
174 correlated to those of senior colleges or professional schools.  
175 Subject to the provisions of Section 75-76-34, they shall offer  
176 education and training preparatory for occupations such as  
177 agriculture, industry, business, homemaking and for other  
178 occupations on the semi-professional and vocational-technical  
179 level. They may offer courses and services to students regardless  
180 of their previous educational attainment or further academic  
181 plans.

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

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

193 (b) Students must have a 3.0 grade point average on a  
194 4.0 scale, or better, on all high school courses, as documented by



195 an official high school transcript; a home-schooled student must  
196 submit a transcript prepared by a parent, guardian or custodian  
197 with a signed, sworn affidavit to meet the requirement of this  
198 paragraph; and

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

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

209 Students admitted in the dual enrollment program shall be  
210 counted for adequate education program funding purposes in the  
211 average daily attendance of the public school district in which  
212 they attend high school. Any additional transportation required  
213 by a student to participate in the dual enrollment program shall  
214 be the responsibility of the parents or legal guardians of the  
215 student. Grades and college credits earned by students admitted  
216 to the dual enrollment program shall be recorded on the college  
217 transcript at the community or junior college where the student  
218 attends classes. The transcript of such college course work may  
219 be released to another institution or used for college graduation  
220 requirements only after the student has received his high school  
221 diploma.

222 (3) The boards of trustees of the community and junior  
223 college districts are authorized to establish an early admission  
224 program under which applicants meeting all requirements prescribed  
225 in subsection (2) (a) through (c) and having a minimum ACT  
226 composite score of twenty-six (26) or the equivalent SAT score may  
227 be admitted as full-time college students if the principal or



228 guidance counsellor of the student recommends in writing that it  
229 is in the best educational interest of the student. Such  
230 recommendation shall also state that the student's age will not  
231 keep him from being a successful full-time college student.  
232 Students admitted in the early admission program shall not be  
233 counted for adequate education program funding purposes in the  
234 average daily attendance of the school district in which they  
235 reside, and transportation required by a student to participate in  
236 the early admission program shall be the responsibility of the  
237 parents or legal guardians of the student. Grades and college  
238 credits earned by students admitted to the early admission program  
239 shall be recorded on the college transcript at the community or  
240 junior college where the student attends classes, and may be  
241 released to another institution or used for college graduation  
242 requirements only after the student has successfully completed one  
243 (1) full semester of course work.

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

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

251 37-29-63. The president of any community/junior college, or  
252 such other person designated or authorized by the board of  
253 trustees, shall have the power to recommend to the board of  
254 trustees all teachers to be employed in the district. The  
255 president may remove or suspend any member of the faculty subject  
256 to the approval of the trustees. He shall be the general manager  
257 of all fiscal and administrative affairs of the district with full  
258 authority to select, direct, employ and discharge any and all  
259 employees other than teachers; however, the board may make





260 provisions and establish policies for leave for faculty members  
261 and other key personnel.

262         The president shall have the authority, subject to the  
263 provisions of Section 75-76-34 and Sections 37-29-1 through  
264 37-29-273 and the approval of the trustees, to arrange and survey  
265 courses of study, fix schedules, and establish and enforce rules  
266 and discipline for the governing of teachers and students. He  
267 shall be the general custodian of the property of the district.

268         This section shall be repealed on July 1, 2004.

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

