

By: Representatives Brown, Watson

To: Gaming; Ways and Means

## HOUSE BILL NO. 16

1 AN ACT TO PROVIDE THAT ANY GAMING LICENSEE WHO CONDUCTS  
2 SHORE-BASED GAMING IN ANY OF THE THREE MOST SOUTHERN COUNTIES OF  
3 THE STATE IN A STRUCTURE THAT IS NOT LOCATED IN AN AREA THAT IS  
4 CONSIDERED TIDELANDS SHALL PAY TO THE STATE OF MISSISSIPPI AN  
5 AMOUNT EQUAL TO THE LEASE RENTAL PAYMENT ON A COMPARABLE AREA THAT  
6 IS TIDELANDS; TO AMEND SECTION 29-15-9, MISSISSIPPI CODE OF 1972,  
7 IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Any gaming licensee who conducts shore-based  
10 gaming in any of the three (3) most southern counties of the state  
11 in a structure that is not located in an area that is considered  
12 tidelands under Section 29-15-1 et seq. shall pay to the State of  
13 Mississippi an amount equal to the lease rental payment on a  
14 comparable area that is tidelands. Any payment that is made under  
15 this section shall be deposited into the Public Trust Tidelands  
16 Fund created in Section 29-15-9.

17 **SECTION 2.** Section 29-15-9, Mississippi Code of 1972, is  
18 amended as follows:

19 29-15-9. (1) There is created in the State Treasury a  
20 special fund to be known as the "Public Trust Tidelands Fund."  
21 The fund shall be administered by the Secretary of State as  
22 trustee.

23 (2) (a) Any funds derived from lease rentals of tidelands  
24 and submerged lands, except those funds derived from mineral  
25 leases, or funds previously specifically designated to be applied  
26 to other agencies, and payments made pursuant to Section 1 of  
27 House Bill No. 16, 2005 Fifth Extraordinary Session, shall be  
28 transferred to the special fund.

29           (b) Funds transferred pursuant to paragraph (a) of this  
30 subsection may be used to cover the administrative cost incurred  
31 by the Secretary of State. Any remaining funds transferred  
32 pursuant to paragraph (a) of this subsection shall be disbursed  
33 pro rata to the local taxing authorities for the replacement of  
34 lost ad valorem taxes, if any. Then, any remaining funds shall be  
35 disbursed to the commission for new and extra programs of  
36 tidelands management, such as conservation, reclamation,  
37 preservation, acquisition, education or the enhancement of public  
38 access to the public trust tidelands or public improvement  
39 projects as they relate to those lands.

40           (3) Any funds that are appropriated as separate line items  
41 in an appropriation bill for tideland programs or projects  
42 authorized under this section for political subdivisions or other  
43 agencies shall be disbursed as provided in this subsection.

44           (a) The Department of Marine Resources shall make  
45 progress payments in installments based on the work completed and  
46 material used in the performance of a tidelands project only after  
47 receiving written verification from the political subdivision or  
48 agency. The political subdivision or agency shall submit  
49 verification of the work completed or materials in such detail and  
50 form that the department may require.

51           (b) The Department of Marine Resources shall make funds  
52 available for the purpose of using such funds as a match or  
53 leverage for federal or other funds that are available for the  
54 designated tidelands project.

55           **SECTION 3.** This act shall take effect and be in force from  
56 and after its passage.