

By: Representatives Guice, Palazzo,  
Patterson

To: Gaming; Appropriations

## HOUSE BILL NO. 583

1 AN ACT TO CREATE THE "SPECIAL ENFORCEMENT FUND FOR THE  
2 MISSISSIPPI GAMING CONTROL ACT"; TO PROVIDE THAT ONE-HALF OF THE  
3 FINES, PENALTIES OR OTHER ASSESSMENTS IMPOSED BY THE LAW, OR BY  
4 THE MISSISSIPPI GAMING COMMISSION OR ITS EXECUTIVE DIRECTOR, FOR  
5 VIOLATIONS OF THE PROVISIONS OF THE MISSISSIPPI GAMING CONTROL ACT  
6 SHALL BE DEPOSITED INTO THE SPECIAL FUND; TO SPECIFY THAT MONIES  
7 IN THE FUND SHALL BE EXPENDED BY THE COMMISSION TO PAY THE COSTS  
8 OF ENFORCING THE PROVISIONS OF THE MISSISSIPPI GAMING CONTROL ACT;  
9 TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, IN  
10 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) Of all fines, penalties or other assessments  
13 imposed by law, or by the Mississippi Gaming Commission or the  
14 executive director of the commission, for violations of the  
15 provisions of this chapter, one-half (1/2) shall be deposited into  
16 the special fund created in subsection (2) of this section. The  
17 other one-half (1/2) of such fines, penalties or assessments and  
18 any funds that are derived from taxes, fees, interest, damages or  
19 other monies collected under the provisions of this chapter shall  
20 be deposited as provided in Section 75-76-129.

21 (2) There is created in the State Treasury a special fund,  
22 to be designated as the "Special Enforcement Fund for the  
23 Mississippi Gaming Control Act," to the credit of the Mississippi  
24 Gaming Commission. The special fund shall be comprised of the  
25 monies required to be deposited into the fund under this section,  
26 and any other funds that may be made available for the fund by the  
27 Legislature. The fund shall be maintained by the State Treasurer  
28 as a special fund, separate and apart from the General Fund of the  
29 state.

30 (3) Monies in the fund shall be expended by the Mississippi  
31 Gaming Commission, upon appropriation by the Legislature, to pay

32 the costs of enforcing the provisions of the Mississippi Gaming  
33 Control Act, Section 75-76-1 et seq. Unexpended amounts remaining  
34 in the special fund at the end of a fiscal year shall not lapse  
35 into the State General Fund, and any interest earned or investment  
36 earnings on amounts in the fund shall be deposited to the credit  
37 of the special fund.

38 **SECTION 2.** Section 75-76-129, Mississippi Code of 1972, is  
39 amended as follows:

40 **[Through June 30, 2022, this section shall read as follows:]**

41 75-76-129. On or before the last day of each month all  
42 taxes, fees, interest, penalties, damages, fines or other monies  
43 collected by the State Tax Commission during that month under the  
44 provisions of this chapter, with the exception of (a) the local  
45 government fees imposed under Section 75-76-195, \* \* \* (b) an  
46 amount equal to Three Million Dollars (\$3,000,000.00) of the  
47 revenue collected pursuant to the fee imposed under Section  
48 75-76-177(1)(c), and (c) the amount of one-half (1/2) of any  
49 fines, penalties and assessments imposed by law, or by the  
50 Mississippi Gaming Commission or the executive director of the  
51 commission, for violations of the provisions of this chapter,  
52 shall be paid by the State Tax Commission to the State Treasurer  
53 to be deposited in the State General Fund. The local government  
54 fees shall be distributed by the State Tax Commission pursuant to  
55 Section 75-76-197. An amount equal to Three Million Dollars  
56 (\$3,000,000.00) of the revenue collected during that month  
57 pursuant to the fee imposed under Section 75-76-177(1)(c) shall be  
58 deposited by the State Tax Commission into the bond sinking fund  
59 created in Section 65-39-3. The amount of one-half (1/2) of the  
60 fines, penalties and assessments imposed by law, or by the  
61 Mississippi Gaming Commission or the executive director of the  
62 commission, and collected during that month shall be deposited  
63 into the special fund created in Section 1 of this act.

64           **[From and after July 1, 2022, this section shall read as**  
65 **follows:]**

66           75-76-129. On or before the last day of each month, all  
67 taxes, fees, interest, penalties, damages, fines or other monies  
68 collected by the State Tax Commission during that month under the  
69 provisions of this chapter, with the exception of the local  
70 government fees imposed under Section 75-76-195 and with the  
71 exception of one-half (1/2) of any fines, penalties and  
72 assessments imposed by law, or by the Mississippi Gaming  
73 Commission or the executive director of the commission, for  
74 violations of the provisions of this chapter, shall be paid by the  
75 State Tax Commission to the State Treasurer to be deposited in the  
76 State General Fund. The local government fees shall be  
77 distributed by the State Tax Commission pursuant to Section  
78 75-76-197. The amount of one-half (1/2) of the fines, penalties  
79 and assessments imposed by law, or by the Mississippi Gaming  
80 Commission or the executive director of the commission, and  
81 collected during that month shall be deposited into the special  
82 fund created in Section 1 of this act.

83           **SECTION 3.** Section 1 of this act shall be codified as a  
84 separate code section in Chapter 76, Title 75, Mississippi Code of  
85 1972.

86           **SECTION 4.** This act shall take effect and be in force from  
87 and after July 1, 2007.