

**Lost  
AMENDMENT NO 4 PROPOSED TO**

**House Bill No. 45**

**BY: Senator(s) Flowers**

1           **AMEND by inserting the following after line 478 and**  
2 **renumbering subsequent section(s) accordingly:**

3           **SECTION \*.** Section 19-3-79, Mississippi Code of 1972, is  
4 amended as follows:

5           19-3-79. (1) Any person, corporation or other legal entity  
6 required to obtain a state gaming license to conduct legal gaming  
7 aboard a cruise vessel or vessel, as defined in Section 27-109-1,  
8 as prescribed by the Mississippi Gaming Control Act shall, before  
9 applying for such license, provide the Mississippi Gaming  
10 Commission with a written notice of intent to apply for a license.  
11 The "notice of intent to apply for a gaming license" shall be on a  
12 form prescribed by the executive director of the commission and  
13 shall state the county in which the intending licensee desires to  
14 conduct legal gaming aboard a cruise vessel or vessel, as the case  
15 may be. Within ten (10) days after receipt of a notice of intent  
16 to apply for a gaming license, the commission shall require such  
17 person, corporation or legal entity to publish the notice once  
18 each week for three (3) consecutive weeks in a newspaper having  
19 general circulation in the county in which the intending licensee  
20 desires to conduct legal gaming aboard a cruise vessel or vessel,  
21 as the case may be.

22           (2) If no petition as prescribed in subsection (3) of this  
23 section is filed with the board of supervisors of the applicable

24 county within thirty (30) days after the date of the last  
25 publication, the board of supervisors of such county shall adopt a  
26 resolution stating that no petition was timely filed and that  
27 legal gaming may henceforth be conducted aboard cruise vessels or  
28 vessels, as the case may be, in such county.

29 (3) If a petition signed by twenty percent (20%) or fifteen  
30 hundred (1500), whichever is less, of the registered voters of a  
31 county in which a notice of intent to apply for a gaming license  
32 is published is filed within thirty (30) days of the date of the  
33 last publication with the circuit clerk of the applicable county,  
34 the board of supervisors of such county shall authorize the  
35 circuit clerk to hold an election on the proposition of allowing  
36 legal gaming to be conducted aboard cruise vessels or vessels, as  
37 the case may be, in the county on the date upon which such an  
38 election may be conducted under subsection (7). The referendum  
39 shall be advertised, held, conducted and the result thereof  
40 canvassed in the manner provided by law for advertising, holding  
41 and canvassing county elections.

42 (4) At such election, all qualified electors of such county  
43 may vote. The ballots used at such election shall have printed  
44 thereon a brief statement of the purpose of the election and the  
45 words "FOR LEGAL GAMING ABOARD CRUISE VESSELS (OR VESSELS) IN THE  
46 COUNTY AS PRESCRIBED BY LAW" and "AGAINST LEGAL GAMING ABOARD  
47 CRUISE VESSELS (OR VESSELS) IN THE COUNTY AS PRESCRIBED BY LAW."  
48 The voter shall vote by placing a cross (x) or check (✓) mark  
49 opposite his choice on the proposition. If a majority of the  
50 qualified electors who vote in such election shall vote in favor  
51 of allowing legal gaming to be conducted aboard cruise vessels or  
52 vessels, as the case may be, then legal gaming may henceforth be  
53 conducted aboard cruise vessels or vessels, as the case may be, in  
54 the county. If less than a majority of the qualified electors who  
55 vote in such election shall vote in favor of allowing legal gaming

56 to be conducted aboard cruise vessels or vessels, as the case may  
57 be, in the county, then gaming aboard cruise vessels or vessels,  
58 as the case may be, shall be prohibited in the county until such  
59 time as a subsequent election, held according to the restrictions  
60 specified in subsection (7), may authorize such legal gaming.

61 (5) In any county in which no petition is timely filed after  
62 a notice of intent to apply for a gaming license is published, or  
63 in which an election is held on the proposition of allowing legal  
64 gaming to be conducted aboard cruise vessels or vessels, as the  
65 case may be, in the county and a majority of the qualified  
66 electors who vote in such election vote in favor of allowing legal  
67 gaming to be conducted aboard cruise vessels or vessels, as the  
68 case may be, in the county, no election shall thereafter be held  
69 in that county pursuant to this section on the proposition of  
70 allowing legal gaming to be conducted aboard cruise vessels or  
71 vessels, as the case may be, in that county.

72 (6) Notwithstanding any provision of this section or  
73 Sections 97-33-1, 97-33-7, 97-33-17, 97-33-25 and 97-33-27 to the  
74 contrary, if an election is held pursuant to this section which  
75 causes the conducting of gaming aboard cruise vessels to be  
76 prohibited in any county in which one or more cruise vessels were  
77 operating out of a port in the county on the effective date of  
78 this chapter, the prohibition on the conducting of gaming aboard  
79 cruise vessels in that county shall not apply to the conducting of  
80 legal gaming aboard any of those cruise vessels which were still  
81 operating out of a port in that county at the time of the  
82 election.

83 (7) If an election has been held on the issue of allowing  
84 legal gaming to be conducted aboard cruise vessels or vessels, as  
85 the case may be, in a county, and the authority to conduct such  
86 legal gaming has been denied by the electors of such county, then  
87 a subsequent election on such issue may not be held until:

88           (a) The date of the next succeeding general election in  
89 which the election for President of the United States occurs; or

90           (b) In the case in which the authority to conduct such  
91 legal gaming has been denied by the electors of such county at  
92 elections on three (3) different occasions, whether those  
93 occasions be successive or not, the date of the next succeeding  
94 general election occurring at least twenty (20) years after the  
95 effective date of this act.

96           **FURTHER, AMEND line 12 of the title by inserting the**  
97 **following after the semicolon:**

98 TO AMEND SECTION 19-3-79, MISSISSIPPI CODE OF 1972, TO PROVIDE  
99 THAT NO ELECTION MAY BE HELD IN A COUNTY ON THE PROPOSITION OF  
100 ALLOWING LEGAL GAMING IN ANY COUNTY IN WHICH THE AUTHORITY TO  
101 CONDUCT SUCH LEGAL GAMING HAS BEEN DENIED BY THE ELECTORS OF SUCH  
102 COUNTY AT ELECTIONS ON THREE DIFFERENT OCCASIONS UNTIL 20 YEARS  
103 AFTER THE EFFECTIVE DATE OF THIS ACT;