

By: Representative Baker

To: Judiciary A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 804

1 AN ACT TO REQUIRE THE MISSISSIPPI GAMING COMMISSION TO
2 ESTABLISH A STATE LOTTERY TO BE ADMINISTERED BY THE MISSISSIPPI
3 GAMING COMMISSION; TO AMEND SECTIONS 67-1-71, 75-76-3, 75-76-5,
4 97-33-9, 97-33-11, 97-33-13, 97-33-21, 97-33-23, 97-33-31,
5 97-33-33, 97-33-35, 97-33-37, 97-33-39, 97-33-41, 97-33-43,
6 97-33-45, 97-33-47 AND 97-33-49, MISSISSIPPI CODE OF 1972, IN
7 CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
8 PURPOSES.

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

10 **SECTION 1.** As used in this act, the following words and
11 phrases have the meanings ascribed in this section unless the
12 context clearly indicates otherwise:

13 (a) "Commission" means the Mississippi Gaming
14 Commission.

15 (b) "Distributor" means any person authorized by the
16 Mississippi Gaming Commission to distribute lottery tickets to
17 retailers. A person possessing a gaming license issued under
18 Chapter 76, Title 75, Mississippi Code of 1972, may be a
19 distributor if located in a county in which legal gaming has been
20 approved.



21 (c) "Lottery" means any activity approved by the
22 Mississippi Gaming Commission in which:

23 (i) The player or players pay or agree to pay
24 something of value for chances, represented and differentiated by
25 tickets, slips of paper or other physical and tangible
26 documentation upon which appear numbers, symbols, characters or
27 other distinctive marks used to identify and designate the winner
28 or winners;

29 (ii) The winning chance or chances are to be
30 determined by a drawing or similar selection method based
31 predominately upon the element of chance or random selection
32 rather than upon the skill or judgment of the player or players;

33 (iii) The holder or holders of the winning chance
34 or chances are to receive a prize or something of valuable
35 consideration; and

36 (iv) The activity is conducted and participated in
37 without regard to geographical location, with the player or
38 players not being required to be present upon any particular
39 premises or at any particular location in order to participate or
40 to win.

41 (d) "Person" means any association, corporation, firm,
42 partnership, trust or other form of business association as well
43 as a natural person.

44 (e) "Retailer" means any person authorized by the
45 Mississippi Gaming Commission to sell lottery tickets to the



46 public. A person possessing a gaming license issued under Chapter
47 76, Title 75, Mississippi Code of 1972, may be a retailer if
48 located in a county in which legal gaming has been approved.

49 **SECTION 2.** The Mississippi Gaming Commission shall establish
50 a state lottery to be administered by the Mississippi Gaming
51 Commission, which shall include multi-state lottery games owned by
52 a multi-state association or consortium. The commission may
53 promulgate such reasonable rules and regulations as may be
54 necessary to implement this section.

55 **SECTION 3.** Section 67-1-71, Mississippi Code of 1972, is
56 amended as follows:

57 67-1-71. The department may revoke or suspend any permit
58 issued by it for a violation by the permittee of any of the
59 provisions of this chapter or of the regulations promulgated under
60 it by the department.

61 Permits must be revoked or suspended for the following
62 causes:

63 (a) Conviction of the permittee for the violation of
64 any of the provisions of this chapter;

65 (b) Willful failure or refusal by any permittee to
66 comply with any of the provisions of this chapter or of any rule
67 or regulation adopted pursuant thereto;

68 (c) The making of any materially false statement in any
69 application for a permit;



70 (d) Conviction of one or more of the clerks, agents or
71 employees of the permittee, of any violation of this chapter upon
72 the premises covered by such permit within a period of time as
73 designated by the rules or regulations of the department;

74 (e) The possession on the premises of any retail
75 permittee of any alcoholic beverages upon which the tax has not
76 been paid;

77 (f) The willful failure of any permittee to keep the
78 records or make the reports required by this chapter, or to allow
79 an inspection of such records by any duly authorized person;

80 (g) The suspension or revocation of a permit issued to
81 the permittee by the federal government, or conviction of
82 violating any federal law relating to alcoholic beverages;

83 (h) The failure to furnish any bond required by Section
84 27-71-21 within fifteen (15) days after notice from the
85 department; and

86 (i) The conducting of any form of illegal gambling on
87 the premises of any permittee or on any premises connected
88 therewith or the presence on any such premises of any gambling
89 device with the knowledge of the permittee.

90 The provisions of this paragraph (i) of this section shall
91 not apply to * * * the conducting of legal gaming by a person
92 having a gaming license issued under Chapter 76, Title 75,
93 Mississippi Code of 1972, or the operation of the lottery required
94 by Section 2 of this act. The department may, in its discretion,



95 issue on-premises retailer's permits to a common carrier of the
96 nature described in this paragraph.

97 No permit shall be suspended or revoked until after the
98 permittee has been provided reasonable notice of the charges
99 against him for which suspension or revocation is sought and the
100 opportunity to a hearing before the Board of Tax Appeals to
101 contest such charges and the suspension or revocation proposed.
102 Opportunity to a hearing is provided without an actual hearing if
103 the permittee, after receiving reasonable notice, including notice
104 of his right to a hearing, fails to timely request a hearing. The
105 permittee may also at any time waive his rights to reasonable
106 notice and/or to the opportunity to a hearing by agreeing to a
107 suspension or revocation offered by the department.

108 Notwithstanding the requirement above that a permit may not be
109 suspended without notice and opportunity to a hearing, sales of
110 alcoholic beverages by a permittee under a permit for which the
111 bond under Section 27-71-21 has been cancelled shall be suspended
112 from and after issuance of the notice provided in subsection (h)
113 above and shall continue to be suspended until the bond is
114 reinstated, a new bond is posted or sufficient cash or securities
115 as provided under Section 27-71-21 are deposited with the State
116 Treasurer for this permit.

117 In addition to the causes specified in this section and other
118 provisions of this chapter, the department shall be authorized to
119 suspend the permit of any permit holder for being out of



120 compliance with an order for support, as defined in Section
121 93-11-153. The procedure for suspension of a permit for being out
122 of compliance with an order for support, and the procedure for the
123 reissuance or reinstatement of a permit suspended for that
124 purpose, and the payment of any fees for the reissuance or
125 reinstatement of a permit suspended for that purpose, shall be
126 governed by Section 93-11-157 or 93-11-163, as the case may be.
127 If there is any conflict between any provision of Section
128 93-11-157 or 93-11-163 and any provision of this chapter, the
129 provisions of Section 93-11-157 or 93-11-163, as the case may be,
130 shall control.

131 **SECTION 4.** Section 75-76-3, Mississippi Code of 1972, is
132 amended as follows:

133 75-76-3. (1) The provisions of this chapter shall not be
134 construed to legalize any form of gaming which is prohibited under
135 the Mississippi Constitution or the laws of this state. All legal
136 gaming which is conducted in this state and which is otherwise
137 authorized by law shall be regulated and licensed pursuant to the
138 provisions of this chapter, unless the Legislature specifically
139 provides otherwise. Nothing in this chapter shall be construed as
140 encouraging the legalization of gambling in this state.

141 (2) The Legislature hereby finds and declares that lotteries
142 and gaming both consist of the material element of chance. The
143 Legislature is * * * permitted by virtue of its inherent powers to
144 legislate upon lotteries and gaming as the occasion arises. The



145 Legislature derives its power to legislate upon lotteries and
146 gaming or gambling devices from its inherent authority over the
147 morals and policy of the people * * *.

148 (3) The Legislature hereby finds, and declares it to be the
149 public policy of this state, that:

150 (a) Regulation of licensed lotteries and gaming is
151 important in order that * * * those activities are conducted
152 honestly and competitively, that the rights of the creditors of
153 licensees are protected and that * * * those activities are free
154 from criminal and corruptive elements.

155 (b) Public confidence and trust can only be maintained
156 by strict regulation of all persons, locations, practices,
157 associations and activities related to the operation of lotteries
158 and licensed gaming establishments and the manufacture or
159 distribution of gambling devices and equipment.

160 (c) All establishments where lotteries or gaming * * *,
161 or both, are conducted and * * * manufacturers, sellers and
162 distributors of certain * * * lottery and gaming devices and
163 equipment must therefore be licensed, controlled and assisted to
164 protect the public health, safety, morals, good order and general
165 welfare of the inhabitants of the state.

166 (4) It is the intent of the Legislature that gaming
167 licensees and any entity established to conduct a lottery, to the
168 extent practicable, shall employ residents of Mississippi as * * *



169 employees * * * in the operation of their * * * establishments
170 located in this state.

171 (5) No applicant for a license or other affirmative
172 commission approval has any right to a license or the granting of
173 the approval sought. Any license issued or other commission
174 approval granted pursuant to the provisions of this chapter is a
175 revocable privilege, and no holder acquires any vested right
176 therein or thereunder.

177 * * *

178 **SECTION 5.** Section 75-76-5, Mississippi Code of 1972, is
179 amended as follows:

180 75-76-5. As used in this chapter, unless the context
181 requires otherwise:

182 (a) "Applicant" means any person who has applied for or
183 is about to apply for a state gaming license, registration or
184 finding of suitability under the provisions of this chapter or
185 approval of any act or transaction for which approval is required
186 or permitted under the provisions of this chapter.

187 (b) "Application" means a request for the issuance of a
188 state gaming license, registration or finding of suitability under
189 the provisions of this chapter or for approval of any act or
190 transaction for which approval is required or permitted under the
191 provisions of this chapter but does not include any supplemental
192 forms or information that may be required with the application.



193 (c) "Associated equipment" means any equipment or
194 mechanical, electromechanical or electronic contrivance, component
195 or machine used remotely or directly in connection with gaming or
196 with any game, race book or sports pool that would not otherwise
197 be classified as a gaming device, including dice, playing cards,
198 links which connect to progressive slot machines, equipment which
199 affects the proper reporting of gross revenue, computerized
200 systems of betting at a race book or sports pool, computerized
201 systems for monitoring slot machines, and devices for weighing or
202 counting money.

203 (d) "Chairman" means the Chairman of the Mississippi
204 Gaming Commission except when used in the term "Chairman of the
205 State Tax Commission." "Chairman of the State Tax Commission" or
206 "commissioner" means the Commissioner of Revenue of the Department
207 of Revenue.

208 (e) "Commission" or "Mississippi Gaming Commission"
209 means the Mississippi Gaming Commission.

210 (f) "Commission member" means a member of the
211 Mississippi Gaming Commission.

212 (g) "Credit instrument" means a writing which evidences
213 a gaming debt owed to a person who holds a license at the time the
214 debt is created, and includes any writing taken in consolidation,
215 redemption or payment of a prior credit instrument.



216 (h) "Enforcement division" means a particular division
217 supervised by the executive director that provides enforcement
218 functions.

219 (i) "Establishment" means any premises wherein or
220 whereon any gaming is done.

221 (j) "Executive director" means the Executive Director
222 of the Mississippi Gaming Commission.

223 (k) Except as otherwise provided by law, "game," or
224 "gambling game" means any banking or percentage game played with
225 cards, with dice or with any mechanical, electromechanical or
226 electronic device or machine for money, property, checks, credit
227 or any representative of value, including, without limiting, the
228 generality of the foregoing, faro, monte, roulette, keno, fan-tan,
229 twenty-one, blackjack, seven-and-a-half, big injun, klondike,
230 craps, poker, chuck-a-luck (dai shu), wheel of fortune, chemin de
231 fer, baccarat, pai gow, beat the banker, panguingui, slot machine,
232 or any other game or device approved by the commission. However,
233 "game" or "gambling game" shall not include bingo games or raffles
234 which are held pursuant to the provisions of Section 97-33-51, or
235 the illegal gambling activities described in Section 97-33-8, or
236 the lottery established by Section 2 of this act.

237 The commission shall not be required to recognize any game
238 hereunder with respect to which the commission determines it does
239 not have sufficient experience or expertise.



240 (l) "Gaming" or "gambling" means to deal, operate,
241 carry on, conduct, maintain or expose for play any game as defined
242 in this chapter.

243 (m) "Gaming device" means any mechanical,
244 electromechanical or electronic contrivance, component or machine
245 used in connection with gaming or any game which affects the
246 result of a wager by determining win or loss. The term includes a
247 system for processing information which can alter the normal
248 criteria of random selection, which affects the operation of any
249 game, or which determines the outcome of a game. The term does
250 not include a system or device which affects a game solely by
251 stopping its operation so that the outcome remains undetermined,
252 and does not include any antique coin machine as defined in
253 Section 27-27-12.

254 (n) "Gaming employee" means any person connected
255 directly with the operation of a gaming establishment licensed to
256 conduct any game, including:

- 257 (i) Boxmen;
258 (ii) Cashiers;
259 (iii) Change personnel;
260 (iv) Counting room personnel;
261 (v) Dealers;
262 (vi) Floormen;
263 (vii) Hosts or other persons empowered to extend
264 credit or complimentary services;



- 265 (viii) Keno runners;
- 266 (ix) Keno writers;
- 267 (x) Machine mechanics;
- 268 (xi) Security personnel;
- 269 (xii) Shift or pit bosses;
- 270 (xiii) Shills;
- 271 (xiv) Supervisors or managers; and
- 272 (xv) Ticket writers.

273 The term "gaming employee" also includes employees of
274 manufacturers or distributors of gaming equipment within this
275 state whose duties are directly involved with the manufacture,
276 repair or distribution of gaming equipment.

277 "Gaming employee" does not include bartenders, cocktail
278 waitresses or other persons engaged in preparing or serving food
279 or beverages unless acting in some other capacity.

280 (o) "Gaming license" means any license issued by the
281 state which authorizes the person named therein to engage in
282 gaming.

283 (p) "Gross revenue" means the total of all of the
284 following, less the total of all cash paid out as losses to
285 patrons and those amounts paid to purchase annuities to fund
286 losses paid to patrons over several years by independent financial
287 institutions:

- 288 (i) Cash received as winnings;



289 (ii) Cash received in payment for credit extended
290 by a licensee to a patron for purposes of gaming; and

291 (iii) Compensation received for conducting any
292 game in which the licensee is not party to a wager.

293 For the purposes of this definition, cash or the value of
294 noncash prizes awarded to patrons in a contest or tournament are
295 not losses.

296 The term does not include:

297 (i) Counterfeit money or tokens;

298 (ii) Coins of other countries which are received
299 in gaming devices;

300 (iii) Cash taken in fraudulent acts perpetrated
301 against a licensee for which the licensee is not reimbursed; or

302 (iv) Cash received as entry fees for contests or
303 tournaments in which the patrons compete for prizes.

304 (q) "Hearing examiner" means a member of the
305 Mississippi Gaming Commission or other person authorized by the
306 commission to conduct hearings.

307 (r) "Investigation division" means a particular
308 division supervised by the executive director that provides
309 investigative functions.

310 (s) "License" means a gaming license or a
311 manufacturer's, seller's or distributor's license.

312 (t) "Licensee" means any person to whom a valid license
313 has been issued.



314 (u) "License fees" means monies required by law to be
315 paid to obtain or continue a gaming license or a manufacturer's,
316 seller's or distributor's license.

317 (v) "Licensed gaming establishment" means any premises
318 licensed pursuant to the provisions of this chapter wherein or
319 whereon gaming is done.

320 (w) "Manufacturer's," "seller's" or "distributor's"
321 license means a license issued pursuant to Section 75-76-79.

322 (x) "Navigable waters" shall have the meaning ascribed
323 to such term under Section 27-109-1.

324 (y) "Operation" means the conduct of gaming.

325 (z) "Party" means the Mississippi Gaming Commission and
326 any licensee or other person appearing of record in any proceeding
327 before the commission; or the Mississippi Gaming Commission and
328 any licensee or other person appearing of record in any proceeding
329 for judicial review of any action, decision or order of the
330 commission.

331 (aa) "Person" includes any association, corporation,
332 firm, partnership, trust or other form of business association as
333 well as a natural person.

334 (bb) "Premises" means land, together with all
335 buildings, improvements and personal property located thereon, and
336 includes all parts of any vessel or cruise vessel.



337 (cc) "Race book" means the business of accepting wagers
338 upon the outcome of any event held at a track which uses the
339 pari-mutuel system of wagering.

340 (dd) "Regulation" means a rule, standard, directive or
341 statement of general applicability which effectuates law or policy
342 or which describes the procedure or requirements for practicing
343 before the commission. The term includes a proposed regulation
344 and the amendment or repeal of a prior regulation but does not
345 include:

346 (i) A statement concerning only the internal
347 management of the commission and not affecting the rights or
348 procedures available to any licensee or other person;

349 (ii) A declaratory ruling;

350 (iii) An interagency memorandum;

351 (iv) The commission's decision in a contested case
352 or relating to an application for a license; or

353 (v) Any notice concerning the fees to be charged
354 which are necessary for the administration of this chapter.

355 (ee) "Respondent" means any licensee or other person
356 against whom a complaint has been filed with the commission.

357 (ff) "Slot machine" means any mechanical, electrical or
358 other device, contrivance or machine which, upon insertion of a
359 coin, token or similar object, or upon payment of any
360 consideration, is available to play or operate, the play or
361 operation of which, whether by reason of the skill of the operator



362 or application of the element of chance, or both, may deliver or
363 entitle the person playing or operating the machine to receive
364 cash, premiums, merchandise, tokens or anything of value, whether
365 the payoff is made automatically from the machine or in any other
366 manner. The term does not include any antique coin machine as
367 defined in Section 27-27-12.

368 (gg) "Sports pool" means the business of accepting
369 wagers on sporting events, except for athletic events, by any
370 system or method of wagering other than the system known as the
371 "pari-mutuel method of wagering."

372 (hh) "State Tax Commission" or "department" means the
373 Department of Revenue of the State of Mississippi.

374 (ii) "Temporary work permit" means a work permit which
375 is valid only for a period not to exceed ninety (90) days from its
376 date of issue and which is not renewable.

377 (jj) "Vessel" or "cruise vessel" shall have the
378 meanings ascribed to such terms under Section 27-109-1.

379 (kk) "Work permit" means any card, certificate or
380 permit issued by the commission, whether denominated as a work
381 permit, registration card or otherwise, authorizing the employment
382 of the holder as a gaming employee. A document issued by any
383 governmental authority for any employment other than gaming is not
384 a valid work permit for the purposes of this chapter.



385 (ll) "School or training institution" means any school
386 or training institution which is licensed by the commission to
387 teach or train gaming employees pursuant to Section 75-76-34.

388 (mm) "Cheat" means to alter the selection of criteria
389 that determine:

390 (i) The rules of a game; or

391 (ii) The amount or frequency of payment in a game.

392 (nn) "Promotional activity" means an activity or event
393 conducted or held for the purpose of promoting or marketing the
394 individual licensed gaming establishment that is engaging in the
395 promotional activity. The term includes, but is not limited to, a
396 game of any kind other than as defined in paragraph (k) of this
397 section, a tournament, a contest, a drawing, or a promotion of any
398 kind.

399 **SECTION 6.** Section 97-33-9, Mississippi Code of 1972, is
400 amended as follows:

401 97-33-9. Except as otherwise provided in Section 97-33-8, if
402 any person shall be guilty of keeping or exhibiting any illegal
403 game or gaming table commonly called A.B.C. or E.O. roulette or
404 rowley-powley, or rouge et noir, roredo, keno, monte, or any
405 faro-bank, or other game, gaming table, or bank of the same or
406 like kind or any other kind or description under any other name
407 whatever, or shall be in any manner either directly or indirectly
408 interested or concerned in any gaming tables, banks, or games,
409 either by furnishing money or articles for the purpose of carrying



410 on the same, being interested in the loss or gain of said table,
411 bank or games, or employed in any manner in conducting, carrying
412 on, or exhibiting said gaming tables, games, or banks, every
413 person so offending and being thereof convicted, shall be fined
414 not less than Twenty-five Dollars (\$25.00) nor more than Two
415 Thousand Dollars (\$2,000.00), or be imprisoned in the county jail
416 not longer than two (2) months, or by both such fine and
417 imprisonment, in the discretion of the court. Nothing in this
418 section shall apply to any person who owns, possesses, controls,
419 installs, procures, repairs or transports any legal gaming or
420 gambling device, machine or equipment in accordance with
421 subsection (4) of Section 97-33-7 or Section 75-76-34 or to the
422 operation of the lottery established by Section 2 of this act.

423 **SECTION 7.** Section 97-33-11, Mississippi Code of 1972, is
424 amended as follows:

425 97-33-11. It shall not be lawful for any association of
426 persons of the character commonly known as a "club," whether such
427 association be incorporated or not, in any manner, either directly
428 or indirectly, to have any interest or concern in any gambling
429 tables, banks, or games, by means of what is sometimes called a
430 "rake-off" or "take-out," or by means of an assessment upon
431 certain combinations, or hands at cards, or by means of a
432 percentage extracted from players, or an assessment made upon, or
433 a contribution from them, or by any other means, device or
434 contrivance whatsoever. It shall not be lawful for such an



435 association to lend or advance money or any other valuable thing
436 to any person engaged or about to engage in playing any game of
437 chance prohibited by law, or to become responsible directly or
438 indirectly for any money or other valuable thing lost, or which
439 may be lost, by any player in any such game. If any such
440 association shall violate any of the provisions of this section
441 each and every member thereof shall be guilty of a misdemeanor
442 and, upon conviction thereof, shall be fined in a sum not more
443 than Five Hundred Dollars (\$500.00); and unless such fine and
444 costs be immediately paid, shall be imprisoned in the county jail
445 for not less than five (5) nor more than twenty (20) days. Each
446 grand jury shall cause such of the members of such an association
447 as it may choose to appear before them and submit to examination
448 touching the observance or nonobservance by such association of
449 the provisions hereof.

450 The provisions of this section do not apply to the operation
451 of the lottery established by Section 2 of this act.

452 **SECTION 8.** Section 97-33-13, Mississippi Code of 1972, is
453 amended as follows:

454 97-33-13. Any owner, lessee, or occupant of any outhouse or
455 other building, who shall knowingly permit or suffer any of the
456 before mentioned tables, banks, or games, or any other game
457 prohibited by law, to be carried on, kept, or exhibited in his
458 said house or other building, or on his lot or premises, being



459 thereof convicted, shall be fined not less than One Hundred
460 Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00).

461 The provisions of this section do not apply to the operation
462 of the lottery established by Section 2 of this act.

463 **SECTION 9.** Section 97-33-21, Mississippi Code of 1972, is
464 amended as follows:

465 97-33-21. Any person of full age who shall bet any money or
466 thing of any value with a minor, or allow a minor to bet at any
467 game or gaming-table exhibited by him, or in which he is
468 interested or in any manner concerned, on conviction thereof,
469 shall be fined not less than Three Hundred Dollars (\$300.00) and
470 imprisoned not less than three (3) months.

471 The provisions of this section do not apply to a minor who
472 receives as a gift a ticket associated with the lottery
473 established by Section 2 of this act when the ticket has been
474 purchased by a person who is eighteen (18) years of age or older.

475 **SECTION 10.** Section 97-33-23, Mississippi Code of 1972, is
476 amended as follows:

477 97-33-23. Any person of full age who shall bet any money or
478 thing of value with a minor, knowing such minor to be under the
479 age of twenty-one (21) years, or allowing any such minor to bet at
480 any game or games, or at any gaming table exhibited by him, or in
481 which he is interested or in any manner concerned, on conviction
482 thereof, shall be punished by imprisonment in the Penitentiary not
483 exceeding two (2) years.



484 The provisions of this section do not apply to a minor who
485 receives as a gift a ticket associated with the lottery
486 established by Section 2 of this act when the ticket has been
487 purchased by a person who is eighteen (18) years of age or older.

488 **SECTION 11.** Section 97-33-31, Mississippi Code of 1972, is
489 amended as follows:

490 97-33-31. If any person, in order to raise money for himself
491 or another, or for any purpose whatever, shall publicly or
492 privately put up a lottery to be drawn or adventured for, he
493 shall, on conviction, be imprisoned in the Penitentiary not
494 exceeding five (5) years.

495 The provisions of this section do not apply to the operation
496 of the lottery established by Section 2 of this act.

497 **SECTION 12.** Section 97-33-33, Mississippi Code of 1972, is
498 amended as follows:

499 97-33-33. If any person shall in any way advertise any
500 lottery whatever, no matter where located, or shall knowingly have
501 in his possession any posters or other lottery advertisements of
502 any kind * * *, save a regularly issued newspaper containing such
503 an advertisement without intent to circulate the same as an
504 advertisement * * *, he shall, on conviction, be fined not less
505 than Twenty-five Dollars (\$25.00) nor more than One Hundred
506 Dollars (\$100.00), or be imprisoned in the county jail not
507 exceeding three (3) months, or both.



508 The provisions of this section do not apply to the operation
509 of the lottery established by Section 2 of this act.

510 **SECTION 13.** Section 97-33-35, Mississippi Code of 1972, is
511 amended as follows:

512 97-33-35. If any newspaper published or circulated in this
513 state shall contain an advertisement of any lottery whatever, or
514 any matter intended to advertise a lottery, no matter where
515 located, the editor or editors, publisher or publishers, and the
516 owner or owners thereof permitting the same, shall be guilty of a
517 misdemeanor and, on conviction, shall be fined not less than One
518 Hundred Dollars (\$100.00) nor more than One Thousand Dollars
519 (\$1,000.00), and be imprisoned in the county jail not less than
520 ten (10) days nor more than three (3) months, for each offense.
521 The issuance of each separate daily or weekly edition of the
522 newspaper that shall contain such an advertisement shall be
523 considered a separate offense.

524 The provisions of this section do not apply to the operation
525 of the lottery established by Section 2 of this act.

526 **SECTION 14.** Section 97-33-37, Mississippi Code of 1972, is
527 amended as follows:

528 97-33-37. If any newsdealer or other person shall, directly
529 or indirectly, sell or offer for sale any newspaper or other
530 publication containing a lottery advertisement, he shall be guilty
531 of a misdemeanor and, upon conviction, shall be fined not less



532 than Ten Dollars (\$10.00) or imprisoned not less than ten (10)
533 days, or both.

534 The provisions of this section do not apply to the operation
535 of the lottery established by Section 2 of this act.

536 **SECTION 15.** Section 97-33-39, Mississippi Code of 1972, is
537 amended as follows:

538 97-33-39. If any person shall sell, or offer or expose for
539 sale, any lottery ticket, whether the lottery be in or out of this
540 state, or for or in any other state, territory, district, or
541 country, he shall, on conviction, be fined not less than
542 Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars
543 (\$100.00), or imprisoned in the county jail not less than ten (10)
544 days nor more than sixty (60) days, or both.

545 The provisions of this section do not apply to the operation
546 of the lottery established by Section 2 of this act.

547 **SECTION 16.** Section 97-33-41, Mississippi Code of 1972, is
548 amended as follows:

549 97-33-41. If any person shall buy in this state any lottery
550 ticket, whether the lottery be in or out of this state, or of or
551 in any other state, territory, district, or country, he shall, on
552 conviction, be fined not less than Five Dollars (\$5.00) nor more
553 than Twenty-five Dollars (\$25.00), or be imprisoned in the county
554 jail not exceeding ten (10) days, or both.

555 The provisions of this section do not apply to the operation
556 of the lottery established by Section 2 of this act.



557 **SECTION 17.** Section 97-33-43, Mississippi Code of 1972, is
558 amended as follows:

559 97-33-43. If any railroad company shall suffer or permit the
560 sale of a lottery ticket of any kind on its cars, or at its depots
561 or depot grounds, or by its employees, no matter where the lottery
562 is located, it shall be guilty of a misdemeanor and, on
563 conviction, shall be fined not less than Twenty Dollars (\$20.00)
564 nor more than One Hundred Dollars (\$100.00) for every such ticket
565 so sold.

566 The provisions of this section do not apply to the operation
567 of the lottery established by Section 2 of this act.

568 **SECTION 18.** Section 97-33-45, Mississippi Code of 1972, is
569 amended as follows:

570 97-33-45. If the owner or owners of any steamboat shall
571 suffer or permit the sale of a lottery ticket of any kind on his
572 or their boat, or by his or their employees, no matter where the
573 lottery is located, he or they shall be guilty of a misdemeanor
574 and shall, on conviction, be punished as prescribed in Section
575 97-33-43.

576 The provisions of this section do not apply to the operation
577 of the lottery established by Section 2 of this act.

578 **SECTION 19.** Section 97-33-47, Mississippi Code of 1972, is
579 amended as follows:

580 97-33-47. If any person shall act as agent for any lottery
581 or lottery company, no matter where domiciled or located, or if he



582 shall assume to so act as agent, or if he receive any money or
583 other thing for any such lottery or lottery company, or deliver to
584 any person any ticket or tickets, prize or prizes, or other thing
585 from such lottery or lottery company, he shall, on conviction, be
586 fined not less than One Hundred Dollars (\$100.00), nor more than
587 Five Hundred Dollars (\$500.00), and be imprisoned in the county
588 jail not less than three (3) months nor more than six (6) months.

589 The provisions of this section do not apply to the operation
590 of the lottery established by Section 2 of this act.

591 **SECTION 20.** Section 97-33-49, Mississippi Code of 1972, is
592 amended as follows:

593 97-33-49. Except as otherwise provided in Section 97-33-51,
594 if any person, in order to raise money for himself or another,
595 shall publicly or privately put up or in any way offer any prize
596 or thing to be raffled or played for, he shall, on conviction, be
597 fined not more than Twenty Dollars (\$20.00), or be imprisoned not
598 more than one (1) month in the county jail.

599 The provisions of this section do not apply to the operation
600 of the lottery established by Section 2 of this act.

601 **SECTION 21.** This act shall take effect and be in force from
602 and after July 1, 2017.

