

By: Representative Smith (27th)

To: Gaming

HOUSE BILL NO. 431

1 AN ACT TO LEGALIZE PARI-MUTUEL WAGERING ON HORSE RACES; TO
2 CREATE THE MISSISSIPPI HORSE RACING COMMISSION; TO PROVIDE FOR A
3 LOCAL ELECTION ON THE ISSUE OF WHETHER HORSE RACING MAY BE
4 CONDUCTED IN THE LOCALITY; TO SET FORTH THE DUTIES OF THE
5 COMMISSION; TO PROVIDE FOR THE OPERATION OF A RACETRACK OR RACE
6 MEETING SCHEDULE; TO AUTHORIZE THE COMMISSION TO PROMULGATE RULES
7 ON PARI-MUTUEL WAGERING; TO PROVIDE THAT THE PROVISIONS OF THIS
8 ACT SHALL NOT APPLY TO CERTAIN RACES; TO PROVIDE FOR THE METHOD OF
9 PARI-MUTUEL WAGERING; TO PROVIDE FOR DISTRIBUTION OF FUNDS; TO
10 AUTHORIZE CERTAIN FUNDS TO BE DEPOSITED IN A TRUST FUND; TO
11 PROVIDE THAT A PERSON SHALL BE GUILTY OF A MISDEMEANOR FOR
12 CONDUCTING WAGERING NOT AUTHORIZED BY THIS ACT; TO PROVIDE THAT
13 ANY PERSON WHO ENGAGES IN THE PRACTICE OF GAMBLING SHALL BE
14 INELIGIBLE TO OPERATE A RACETRACK; TO PROVIDE THAT A PERSON SHALL
15 BE GUILTY OF A FELONY FOR PREARRANGING RESULTS OF A RACE; TO
16 PROVIDE THAT A PERSON SHALL BE GUILTY OF A FELONY FOR UNLAWFUL
17 TRANSMISSION OF RACE RESULTS; TO PROVIDE THAT A PERSON SHALL BE
18 GUILTY OF A MISDEMEANOR FOR UNLAWFULLY PURCHASING PARI-MUTUEL
19 TICKETS; TO RESTRICT MINORS FROM RACES; TO AUTHORIZE THE
20 COMMISSION TO APPROVE COMPUTATIONAL EQUIPMENT; TO ALLOW THE
21 COMMISSION TO EMPLOY SECURITY FORCES; TO ALLOW THE COMMISSION TO
22 ADOPT REGULATIONS PROHIBITING THE USE OF DRUGS ON THE ANIMALS; TO
23 PROVIDE THAT CERTAIN INDIVIDUALS ARE NOT LIABLE FOR ENFORCEMENT OF
24 THIS ACT; TO AUTHORIZE THE COMMISSION TO REVOKE OR SUSPEND AN
25 ASSOCIATION'S CERTIFICATION FOR FAILURE TO COOPERATE WITH THE
26 COMMISSION; AND FOR RELATED PURPOSES.

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

28 **SECTION 1.** This act legalizes wagering on horse races under
29 the form of mutuel wagering by patrons known as "pari-mutuel
30 wagering" to the extent that the wagering is conducted strictly in
31 conformity with this act.

32 **SECTION 2.** (1) There is created the Mississippi Horse
33 Racing Commission, referred to in this act as "commission,"
34 composed of three (3) commissioners, each being residents of the
35 state for at least ten (10) consecutive years immediately before
36 appointment. The Governor, Lieutenant Governor and State Auditor
37 shall each appoint one (1) commissioner. The Governor's initial
38 appointee shall serve a term of two (2) years; the Lieutenant
39 Governor's initial appointee shall serve a term of four (4) years;

40 and the State Auditor's initial appointee shall serve a term of
41 six (6) years. Commissioners appointed upon the expiration of the
42 initial terms of service shall serve for a term of six (6) years.
43 Commissioners are eligible for reappointment to the commission.
44 Vacancies on the commission shall be filled by the appointing
45 authority for the unexpired term. Any person who owns any
46 financial interest in a racetrack or its operation is ineligible
47 to serve on the commission. The commission shall cease to exist
48 if the local option referendum on horse racing is disapproved in
49 all counties.

50 (2) Each commissioner is entitled to per diem compensation
51 in accordance with Section 25-3-69 for each day or portion thereof
52 in performing his duties and to reimbursement for actual and
53 necessary expenses incurred in performing his duties.

54 (3) The commission shall elect one (1) of the members as
55 chairman for a two-year period. The commission shall hold at
56 least six (6) regular meetings per year and may adopt rules
57 providing for special meetings. A majority of the members
58 constitutes a quorum for the transaction of business. All votes
59 by the commission shall be recorded on its minutes.

60 (4) The commission may employ an executive secretary and
61 other necessary personnel. No person who owns a financial
62 interest in a racetrack, who accepts any remuneration from a
63 racetrack or who owns a horse that races in Mississippi, may be
64 employed by the commission, and no person related to any such
65 person may be employed by the commission. The executive secretary
66 shall serve at the will and pleasure of the commission. The
67 Office of the Attorney General may counsel and represent the
68 commission in legal proceedings.

69 **SECTION 3.** Upon the submission of a petition signed by at
70 least two thousand (2,000) or fifteen percent (15%), whichever is
71 less, of the qualified electors of a county, the commission shall
72 authorize the circuit clerk of the county to hold an election on

73 the proposition of horse racing in the county. The referendum
74 shall be held not less than thirty (30) days nor more than sixty
75 (60) days after the legally obtained signatures or percentages are
76 presented to the commission. The referendum shall be advertised,
77 held, conducted and the result thereof canvassed in the manner
78 provided by law for advertising, holding and canvassing county
79 elections. The question to be voted on shall be stated on the
80 ballots or voting machine tabs substantially as follows: "Do
81 you favor the creation of a pari-mutuel racing of horses?"

82 If the majority of the votes cast in the referendum is "Yes,"
83 (a) horse racing is legal in that county and this act is operative
84 therein; and (b) a three-person county commission shall be
85 appointed by the board of supervisors for a term concurrent with
86 the term of the board of supervisors to assist the commission in
87 operational matters. If the vote is "No," this act has no further
88 effect in the county where the election is held.

89 **SECTION 4.** (1) The commission shall carry out the
90 provisions of this act, and it shall have the following specific
91 duties:

92 (a) To make rules governing the employment of all
93 persons connected with racetracks, including gatekeepers,
94 announcers, ushers, starters, officials, drivers, owners, agents,
95 trainers, jockeys, grooms, stable foremen, exercise boys,
96 veterinarians, valets, sellers of racing forms or bulletins, and
97 attendants in connection with the wagering machines;

98 (b) To make rules governing, permitting and regulating
99 the wagering on races under the form of mutuel wagering by patrons
100 known as "pari-mutuel wagering";

101 (c) To fix and set dates upon which race meetings may
102 be held or operated;

103 (d) To make an annual report to the Legislature,
104 showing its own actions and rulings, and receipts derived under
105 the provisions of this act, and such suggestions as it may deem

106 proper for the more effective accomplishment of the purposes of
107 this act;

108 (e) To require each applicant to set forth on the
109 application for authority to operate a race meeting the following
110 information:

111 (i) The full name of the person, association or
112 corporation, and if a corporation, the name of the state under
113 which it is incorporated, a certified copy of its charter and
114 bylaws, and the name of the corporation's agent for service of
115 process within the State of Mississippi;

116 (ii) If an association or corporation, the names
117 of the stockholders and directors of the corporation or the names
118 of the officers and directors of the association or of any person
119 having a financial interest in the corporation or association. It
120 is the intent of this requirement that the financial interests of
121 all natural persons be revealed and not be hidden behind a
122 corporate structure;

123 (iii) The exact location where the applicant
124 desires to conduct or hold a race meeting and a complete set of an
125 architect's renderings and detailed construction plans, showing
126 the site topography, the type of construction, the track design
127 and the concession plans;

128 (iv) Whether the racing track is owned or leased,
129 and if leased, the name and address of the owner, or if the owner
130 is a corporation, the names of the officers and directors thereof;

131 (v) The kind of racing to be conducted and the
132 dates upon which racing is requested to be conducted; and

133 (vi) Such other information as the commission may
134 require;

135 (f) To require an oath of every applicant, or of the
136 president or executive officer of the association or corporation,
137 stating that the information contained in the application is true;

138 (g) To make uniform rules and regulations governing the
139 operation of all racetracks, race meetings and races in the
140 county;

141 (h) To compel the production of any and all books,
142 memoranda or documents showing the receipts and disbursements of
143 any person, association or corporation authorized to conduct race
144 meetings under the provisions of this act;

145 (i) To require the removal of any employee or official
146 employed by any operator authorized hereunder whenever it has
147 reason to believe that such employee or official is guilty of any
148 improper practice in connection with racing or has failed to
149 comply with any rule adopted by the commission;

150 (j) To require that the books and financial or other
151 statements of any operator be kept in a manner and method
152 prescribed by the commission;

153 (k) To visit, investigate and place auditors and
154 inspectors in the offices, tracks or place of business of any
155 person, association or corporation operating under the
156 jurisdiction of the commission;

157 (l) To summon witnesses before its meetings, to
158 administer oaths to such witnesses and to require testimony on any
159 issue before it; and

160 (m) To employ such assistants and employees as may be
161 necessary and to prescribe their compensation and duties.

162 (2) Any person failing to appear before the commission, or
163 failing to produce books, records and documents ordered, or
164 refusing to testify thereon, shall be deemed guilty of a
165 misdemeanor, and upon conviction thereof, shall be punished by a
166 fine of not more than Five Hundred Dollars (\$500.00), or by
167 imprisonment not to exceed six (6) months, or by both.

168 (3) Nothing in this act prevents any person, association or
169 corporation from applying to the commission for a permit to

170 conduct races at a location where the racing track has not been
171 constructed.

172 (4) (a) Each person authorized to operate a race meeting
173 pursuant to this act and each owner or lessor of a racing track
174 under the jurisdiction of the commission must be a bona fide
175 resident of the State of Mississippi for a period of not less than
176 five (5) years immediately preceding the date of application for
177 such authority.

178 (b) Each director, officer, general partner, principal
179 or other individual having a substantial financial interest in a
180 corporation, partnership, limited partnership or other entity that
181 is authorized to operate a race meeting in accordance with this
182 act, or is the owner or lessor of a racing track under the
183 jurisdiction of the commission, must be a resident of the State of
184 Mississippi for a period of not less than five (5) years
185 immediately preceding the date of application for such authority.

186 (c) Each individual subject to the provisions of this
187 subsection must file with the commission a statement disclosing
188 economic interest and financial activities in such form and at
189 such times as may be required by the commission.

190 (5) The commission shall adopt a schedule of fees. In
191 addition to any fee or schedule of fees for employee permits,
192 premises license or other activity charged by the commission, the
193 commission shall require a fee from each applicant for a license
194 to operate a race meeting which will defray the initial expenses
195 of the commission. The fee shall be payable upon application and
196 periodically thereafter in an amount to be established by the
197 commission. Additional assessments may be made at any time on
198 order of the commission in order to fund the commission's
199 operations, including funds for the investigation of applicants.
200 In the event there is more than one (1) applicant or licensee, the
201 fees and assessments shall be apportioned in an equitable manner

202 among the licensees and applicants pursuant to rules adopted by
203 the commission.

204 All operations of the commission shall be funded by periodic
205 assessment of permit holders, license fees, permit fees and other
206 similar premises licenses. All funds derived from such fees shall
207 be deposited in a special account created in the State Treasury
208 entitled the "Mississippi Horse Racing Commission Fees Fund."

209 **SECTION 5.** (1) The commission may not authorize the
210 operation of a racetrack or race meeting schedule for a period of
211 more than twelve (12) consecutive months by any one (1) entity.
212 The commission may not deny unreasonably the continued operation
213 of a horse racetrack or horse meeting without good cause.
214 Authority granted to any entity under this act is not transferable
215 to any other place, track or enclosure, except as may be specified
216 in the application.

217 (2) The commission may not authorize two (2) horse
218 racetracks or horse race meetings to operate on the same racing
219 days.

220 (3) The commission may suspend or revoke its authorization
221 to any person conducting a horse race meeting in violation of any
222 of the provisions of this act, of any statute or ordinance, or of
223 any rule or regulation promulgated by the commission, or it may
224 invoke a civil penalty not to exceed One Thousand Dollars
225 (\$1,000.00) per offense in lieu thereof.

226 **SECTION 6.** The commission shall make rules regulating the
227 wagering on horse races under the form of mutuel wagering by
228 patrons known as "pari-mutuel wagering," which method is legal to
229 the extent that it is conducted strictly in conformity with this
230 act. However, trifecta wagering shall be prohibited. Only the
231 persons, associations or corporations specifically granted the
232 requisite authority by the commission have the right or privilege
233 to conduct pari-mutuel wagering. Such authorization shall
234 restrict and confine this form of wagering to a space within the

235 horse race meeting grounds. All other forms of wagering on the
236 result of races are illegal, and any wagering outside of the
237 enclosure of such horse races is illegal.

238 **SECTION 7.** The provisions of this act do not apply to the
239 running of horse races wherein wagering is not conducted, or to
240 the running of horse races conducted by a state fair association
241 or county fair association that holds not more than one (1)
242 meeting annually and that restricts such annual meeting to
243 fourteen (14) days or less.

244 **SECTION 8.** (1) The authorized operator of a pari-mutuel
245 pool may take out seventeen percent (17%) of the total amount
246 contributed to the pari-mutuel pool for win, place and show
247 wagering and twenty-five percent (25%) on all other forms of
248 pari-mutuel wagering.

249 (2) From the funds taken out as authorized in subsection (1)
250 of this section, every entity conducting horse race meetings under
251 this act shall pay to the treasurer of the commission an amount
252 equal to forty percent (40%) of the total amount contributed to
253 all wagering pools conducted or made under this act. The
254 remainder of the funds taken out as authorized in subsection (1)
255 of this section shall be divided as follows: thirty percent (30%)
256 for purses for horses; twenty-eight percent (28%) to the
257 authorized operator; and two percent (2%) to an award fund for
258 Mississippi horse breeders as created in subsection (4) of this
259 section.

260 (3) After the deduction of the funds taken out as authorized
261 in subsection (1) of this section, the remainder of the total
262 contributions to each pool shall be divided among and
263 redistributed to the contributors to such pools betting on the
264 winning animals. The amount of each redistribution for each
265 winning bet placed shall be determined by dividing the total
266 amount remaining in the pool, after the deductions set forth in
267 subsections (1) and (2) of this section are made, by the number of

268 bets placed on the winning animal. Each redistribution shall be
269 made in a sum equal to the next lowest multiple of ten (10). The
270 operator may retain the odd cents on all redistributions to be
271 known as the "breaks to a dime." Under the pari-mutuel system of
272 wagering herein provided, the operator may provide separate pools
273 for bets to win, place and show, for daily double, and for
274 exactas. Each pool shall be redistributed separately as herein
275 provided. Should there be no ticket bet on the winning animal,
276 the entire pool shall be divided among the holders of tickets on
277 the animal running next in line until the pool has been
278 redistributed to the contributors. The operator must use a
279 totalizator machine or a machine or device having similar
280 functions and capabilities to record the wagering and compute the
281 odds. Rules and regulations governing the operation of each of
282 the pools shall be set out in book form by the commission.

283 (4) (a) The commission shall establish an award fund for
284 Mississippi horse breeders and funds shall be paid to the
285 treasurer of the commission and deposited into the separate fund
286 as provided in subsection (2) of this section.

287 (b) The commission shall establish a system of awards
288 to the owners of sires and dams of Mississippi-bred horses and, by
289 rule, shall provide for the designation, registration and
290 certification of Mississippi-bred horses.

291 (c) The awards shall be distributed to the owner or
292 owners of the sire and dam of any Mississippi-bred horse winning
293 at a race meeting under the jurisdiction of the commission.

294 (d) The commission shall establish a separate account
295 in such fund for the several breeds of horses which are raced
296 under its jurisdiction and for the administration of this
297 subsection.

298 (e) The commission is further authorized to adopt such
299 bylaws, rules and regulations as may be necessary to carry out the

300 provisions of this subsection (4) and may charge a separate
301 registration fee for participation in the fund.

302 SECTION 9. (1) All funds received by the commission under
303 the provisions of this act, except fees and assessments authorized
304 in Section 4(5) of this act, shall be paid into a special account
305 created in the State Treasury entitled the "Mississippi Horse
306 Racing Commission Operations Fund."

307 (2) All monies remaining after payment of the expenses
308 incurred in the administration of this act, including the payment
309 of the salaries and expenses of the members and employees of the
310 commission, shall be distributed monthly, as follows:

311 (a) With respect to a county of the state where there
312 exists a substantial interest in horse breeding and a substantial
313 number of breeders of racing horses, which is bordered by a
314 jurisdiction in which pari-mutuel wagering is allowed, which is in
315 an area in which resort trade and tourism are actively promoted,
316 which consists of a population in excess of seventy-five thousand
317 (75,000) according to the 1990 federal decennial census, and in
318 which there are at least three (3) municipalities,

319 (i) Fifty percent (50%) to the trust fund
320 described in Section 10 of this act;

321 (ii) Five percent (5%) to the mental
322 health/retardation commissioner of such county for expenditure
323 authorized by Section 41-19-33;

324 (iii) Five percent (5%) to the county and
325 municipalities located therein for the purpose of law enforcement,
326 to be divided among the county and municipalities located therein
327 on a proportionate basis according to the total population of the
328 entities as shown by the 1990 federal decennial census, with the
329 population of the county being determined by counting only the
330 number of residents of the county living outside the area of any
331 incorporated municipality and with all of the funds so distributed

332 to be deposited in the general fund of the respective county or
333 municipality;

334 (iv) Five percent (5%) to any municipal
335 policemen's and firemen's retirement and disability fund of the
336 county, to be divided as nearly as possible in the manner
337 described in subsection (2)(a)(iii) of this section;

338 (v) Five percent (5%) to the junior college
339 district in which the county is located for supplemental
340 expenditures in the county;

341 (vi) Two and one-half percent (2-1/2%) to the
342 county and municipalities located therein for the support of
343 public libraries, to be divided among the county and
344 municipalities located therein in the same manner as provided in
345 subsection (2)(a)(iii) of this section for law enforcement
346 purposes;

347 (vii) Ten percent (10%) to the county and
348 municipal public school districts for general support, to be
349 divided among the county school district and municipal school
350 districts located in such county on a proportionate basis
351 according to the student enrollment in such districts on the
352 preceding October 1;

353 (viii) Ten percent (10%) to the county and
354 municipal public school districts for teacher salary increases, to
355 be divided among the county school district and municipal school
356 districts located in such county on proportionate basis according
357 to the number of teachers employed in such districts;

358 (ix) Two and one-half percent (2-1/2%) to the
359 volunteer fire departments in the county divided pro rata on the
360 basis of population of service area; and

361 (x) Five percent (5%) to any county hospital or
362 publicly funded hospital serving the county designated by the
363 commission for the operation of an alcohol and drug treatment
364 center.

365 (b) With respect to a county of the state in which
366 there is no substantial nonagricultural economic activity, which
367 is bordered by a jurisdiction in which pari-mutuel wagering is
368 allowed, which consists of a population of more than five thousand
369 (5,000) but not more than ten thousand (10,000) according to the
370 1990 federal decennial census, and in which there is not more than
371 one (1) municipality,

372 (i) Fifty percent (50%) to the trust fund
373 described in Section 10 of this act;

374 (ii) The remainder to be divided as follows:

375 1. Thirty-three and one-third percent
376 (33-1/3%) to the county and municipality located therein for the
377 purpose of law enforcement, to be divided among the county and
378 municipality located therein on a proportionate basis according to
379 the total population of the entities as indicated by the 1990
380 federal decennial census, with the population of the county being
381 determined by counting only the number of residents of the county
382 living outside the area of any incorporated municipality, and with
383 all of the funds so distributed to be deposited in the general
384 fund of the respective county or municipality;

385 2. Thirty-three and one-third percent
386 (33-1/3%) to the road and bridge fund of the county to be used for
387 road and bridge construction and maintenance; and

388 3. Thirty-three and one-third percent
389 (33-1/3%) to the county and municipal public school districts for
390 general support, to be divided among the school districts in the
391 county on a proportionate basis according to the student
392 enrollment in such school districts on the preceding October 1.

393 (3) The funds shall be distributed periodically by order of
394 the commission.

395 **SECTION 10.** All revenues derived from the contributions
396 pursuant to Section 9(2)(a)(i) and Section 9(2)(b)(i) of this act
397 shall be paid by the commission into the trust fund established in

398 Section 206A, Mississippi Constitution of 1890. The State
399 Treasurer is further authorized to accept contributions to the
400 trust fund from any other source. The State Treasurer shall
401 promulgate appropriate regulations with respect to all such
402 contributions.

403 **SECTION 11.** Any corporation, association or person who
404 directly or indirectly holds any race where wagering is permitted
405 otherwise than as prescribed in this act shall be guilty of a
406 misdemeanor. Any person wagering upon the results of such a race,
407 except in the pari-mutuel method of wagering when the same is
408 conducted by an operator and upon the grounds or enclosure of the
409 operator under the jurisdiction of the commission, shall be guilty
410 of a misdemeanor. Any corporation, organization, association or
411 person who violates any provision of this act for which a penalty
412 is not expressly provided shall be guilty of a misdemeanor. Upon
413 conviction of any of the above misdemeanors, the penalty shall be
414 a fine of not less than One Hundred Dollars (\$100.00), nor more
415 than One Thousand Dollars (\$1,000.00), or by imprisonment of not
416 less than five (5) days nor more than six (6) months, or both.

417 **SECTION 12.** (1) Any person who engages in the practice of
418 gambling on races, or in the practice of making gambling or
419 wagering books on such races, or who knowingly takes any part in
420 such practices, is ineligible to operate a racetrack or a race
421 meeting under the provisions of this act, or to be connected
422 therewith in any capacity.

423 (2) Any association or corporation which has as an officer,
424 director, stockholder, executive, or which employs any person who
425 engages in the practices set forth in subsection (1) of this
426 section is ineligible to operate a race meeting under the
427 provisions of this act or to be connected therewith in any
428 capacity.

429 (3) The commission may inquire into such matters as set
430 forth in subsection (1) of this section in administering this act.

431 **SECTION 13.** Any person who influences or has any
432 understanding or connivance with any owner, groom or other person
433 associated with or interested in any stable or horse, or race in
434 which any horse participates, to prearrange or predetermine the
435 results of any such race, or any person who shall stimulate or
436 depresses a horse for the purpose of affecting the results of a
437 race, shall be guilty of a felony and upon conviction thereof,
438 shall be imprisoned in the State Penitentiary for not less than
439 one (1) year nor more than ten (10) years, or shall be fined not
440 less than One Thousand Dollars (\$1,000.00) nor more than Five
441 Thousand Dollars (\$5,000.00), or both.

442 **SECTION 14.** It is unlawful for any person to transmit or
443 communicate to another by any means whatsoever the results,
444 changing odds, track conditions or any other information relating
445 to any race from any racetrack in the county, between the period
446 of time beginning one (1) hour before the first race of any day
447 and ending thirty (30) minutes after the posting of the official
448 results of each race, as to that particular race, except that this
449 period may be reduced to permit the transmitting of the results of
450 the last race each day not sooner than fifteen (15) minutes after
451 the official posting of such results. The commission, by rule,
452 may permit the immediate transmission by radio, television or
453 press wire of any pertinent information concerning feature races.

454 It is unlawful for any person to transmit by any means
455 whatsoever racing information to any other person, or to relay the
456 same to any other person by word of mouth, by signal, or by use of
457 telephone, telegraph, radio or any other means, when the
458 information is knowingly used or intended to be used for illegal
459 gambling purposes, or in the furtherance of such gambling
460 purposes.

461 Any person violating the provisions of this section is guilty
462 of a felony and, upon conviction thereof, shall be imprisoned in
463 the State Penitentiary for not less than one (1) year nor more

464 than ten (10) years, or shall be fined not less than One Thousand
465 Dollars (\$1,000.00) nor more than Five Thousand Dollars
466 (\$5,000.00), or both.

467 **SECTION 15.** It is unlawful for any person to purchase
468 directly or indirectly pari-mutuel tickets or participate in the
469 purchase of any part of a pari-mutuel pool for another for hire or
470 for any gratuity. It is unlawful for any person to purchase any
471 part of a pari-mutuel pool through another, wherein he gives or
472 pays directly or indirectly to such other person anything of
473 value. Any person violating this section is guilty of a
474 misdemeanor and, upon conviction thereof, shall be punished by a
475 fine of not more than Five Hundred Dollars (\$500.00), or by
476 imprisonment not to exceed six (6) months, or both.

477 **SECTION 16.** Persons under twenty-one (21) years of age may
478 not be permitted to wager on races and persons under eighteen (18)
479 years of age may not enter the viewing section unless accompanied
480 by a parent or guardian.

481 **SECTION 17.** The calculation of wagering is limited to
482 commission approved state-of-the-art computational equipment. The
483 commission must approve the information printed on each
484 pari-mutuel ticket.

485 **SECTION 18.** An adequate security force shall be employed as
486 prescribed by the commission. Members of security forces have the
487 same powers as other law enforcement officers of the county while
488 performing their duties on the premises of the racetrack.

489 **SECTION 19.** (1) The commission may adopt rules prohibiting
490 the illegal influencing of the outcome of a race, including the
491 use of medication, stimulants or depressants to influence the
492 outcome of the race. The commission may require pre-race and
493 post-race drug testing as needed to determine whether a drug has
494 been administered. Detection of prohibited drugs or chemicals
495 shall result in the immediate disqualification of the animal and
496 the suspension of all persons involved. Responsibility for the

497 protection of the animal from illegal drugging is placed on the
498 trainer of each animal. A drug test also may be required by the
499 owner or trainer of an animal or by the association at whose
500 racetrack the animal is entered in a race meeting. Knowing
501 violations of this section shall result in the barring of the
502 person or persons from receiving a license under this act or from
503 participating in any legalized pari-mutuel wagering or horse
504 racing authorized by this act, for a period set by the commission
505 or for life.

506 (2) A licensee may conduct any other lawful business on the
507 licensee's premises.

508 **SECTION 20.** A member of the commission, an employee of the
509 commission, a steward or judge, an association, or any other
510 person regulated under this act is not liable to any individual,
511 corporation, business association or other entity for a cause of
512 action that arises out of that person's performance or exercise of
513 discretion in the implementation or enforcement of this act or a
514 rule adopted under this act if the person has acted in good faith.

515 **SECTION 21.** If an operator or racing association refuses to
516 cooperate with the commission or other state agency regarding
517 access to its books and records, or if it becomes delinquent in
518 turning over the state's portion of the pools, the commission
519 immediately shall call a hearing to revoke or suspend the
520 association's certification or take other appropriate action as
521 deemed necessary by the commission.

522 **SECTION 22.** The Attorney General of the State of Mississippi
523 shall submit this act, immediately upon approval by the Governor,
524 or upon approval by the Legislature subsequent to a veto, to the
525 Attorney General of the United States or to the United States
526 District Court for the District of Columbia in accordance with the
527 provisions of the Voting Rights Act of 1965, as amended and
528 extended.

529 **SECTION 23.** This act shall take effect and be in force from
530 and after the date it is effectuated under Section 5 of the Voting
531 Rights Act of 1965, as amended and extended.