

By: Representative Clark

To: Universities and
Colleges

HOUSE BILL NO. 605

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 BE
6 SUBJECT TO REGULATION BY THE BOARD OF TRUSTEES OF STATE
7 INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTIONS 75-76-55,
8 37-101-13 AND 37-29-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO
9 THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-29-63, MISSISSIPPI
10 CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR
11 RELATED PURPOSES.

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

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

15 75-76-34. (1) Except as otherwise provided in this section,
16 the Board of Trustees of State Institutions of Higher Learning is
17 authorized to regulate all schools or training institutions that
18 teach or train gaming employees. * * * No such school shall be
19 located on publicly owned property other than property under the
20 jurisdiction of the Board of Trustees of State Institutions of
21 Higher Learning or a public community or junior college. Except
22 as authorized under this section, no public school shall teach or
23 train persons to be gaming employees. The gaming activities of
24 schools or training institutions regulated by the Board of
25 Trustees of State Institutions of Higher Learning, including state
26 institutions of higher learning and public community and junior
27 colleges, shall be deemed to be legal under the laws of the State
28 of Mississippi. Any person desiring to operate a school or
29 training institution other than a state institution of higher
30 learning or public community or junior college must file a license
31 application with the executive director to be licensed by the

32 commission. Any community or junior college or institution of
33 higher learning may teach a course in an industry located in the
34 county that the institution is located. There shall be no gaming
35 activity at the college or institution.

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

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

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

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

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

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

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

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

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

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

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

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

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

83 (ii) Is a fugitive from justice;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

194 (b) Students must have a 3.0 grade point average on a
195 4.0 scale, or better, on all high school courses, as documented by

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

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

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

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

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

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

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

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

252 37-29-63. (1) The president of any community/junior
253 college, or such other person designated or authorized by the
254 board of trustees, shall have the power to recommend to the board
255 of trustees all teachers to be employed in the district.

256 (2) The president may remove or suspend any member of the
257 faculty subject to the approval of the trustees. He shall be the
258 general manager of all fiscal and administrative affairs of the
259 district with full authority to select, direct, employ and
260 discharge any and all employees other than teachers; however, the

261 board may make provisions and establish policies for leave for
262 faculty members and other key personnel.

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

269 **SECTION 6.** A new hire by any casino in this state must
270 require a certificate of completion under areas authorized under
271 this act by a Mississippi community college or university, or if
272 the person has completed a like course in another jurisdiction,
273 then a certificate by a university or community college in
274 Mississippi is required to be prepared and given to the casino by
275 the Mississippi university or community college.

276 **SECTION 7.** This act shall take effect and be in force from
277 and after its passage.