

By: Senator(s) Gollott, Chassaniol, Horhn,
Jackson (32nd), Moran, Simmons (12th)

To: Universities and
Colleges

SENATE BILL NO. 2499

1 AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT CERTAIN COURSES RELATED TO EMPLOYMENT IN THE
3 GAMING INDUSTRY MAY BE OFFERED AT STATE INSTITUTIONS OF HIGHER
4 LEARNING AND PUBLIC COMMUNITY COLLEGES, ONLY IN THOSE COUNTIES
5 WHERE GAMING IS LEGALLY BEING CONDUCTED AND THE PARTICULAR
6 INSTITUTION OR COLLEGE OFFERING SUCH COURSES IS LOCATED; TO
7 PROVIDE THAT STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC
8 COMMUNITY COLLEGES OFFERING SUCH COURSES SHALL NOT BE SUBJECT TO
9 REGULATION BY THE MISSISSIPPI GAMING COMMISSION; TO AMEND SECTIONS
10 75-76-55, 37-101-13, 37-29-1 AND 37-29-63, MISSISSIPPI CODE OF
11 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
12 PURPOSES.

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

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

16 75-76-34. (1) Except as otherwise provided in this section,
17 the Mississippi Gaming Commission is authorized to regulate all
18 schools or training institutions that teach or train gaming
19 employees. * * * No such school shall be located on publicly
20 owned property, * * * other than property under the jurisdiction
21 of the Board of Trustees of State Institutions of Higher Learning
22 or a public community college. Except as authorized under this
23 section, no public school shall teach or train persons to be



24 gaming employees. The gaming educational activities of schools or
25 training institutions regulated by the commission and of state
26 institutions of higher learning and public community colleges
27 shall be deemed to be legal under the laws of the State of
28 Mississippi. Any person desiring to operate a school or training
29 institution other than a state institution of higher learning or
30 public community college must file a license application with the
31 executive director to be licensed by the commission.

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

37 (a) Prescribing the method and form of application
38 which any applicant for a school or training institution must
39 follow and complete before consideration of his application by the
40 executive director or commission.

41 (b) Prescribing the information to be furnished by the
42 applicant relating to his employees.

43 (c) Requiring fingerprinting of the applicant,
44 employees and students of the school or institution or other
45 methods of identification and the forwarding of all fingerprints
46 taken pursuant to regulation of the Federal Bureau of
47 Investigation.



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

51 (e) Prescribing the manner and method of collection and
52 payment of fees and costs and issuance of licenses to schools or
53 training institutions.

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

57 (g) Defining the curriculum of the school or training
58 institution, the games and devices permitted, the use of tokens
59 only for instruction purposes, and the method of operation of
60 games and devices.

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

67 (i) Requiring that all employees and students of the
68 school or training institution be at least twenty-one (21) years
69 of age.

70 (j) Requiring all employees and students of the school
71 or training institution to wear identification cards issued by the



72 commission while on the premises of the school or training
73 institution.

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

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

79 (ii) Is a fugitive from justice;

80 (iii) Is an unlawful user of any controlled
81 substance, is addicted to any controlled substance or alcoholic
82 beverage, or is an habitual drunkard;

83 (iv) Is a mental defective, has been committed to
84 a mental institution, or has been voluntarily committed to a
85 mental institution on more than one (1) occasion;

86 (v) Has been discharged from the Armed Forces
87 under dishonorable conditions; or

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

90 (3) State institutions of higher learning and community
91 colleges may offer credited courses specifically relating to
92 gaming management, including, but not limited to, courses that
93 provide instruction in accounting, hospitality, marketing,
94 auditing, finance, procurement, security and regulatory
95 requirements in fulfillment of a degree in general business
96 management, hotel and motel management, food and beverage



97 management, gaming management, accounting or criminal justice.
98 State institutions of higher learning and community colleges are
99 not subject to regulation by the commission for the purposes of
100 this subsection. The courses authorized by this subsection may be
101 offered only in those counties where gaming is legally being
102 conducted and where the institution is located.

103 (4) State institutions of higher learning and public
104 community colleges may offer courses related to casino hospitality
105 services, cage and count operations, and slot machine maintenance.
106 Slot machine maintenance training may be performed only on
107 equipment approved by the commission for training purposes only.
108 State institutions of higher learning and public community
109 colleges are not subject to regulation by the commission for the
110 purposes of this subsection. The courses authorized by this
111 subsection may be offered only in those counties where gaming is
112 legally being conducted and where the institution or community
113 college is located.

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

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



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

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

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

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

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

142 37-101-13. It shall be the duty of the Board of Trustees of
143 State Institutions of Higher Learning and the boards of trustees
144 of the community colleges to begin immediately a
145 comprehensive * * * study of * * * gaming and related



146 programs * * *, degrees and courses offered. Following the
147 completion of such study, the board shall make such adjustments as
148 may be found to be necessary in the programs of the various
149 institutions, to the end that the broadest possible educational
150 opportunities shall be offered to the citizens of this state
151 without inefficient and needless duplication. Subject to the
152 provisions of Section 75-76-34, the board shall, through such
153 officers of the board and through such procedures as it shall see
154 fit to establish, exercise continuing jurisdiction and control
155 over the establishment of new courses of study, new departments
156 and new functions and activities in each institution so that the
157 growth and development of the program of higher education in the
158 state shall proceed in an orderly and rational manner, inefficient
159 and needless duplication may be avoided, and new expanded programs
160 will be undertaken only as the same may become justified, based
161 upon objective criteria to be established by the board. In
162 carrying out the purposes of this section, particular attention
163 shall be given to the extension programs of the various
164 institutions. The * * * boards, in conjunction with the
165 chancellor and presidents of the institutions * * *, shall take
166 such steps as may be necessary to improve and coordinate such
167 programs and shall exercise such direct control over the
168 establishment, organization, operation and granting of credit for
169 such programs as may be necessary to accomplish such purposes.



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

172 37-29-1. (1) The creation, establishment, maintenance and
173 operation of community * * * colleges is authorized.

174 Community * * * colleges may admit students if they have earned
175 one (1) unit less than the number of units required for high
176 school graduation established by State Board of Education policy
177 or have earned a General Education Diploma (GED) in courses
178 correlated to those of senior colleges or professional schools.
179 Subject to the provisions of Section 75-76-34, they shall offer,
180 without limitation, education and training preparatory for
181 occupations such as agriculture, industry of all kinds, business,
182 homemaking and for other occupations on the semiprofessional and
183 vocational-technical level. They may offer courses and services
184 to students regardless of their previous educational attainment or
185 further academic plans.

186 (2) The boards of trustees of the community * * * college
187 districts are authorized to establish an early admission program
188 under which applicants having a minimum ACT composite score of
189 twenty-six (26) or the equivalent SAT score may be admitted as
190 full-time college students if the principal or guidance counselor
191 of the student recommends in writing that it is in the best
192 educational interest of the student. Such recommendation shall
193 also state that the student's age will not keep him from being a
194 successful full-time college student. Students admitted in the



195 early admission program shall not be counted for adequate
196 education program funding purposes in the average daily attendance
197 of the school district in which they reside, and transportation
198 required by a student to participate in the early admission
199 program shall be the responsibility of the parents or legal
200 guardians of the student. Grades and college credits earned by
201 students admitted to the early admission program shall be recorded
202 on the college transcript at the community * * * college where the
203 student attends classes, and may be released to another
204 institution or used for college graduation requirements only after
205 the student has successfully completed one (1) full semester of
206 course work.

207 (3) The community * * * colleges shall provide, through
208 courses or other acceptable educational measures, the general
209 education necessary to individuals and groups which will tend to
210 make them capable of living satisfactory lives consistent with the
211 ideals of a democratic society.

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

214 37-29-63. (1) The president of any community * * * college,
215 or such other person designated or authorized by the board of
216 trustees, shall have the power to recommend to the board of
217 trustees all teachers to be employed in the district.

218 (2) The president may remove or suspend any member of the
219 faculty subject to the approval of the trustees. He shall be the



220 general manager of all fiscal and administrative affairs of the
221 district with full authority to select, direct, employ and
222 discharge any and all employees other than teachers; however, the
223 board may make provisions and establish policies for leave for
224 faculty members and other key personnel.

225 (3) The president shall have the authority, subject to the
226 provisions of Section 75-76-34 and Sections 37-29-1 through
227 37-29-273 and the approval of the trustees, to arrange and survey
228 courses of study, fix schedules, and establish and enforce rules
229 and discipline for the governing of teachers and students. He
230 shall be the general custodian of the property of the district.

231 **SECTION 6.** This act shall take effect and be in force from
232 and after July 1, 2013.

