

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2541

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

6 **SECTION 1.** The Fantasy Contest Gaming Study Committee is
7 created. This committee shall study fantasy contests in the State
8 of Mississippi, which the Legislature finds are properly regulated
9 by the Mississippi Gaming Commission.

10 **SECTION 2.** Section 97-33-1, Mississippi Code of 1972, is
11 brought forward as follows:

12 97-33-1. Except as otherwise provided in Section 97-33-8, if
13 any person shall encourage, promote or play at any game, play or
14 amusement, other than a fight or fighting match between dogs, for
15 money or other valuable thing, or shall wager or bet, promote or



16 encourage the wagering or betting of any money or other valuable
17 things, upon any game, play, amusement, cockfight, Indian ball
18 play or duel, other than a fight or fighting match between dogs,
19 or upon the result of any election, event or contingency whatever,
20 upon conviction thereof, he shall be fined in a sum not more than
21 Five Hundred Dollars (\$500.00); and, unless such fine and costs be
22 immediately paid, shall be imprisoned for any period not more than
23 ninety (90) days. However, this section shall not apply to
24 betting, gaming or wagering:

25 (a) On a cruise vessel as defined in Section 27-109-1
26 whenever such vessel is in the waters within the State of
27 Mississippi, which lie adjacent to the State of Mississippi south
28 of the three (3) most southern counties in the State of
29 Mississippi, including the Mississippi Sound, St. Louis Bay,
30 Biloxi Bay and Pascagoula Bay, and in which the registered voters
31 of the county in which the port is located have not voted to
32 prohibit such betting, gaming or wagering on cruise vessels as
33 provided in Section 19-3-79;

34 (b) In a structure located, in whole or in part, on
35 shore in any of the three (3) most southern counties in the State
36 of Mississippi in which the registered voters of the county have
37 voted to allow such betting, gaming or wagering on cruise vessels
38 as provided in Section 19-3-79, if:

39 (i) The structure is owned, leased or controlled
40 by a person possessing a gaming license, as defined in Section



41 75-76-5, to conduct legal gaming on a cruise vessel under
42 paragraph (a) of this section;

43 (ii) The part of the structure in which licensed
44 gaming activities are conducted is located entirely in an area
45 which is located no more than eight hundred (800) feet from the
46 mean high-water line (as defined in Section 29-15-1) of the waters
47 within the State of Mississippi, which lie adjacent to the State
48 of Mississippi south of the three (3) most southern counties in
49 the State of Mississippi, including the Mississippi Sound, St.
50 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
51 Harrison County only, no farther north than the southern boundary
52 of the right-of-way for U.S. Highway 90, whichever is greater; and

53 (iii) In the case of a structure that is located
54 in whole or part on shore, the part of the structure in which
55 licensed gaming activities are conducted shall lie adjacent to
56 state waters south of the three (3) most southern counties in the
57 State of Mississippi, including the Mississippi Sound, St. Louis
58 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
59 structure is located consists of a parcel of real property,
60 easements and rights-of-way for public streets and highways shall
61 not be construed to interrupt the contiguous nature of the parcel,
62 nor shall the footage contained within the easements and
63 rights-of-way be counted in the calculation of the distances
64 specified in subparagraph (ii);



65 (c) On a vessel as defined in Section 27-109-1 whenever
66 such vessel is on the Mississippi River or navigable waters within
67 any county bordering on the Mississippi River, and in which the
68 registered voters of the county in which the port is located have
69 not voted to prohibit such betting, gaming or wagering on vessels
70 as provided in Section 19-3-79; or

71 (d) That is legal under the laws of the State of
72 Mississippi.

73 **SECTION 3.** Section 97-33-8, Mississippi Code of 1972, is
74 brought forward as follows:

75 97-33-8. (1) The provisions of this section are intended to
76 clarify that the operation of "Internet sweepstakes cafes" is an
77 illegal gambling activity under state law.

78 (2) It shall be unlawful for any person or entity to
79 possess, own, control, display, operate or have a financial
80 interest in an electronic video monitor that:

81 (a) Is offered or made available to a person to play or
82 participate in a simulated gambling program in return for direct
83 or indirect consideration, including consideration associated with
84 a product, service or activity other than the simulated gambling
85 program; and

86 (b) The person who plays or participates in the
87 simulated gambling program may become eligible to win, redeem or
88 otherwise obtain a cash or cash-equivalent prize, whether or not



89 the eligibility for or value of the prize is determined by or has
90 any relationship to the outcome or play of the program.

91 (3) As used in this section, the following words and phrases
92 shall have the meanings ascribed in this subsection, unless the
93 context clearly indicates otherwise:

94 (a) "Simulated gambling program" means any method
95 intended to be used by a person playing, participating or
96 interacting with an electronic video monitor that is offered by
97 another person or entity; that directly or indirectly implements
98 the predetermination of a cash or cash-equivalent prize, or
99 otherwise connects the player with the cash or cash-equivalent
100 prize; and that is not legal under the Mississippi Gaming Control
101 Act.

102 (b) "Consideration associated with a product, service
103 or activity other than the simulated gambling program" means money
104 or other value collected for a product, service or activity that
105 is offered in any direct or indirect relationship to playing or
106 participating in the simulated gambling program. The term
107 includes consideration paid for Internet access or computer time,
108 or a sweepstakes entry.

109 (c) "Electronic video monitor" means any unit,
110 mechanism, computer or other terminal, or device that is capable
111 of displaying moving or still images.

112 (4) Any person or entity violating the provisions of this
113 section, upon conviction, shall be guilty of a misdemeanor and



114 fined not more than One Thousand Dollars (\$1,000.00) or imprisoned
115 for not less than one (1) year, or both.

116 (5) The provisions of this section shall not apply to:

117 (a) Any lawful activity that is conducted for the
118 primary purpose of entertaining children under the age of eighteen
119 (18) years, during which money is paid for a token or chip that is
120 used to play an electronic or other game, with the winner of the
121 game earning tickets that can be exchanged for prizes;

122 (b) Any lawful marketing promotion, contest, prize or
123 sweepstakes that is designed to attract consumer attention to a
124 specific product or service which is offered for sale by the
125 manufacturer, distributor, vendor or retailer of the product or
126 service; or

127 (c) Any promotional activity as defined in Section
128 75-76-5 that is conducted by a gaming licensee.

129 **SECTION 4.** This act shall take effect and be in force from
130 and after July 1, 2016, and shall stand repealed from and after
131 June 30, 2016.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE THE FANTASY CONTEST GAMING STUDY COMMITTEE;
2 TO BRING FORWARD SECTIONS 97-33-1 AND 97-33-8, MISSISSIPPI CODE OF
3 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED
4 PURPOSES.

