

By: Senator(s) King

To: Finance

SENATE BILL NO. 2052

1 AN ACT TO AMEND SECTION 97-33-69, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE AMOUNT THAT A LICENSEE MAY PAY AS COMPENSATION FOR  
3 ALL PERSONS INVOLVED IN THE HOLDING, OPERATING OR CONDUCTING OF  
4 ANY LICENSED GAME OR GAMES OF CHANCE UNDER THE CHARITABLE BINGO  
5 LAW; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 97-33-69, Mississippi Code of 1972, is  
8 amended as follows:

9 97-33-69. (1) Except as otherwise provided in subsection  
10 (3) of this section, no person shall hold, operate, conduct or  
11 assist in holding, operating or conducting, any bingo game under  
12 any license issued pursuant to Sections 97-33-51 through 97-33-81,  
13 except designated supervisors or alternate supervisors designated  
14 as provided for in Section 97-33-67(3).

15 (2) Except as otherwise provided in subsection (3) of this  
16 section and as may be otherwise provided pursuant to subsection  
17 (10) of this section, no commission, salary, compensation, reward  
18 or recompense, including, but not limited to, granting or use of  
19 bingo cards without charge or at a reduced charge, shall be paid  
20 or given directly or indirectly to the bingo supervisor or  
21 alternate supervisor or any person related to such supervisor or  
22 alternate supervisor by blood, marriage or business relationship,  
23 for the holding, operating or conducting any licensed game or  
24 games of chance.

25 (3) Except as may be otherwise provided pursuant to  
26 subsection (10) of this section, any licensee may pay as  
27 compensation for all persons involved in the holding, operating or  
28 conducting of any licensed game or games of chance, an amount not

29 to exceed Five Hundred Dollars (\$500.00) per session. Persons who  
30 may be compensated from the Five Hundred Dollars (\$500.00) per  
31 session amount may include the bingo supervisor or alternate  
32 supervisor, callers, runners and cashiers. Neither the bingo  
33 supervisor nor any alternate supervisor, or any person related to  
34 such supervisor by blood, marriage or business relationship, while  
35 being compensated as the bingo supervisor, shall receive any other  
36 compensation, directly or indirectly, from the licensee. No  
37 employee receiving compensation for the holding, operating or  
38 conducting or assisting in the holding, operating or conducting of  
39 a bingo game shall receive compensation for more than one (1) job  
40 function.

41 (4) (a) Any corporation, person or entity operating bingo  
42 games, under contract, for the benefit of organizations as  
43 prescribed in subsection (3) of this section shall be restricted  
44 to operating such games for a limit of one (1) such organization  
45 authorized to pay employees up to a maximum of Five Hundred  
46 Dollars (\$500.00) per session. Such corporation, person or entity  
47 shall only be authorized to conduct such sessions at one (1)  
48 physical location or building.

49 (b) Any corporation, person or entity operating bingo  
50 games, under contract, for the benefit of organizations as  
51 prescribed in subsection (3) of this section shall have a written  
52 contract with the organization and shall be subject to any rules  
53 and regulations promulgated by the commission for the purpose of  
54 investigating or regulating contracting agents.

55 (5) Except as may be otherwise provided pursuant to  
56 subsection (10) of this section, no manufacturer, operator,  
57 distributor, commercial lessor, or his agents or employees, who  
58 directly or indirectly leases premises, sells, leases, otherwise  
59 distributes gaming supplies or equipment, or furnishes any  
60 commodities or services, in relation to the conducting of any  
61 bingo game pursuant to Sections 97-33-51 through 97-33-203 shall

62 take part in the holding, operation or conducting of a bingo game.  
63 However, nothing in this section shall prohibit the owner of a  
64 premises from having a representative present to protect his  
65 interests in the premises.

66 (6) Except as may be otherwise provided pursuant to  
67 subsection (10) of this section, no bingo game shall be conducted  
68 with any supplies or equipment except such as shall be owned by  
69 the licensee, provided without payment of any compensation by the  
70 licensee or purchased from a licensed manufacturer or distributor  
71 of such supplies or equipment.

72 (7) Except as may be otherwise provided pursuant to  
73 subsection (10) of this section, no item of expense shall be  
74 incurred or paid in connection with the holding, operating or  
75 conducting of any bingo game by a licensee, except:

76 (a) The actual and reasonable costs of purchasing or  
77 leasing necessary supplies, equipment and materials to be used  
78 exclusively in the holding, operating or conducting of the bingo  
79 game; and

80 (b) The actual and reasonable costs incurred in  
81 obtaining and performing necessary bookkeeping, security and  
82 janitorial services for the holding, operating or conducting of  
83 the bingo game. The reasonableness of the amounts of, and the  
84 necessity for, an expense authorized by this subsection shall be  
85 determined by the commission.

86 (8) Except as may be otherwise provided pursuant to  
87 subsection (10) of this section, no licensee shall pay any  
88 consulting fees to any person for any service performed in  
89 relation to the conducting of any charitable game of chance or  
90 concession fees to any person who provides refreshments to the  
91 participants in any such games.

92 (9) Except as may be otherwise provided pursuant to  
93 subsection (10) of this section, no lease providing for a rental  
94 arrangement for premises or equipment shall provide for payment in

95 excess of the reasonable market rental rate for such premises or  
96 equipment, and in no case shall any payment be based on a  
97 percentage of gross receipts or profits derived from a bingo game.  
98 Whether a market rental rate is reasonable shall be determined by  
99 the commission.

100 (10) Administrative exceptions to the provisions of this  
101 section with regard to organizations which have demonstrated to  
102 the Mississippi Gaming Commission a practice of legitimate  
103 operation of such games, may be made by the Mississippi Gaming  
104 Commission pursuant to its rules and regulations, as duly adopted  
105 and promulgated by the commission; provided that such an  
106 administrative exception shall be no more restrictive than the  
107 provision of law to which it is an exception.

108 **SECTION 2.** This act shall take effect and be in force from  
109 and after its passage.