

By: Representatives Wells-Smith, Aldridge,  
Davis, Ellington, Fillingane, Gunn, Howell,  
Lott, Mayhall, Reed, Turner

To: Gaming

HOUSE BILL NO. 1287

1 AN ACT TO AMEND SECTION 75-76-33 AND 75-76-301, MISSISSIPPI  
2 CODE OF 1972, TO PROHIBIT CASH-PRODUCING AND CREDIT-PRODUCING  
3 MACHINES ON THE PREMISES OF GAMING ESTABLISHMENTS; AND FOR RELATED  
4 PURPOSES.

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

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

8 75-76-33. (1) The commission shall, from time to time,  
9 adopt, amend or repeal \* \* \* regulations, consistent with the  
10 policy, objects and purposes of this chapter, as it may deem  
11 necessary or desirable in the public interest in carrying out the  
12 policy and provisions of this chapter.

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

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

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

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

26 (d) Requiring fingerprinting of an applicant or  
27 licensee, and gaming employees of a licensee, or other methods of

28 identification and the forwarding of all fingerprints taken under  
29 regulation of the Federal Bureau of Investigation.

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

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

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

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

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

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

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

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

56 (m) Prescribing the qualifications of, and the  
57 conditions under which, attorneys, accountants and others are  
58 permitted to practice before the commission.

59           (n) Restricting access to confidential information  
60 obtained under this chapter and ensuring that the confidentiality  
61 of the information is maintained and protected.

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

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

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

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

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

80           (c) No cash-producing or credit-producing machines,  
81 such as bank automatic teller machines or machines capable of  
82 producing electronic fund transfers as described in Section  
83 81-5-100, shall be allowed on the premises of any licensed gaming  
84 establishment.

85           **SECTION 2.** Section 75-76-301, Mississippi Code of 1972, is  
86 amended as follows:

87           75-76-301. (1) It is unlawful for any person:

88           (a) To alter or misrepresent the outcome of a game or  
89 other event on which wagers have been made after the outcome is  
90 made sure but before it is revealed to the players.

91           (b) To place, increase or decrease a bet or to  
92 determine the course of play after acquiring knowledge, not  
93 available to all players, of the outcome of the game or any event  
94 that affects the outcome of the game or that is the subject of the  
95 bet or to aid anyone in acquiring the knowledge for the purpose of  
96 placing, increasing or decreasing a bet or determining the course  
97 of play contingent upon that event or outcome.

98           (c) To claim, collect or take, or attempt to claim,  
99 collect or take, money or anything of value in or from a gambling  
100 game, with intent to defraud, without having made a wager  
101 contingent thereon, or to claim, collect or take an amount greater  
102 than the amount won.

103           (d) Knowingly to entice or induce another to go to any  
104 place where a gambling game is being conducted or operated in  
105 violation of the provisions of this chapter, with the intent that  
106 the other person play or participate in the gambling game.

107           (e) To place or increase a bet after acquiring  
108 knowledge of the outcome of the game or other event that is the  
109 subject of the bet, including past-posting and pressing bets.

110           (f) To reduce the amount wagered or cancel the bet  
111 after acquiring knowledge of the outcome of the game or other  
112 event that is the subject of the bet, including pinching bets.

113           (g) To manipulate, with the intent to cheat, any  
114 component of a gaming device in a manner contrary to the designed  
115 and normal operational purpose for the component, including, but  
116 not limited to, varying the pull of the handle of a slot machine,  
117 with knowledge that the manipulation affects the outcome of the  
118 game or with knowledge of any event that affects the outcome of  
119 the game.

120           (2) It is unlawful for any person, either as owner or  
121 licensee, to knowingly permit any cash-producing or  
122 credit-producing machine, such as bank automatic teller machines  
123 or machines capable of producing electronic fund transfers as

124 described in Section 81-5-100, to be located on the premises of  
125 any licensed gaming establishment.

126         **SECTION 3.** This act shall take effect and be in force from  
127 and after July 1, 2004.