

By: Representative Burnett

To: Gaming

HOUSE BILL NO. 725

1 AN ACT TO AMEND SECTIONS 87-1-5, 97-33-1, 97-33-7, 97-33-17,  
2 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE  
3 CASINOS IN TUNICA COUNTY TO LOCATE WEST OF ANY POINT WITHIN TUNICA  
4 COUNTY THAT IS THREE THOUSAND FEET TO THE EAST OF UNITED STATES  
5 HIGHWAY 61; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 87-1-5, Mississippi Code of 1972, is  
8 amended as follows:

9 87-1-5. If any person, by playing at any game whatever, or  
10 by betting on the sides or hands of such as do play at any game,  
11 or by betting on any horse race or cockfight, or at any other  
12 sport or pastime, or by any wager whatever, shall lose any money,  
13 property, or other valuable thing, real or personal, and shall pay  
14 or deliver the same or any part thereof, the person so losing and  
15 paying or delivering the same, or his wife or children, may sue  
16 for and recover such money, property, or other valuable thing so  
17 lost and paid or delivered, or any part thereof, from the person  
18 knowingly receiving the same, with costs. However, this section  
19 shall not apply to betting, gaming or wagering:



20 (a) On a cruise vessel as defined in Section 27-109-1  
21 whenever such vessel is in the waters within the State of  
22 Mississippi, which lie adjacent to the State of Mississippi south  
23 of the three (3) most southern counties in the State of  
24 Mississippi, including the Mississippi Sound, St. Louis Bay,  
25 Biloxi Bay and Pascagoula Bay;

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

31 (i) The structure is owned, leased or controlled  
32 by a person possessing a gaming license, as defined in Section  
33 75-76-5, to conduct legal gaming on a cruise vessel under  
34 paragraph (a) of this section;

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



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

57 (c) On a vessel as defined in Section 27-109-1 whenever  
58 such vessel is on the Mississippi River or navigable waters within  
59 any county bordering on the Mississippi River; \* \* \*

60 (d) In a structure located, in whole or in part, on  
61 shore in Tunica County, if:

62 (i) The structure is owned, leased or controlled  
63 by a person possessing a gaming license, as defined in Section  
64 75-76-5, to conduct legal gaming;

65 (ii) The structure in which licensed gaming  
66 activities are conducted is located entirely within Tunica County  
67 to the west of any point that is three thousand (3000) feet east  
68 of U.S. Highway 61; and



69                   (iii) The structure serves as a relocation of a  
70 vessel in Tunica County that was licensed and operational under  
71 paragraph (c) of this subsection on January 1, 2018. This  
72 subparagraph (iii) shall stand repealed from and after July 1,  
73 2021.

74                   ( \* \* \*e) That is legal under the laws of the State of  
75 Mississippi.

76                   **SECTION 2.** Section 97-33-1, Mississippi Code of 1972, is  
77 amended as follows:

78                   97-33-1. Except as otherwise provided in Section 97-33-8, if  
79 any person shall encourage, promote or play at any game, play or  
80 amusement, other than a fight or fighting match between dogs, for  
81 money or other valuable thing, or shall wager or bet, promote or  
82 encourage the wagering or betting of any money or other valuable  
83 things, upon any game, play, amusement, cockfight, Indian ball  
84 play or duel, other than a fight or fighting match between dogs,  
85 or upon the result of any election, event or contingency whatever,  
86 upon conviction thereof, he shall be fined in a sum not more than  
87 Five Hundred Dollars (\$500.00); and, unless such fine and costs be  
88 immediately paid, shall be imprisoned for any period not more than  
89 ninety (90) days. However, this section shall not apply to  
90 betting, gaming or wagering:

91                   (a) On a cruise vessel as defined in Section 27-109-1  
92 whenever such vessel is in the waters within the State of  
93 Mississippi, which lie adjacent to the State of Mississippi south



94 of the three (3) most southern counties in the State of  
95 Mississippi, including the Mississippi Sound, St. Louis Bay,  
96 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
97 of the county in which the port is located have not voted to  
98 prohibit such betting, gaming or wagering on cruise vessels as  
99 provided in Section 19-3-79;

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

105 (i) The structure is owned, leased or controlled  
106 by a person possessing a gaming license, as defined in Section  
107 75-76-5, to conduct legal gaming on a cruise vessel under  
108 paragraph (a) of this section;

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



119 (iii) In the case of a structure that is located,  
120 in whole or part, on shore, the part of the structure in which  
121 licensed gaming activities are conducted shall lie adjacent to  
122 state waters south of the three (3) most southern counties in the  
123 State of Mississippi, including the Mississippi Sound, St. Louis  
124 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the  
125 structure is located consists of a parcel of real property,  
126 easements and rights-of-way for public streets and highways shall  
127 not be construed to interrupt the contiguous nature of the parcel,  
128 nor shall the footage contained within the easements and  
129 rights-of-way be counted in the calculation of the distances  
130 specified in subparagraph (ii);

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

137 (d) In a structure located, in whole or in part, on  
138 shore in Tunica County, if:

139 (i) The structure is owned, leased or controlled  
140 by a person possessing a gaming license, as defined in Section  
141 75-76-5, to conduct legal gaming;

142 (ii) The structure in which licensed gaming  
143 activities are conducted is located entirely within Tunica County



144 to the west of any point that is three thousand (3000) feet east  
145 of U.S. Highway 61; and

146 (iii) The structure serves as a relocation of a  
147 vessel in Tunica County that was licensed and operational under  
148 paragraph (c) of this subsection on January 1, 2018. This  
149 subparagraph (iii) shall stand repealed from and after July 1,  
150 2021.

151 ( \* \* \*e) That is legal under the laws of the State of  
152 Mississippi.

153 **SECTION 3.** Section 97-33-7, Mississippi Code of 1972, is  
154 amended as follows:

155 97-33-7. (1) Except as otherwise provided in Section  
156 97-33-8, it shall be unlawful for any person or persons, firm,  
157 copartnership or corporation to have in possession, own, control,  
158 display, or operate any cane rack, knife rack, artful dodger,  
159 punch board, roll down, merchandise wheel, slot machine, pinball  
160 machine, or similar device or devices. Provided, however, that  
161 this section shall not be so construed as to make unlawful the  
162 ownership, possession, control, display or operation of any  
163 antique coin machine as defined in Section 27-27-12, or any music  
164 machine or bona fide automatic vending machine where the purchaser  
165 receives exactly the same quantity of merchandise on each  
166 operation of said machine. Any slot machine other than an antique  
167 coin machine as defined in Section 27-27-12 which delivers, or is  
168 so constructed as that by operation thereof it will deliver to the



169 operator thereof anything of value in varying quantities, in  
170 addition to the merchandise received, and any slot machine other  
171 than an antique coin machine as defined in Section 27-27-12 that  
172 is constructed in such manner as that slugs, tokens, coins or  
173 similar devices are, or may be, used and delivered to the operator  
174 thereof in addition to merchandise of any sort contained in such  
175 machine, is hereby declared to be a gambling device, and shall be  
176 deemed unlawful under the provisions of this section. Provided,  
177 however, that pinball machines which do not return to the operator  
178 or player thereof anything but free additional games or plays  
179 shall not be deemed to be gambling devices, and neither this  
180 section nor any other law shall be construed to prohibit same.

181 (2) No property right shall exist in any person, natural or  
182 artificial, or be vested in such person, in any or all of the  
183 devices described herein that are not exempted from the provisions  
184 of this section; and all such devices are hereby declared to be at  
185 all times subject to confiscation and destruction, and their  
186 possession shall be unlawful, except when in the possession of  
187 officers carrying out the provisions of this section. It shall be  
188 the duty of all law enforcing officers to seize and immediately  
189 destroy all such machines and devices.

190 (3) A first violation of the provisions of this section  
191 shall be deemed a misdemeanor, and the party offending shall, upon  
192 conviction, be fined in any sum not exceeding Five Hundred Dollars  
193 (\$500.00), or imprisoned not exceeding three (3) months, or both,





194 in the discretion of the court. In the event of a second  
195 conviction for a violation of any of the provisions of this  
196 section, the party offending shall be subject to a sentence of not  
197 less than six (6) months in the county jail, nor more than two (2)  
198 years in the State Penitentiary, in the discretion of the trial  
199 court.

200 (4) Notwithstanding any provision of this section to the  
201 contrary, it shall not be unlawful to operate any equipment or  
202 device described in subsection (1) of this section or any gaming,  
203 gambling or similar device or devices by whatever name called  
204 while:

205 (a) On a cruise vessel as defined in Section 27-109-1  
206 whenever such vessel is in the waters within the State of  
207 Mississippi, which lie adjacent to the State of Mississippi south  
208 of the three (3) most southern counties in the State of  
209 Mississippi, including the Mississippi Sound, St. Louis Bay,  
210 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
211 of the county in which the port is located have not voted to  
212 prohibit such betting, gaming or wagering on cruise vessels as  
213 provided in Section 19-3-79;

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



219 (i) The structure is owned, leased or controlled  
220 by a person possessing a gaming license, as defined in Section  
221 75-76-5, to conduct legal gaming on a cruise vessel under  
222 paragraph (a) of this subsection;

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

233 (iii) In the case of a structure that is located  
234 in whole or part on shore, the part of the structure in which  
235 licensed gaming activities are conducted shall lie adjacent to  
236 state waters south of the three (3) most southern counties in the  
237 State of Mississippi, including the Mississippi Sound, St. Louis  
238 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the  
239 structure is located consists of a parcel of real property,  
240 easements and rights-of-way for public streets and highways shall  
241 not be construed to interrupt the contiguous nature of the parcel,  
242 nor shall the footage contained within the easements and



243 rights-of-way be counted in the calculation of the distances  
244 specified in subparagraph (ii);

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

251 (d) In a structure located, in whole or in part, on  
252 shore in Tunica County, if:

253 (i) The structure is owned, leased or controlled  
254 by a person possessing a gaming license, as defined in Section  
255 75-76-5, to conduct legal gaming;

256 (ii) The structure in which licensed gaming  
257 activities are conducted is located entirely within Tunica County  
258 to the west of any point that is three thousand (3000) feet east  
259 of U.S. Highway 61; and

260 (iii) The structure serves as a relocation of a  
261 vessel in Tunica County that was licensed and operational under  
262 paragraph (c) of this subsection on January 1, 2018. This  
263 subparagraph (iii) shall stand repealed from and after July 1,  
264 2021.

265 ( \* \* \*e) That is legal under the laws of the State of  
266 Mississippi.



267 (5) Notwithstanding any provision of this section to the  
268 contrary, it shall not be unlawful (a) to own, possess, repair or  
269 control any gambling device, machine or equipment in a licensed  
270 gaming establishment or on the business premises appurtenant to  
271 any such licensed gaming establishment during any period of time  
272 in which such licensed gaming establishment is being constructed,  
273 repaired, maintained or operated in this state; (b) to install any  
274 gambling device, machine or equipment in any licensed gaming  
275 establishment; (c) to possess or control any gambling device,  
276 machine or equipment during the process of procuring or  
277 transporting such device, machine or equipment for installation on  
278 any such licensed gaming establishment; or (d) to store in a  
279 warehouse or other storage facility any gambling device, machine,  
280 equipment, or part thereof, regardless of whether the county or  
281 municipality in which the warehouse or storage facility is located  
282 has approved gaming aboard cruise vessels or vessels, provided  
283 that such device, machine or equipment is operated only in a  
284 county or municipality that has approved gaming aboard cruise  
285 vessels or vessels. Any gambling device, machine or equipment  
286 that is owned, possessed, controlled, installed, procured,  
287 repaired, transported or stored in accordance with this subsection  
288 shall not be subject to confiscation, seizure or destruction, and  
289 any person, firm, partnership or corporation which owns,  
290 possesses, controls, installs, procures, repairs, transports or  
291 stores any gambling device, machine or equipment in accordance



292 with this subsection shall not be subject to any prosecution or  
293 penalty under this section. Any person constructing or repairing  
294 such cruise vessels or vessels within a municipality shall comply  
295 with all municipal ordinances protecting the general health or  
296 safety of the residents of the municipality.

297 **SECTION 4.** Section 97-33-17, Mississippi Code of 1972, is  
298 amended as follows:

299 97-33-17. (1) All monies exhibited for the purpose of  
300 betting or alluring persons to bet at any game, and all monies  
301 staked or betted, shall be liable to seizure by any sheriff,  
302 constable, or police officer, together with all the appliances  
303 used or kept for use in gambling, or by any other person; and all  
304 the monies so seized shall be accounted for by the person making  
305 the seizure, and all appliances seized shall be destroyed;  
306 provided, however, this section shall not apply to betting, gaming  
307 or wagering on:

308 (a) A cruise vessel as defined in Section 27-109-1  
309 whenever such vessel is in the waters within the State of  
310 Mississippi, which lie adjacent to the State of Mississippi south  
311 of the three (3) most southern counties in the State of  
312 Mississippi, including the Mississippi Sound, St. Louis Bay,  
313 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
314 of the county in which the port is located have not voted to  
315 prohibit such betting, gaming or wagering on cruise vessels as  
316 provided in Section 19-3-79;



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

322 (i) The structure is owned, leased or controlled  
323 by a person possessing a gaming license, as defined in Section  
324 75-76-5, to conduct legal gaming on a cruise vessel under  
325 paragraph (a) of this subsection;

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

336 (iii) In the case of a structure that is located  
337 in whole or part on shore, the part of the structure in which  
338 licensed gaming activities are conducted shall lie adjacent to  
339 state waters south of the three (3) most southern counties in the  
340 State of Mississippi, including the Mississippi Sound, St. Louis  
341 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the



342 structure is located consists of a parcel of real property,  
343 easements and rights-of-way for public streets and highways shall  
344 not be construed to interrupt the contiguous nature of the parcel,  
345 nor shall the footage contained within the easements and  
346 rights-of-way be counted in the calculation of the distances  
347 specified in subparagraph (ii) \* \* \*;

348 (c) A vessel as defined in Section 27-109-1 whenever  
349 such vessel is on the Mississippi River or navigable waters within  
350 any county bordering on the Mississippi River, and in which the  
351 registered voters of the county in which the port is located have  
352 not voted to prohibit such betting, gaming or wagering on vessels  
353 as provided in Section 19-3-79; or

354 (d) In a structure located, in whole or in part, on  
355 shore in Tunica County, if:

356 (i) The structure is owned, leased or controlled  
357 by a person possessing a gaming license, as defined in Section  
358 75-76-5, to conduct legal gaming;

359 (ii) The structure in which licensed gaming  
360 activities are conducted is located entirely within Tunica County  
361 to the west of any point that is three thousand (3000) feet east  
362 of U.S. Highway 61; and

363 (iii) The structure serves as a relocation of a  
364 vessel in Tunica County that was licensed and operational under  
365 paragraph (c) of this subsection on January 1, 2018. This



366 subparagraph (iii) shall stand repealed from and after July 1,  
367 2021.

368 ( \* \* \*e) That is legal under the laws of the State of  
369 Mississippi.

370 (2) Nothing in this section shall apply to any gambling  
371 device, machine or equipment that is owned, possessed, controlled,  
372 installed, procured, repaired or transported in accordance with  
373 subsection (4) of Section 97-33-7.

374 **SECTION 5.** Section 97-33-25, Mississippi Code of 1972, is  
375 amended as follows:

376 97-33-25. If any person shall sell or buy, either directly  
377 or indirectly, any chance in what is commonly called pool, upon  
378 any event whatever, or shall in any manner engage in such business  
379 or pastime, he shall be fined not more than Five Hundred Dollars  
380 (\$500.00) or shall be imprisoned in the county jail not more than  
381 ninety (90) days; provided, however, this section shall not apply  
382 to betting, gaming or wagering:

383 (a) On a cruise vessel as defined in Section 27-109-1  
384 whenever such vessel is in the waters within the State of  
385 Mississippi, which lie adjacent to the State of Mississippi south  
386 of the three (3) most southern counties in the State of  
387 Mississippi, including the Mississippi Sound, St. Louis Bay,  
388 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
389 of the county in which the port is located have not voted to





390 prohibit such betting, gaming or wagering on cruise vessels as  
391 provided in Section 19-3-79;

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

397 (i) The structure is owned, leased or controlled  
398 by a person possessing a gaming license, as defined in Section  
399 75-76-5, to conduct legal gaming on a cruise vessel under  
400 paragraph (a) of this section;

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

411 (iii) In the case of a structure that is located  
412 in whole or part on shore, the part of the structure in which  
413 licensed gaming activities are conducted shall lie adjacent to  
414 state waters south of the three (3) most southern counties in the



415 State of Mississippi, including the Mississippi Sound, St. Louis  
416 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the  
417 structure is located consists of a parcel of real property,  
418 easements and rights-of-way for public streets and highways shall  
419 not be construed to interrupt the contiguous nature of the parcel,  
420 nor shall the footage contained within the easements and  
421 rights-of-way be counted in the calculation of the distances  
422 specified in subparagraph (ii) \* \* \*;

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

429 (d) In a structure located, in whole or in part, on  
430 shore in Tunica County, if:

431 (i) The structure is owned, leased or controlled  
432 by a person possessing a gaming license, as defined in Section  
433 75-76-5, to conduct legal gaming;

434 (ii) The structure in which licensed gaming  
435 activities are conducted is located entirely within Tunica County  
436 to the west of any point that is three thousand (3000) feet east  
437 of U.S. Highway 61; and

438 (iii) The structure serves as a relocation of a  
439 vessel in Tunica County that was licensed and operational under



440 paragraph (c) of this subsection on January 1, 2018. This  
441 subparagraph (iii) shall stand repealed from and after July 1,  
442 2021.

443 ( \* \* \*e) That is legal under the laws of the State of  
444 Mississippi.

445 **SECTION 6.** Section 97-33-27, Mississippi Code of 1972, is  
446 amended as follows:

447 97-33-27. If any person shall bet on a horse race or a yacht  
448 race or on a shooting match, he shall be fined not more than Five  
449 Hundred Dollars (\$500.00), and, unless the fine and costs be  
450 immediately paid, he shall be imprisoned in the county jail not  
451 more than ninety (90) days; provided, however, this section shall  
452 not apply to betting, gaming or wagering:

453 (a) On a cruise vessel as defined in Section 27-109-1  
454 whenever such vessel is in the waters within the State of  
455 Mississippi, which lie adjacent to the State of Mississippi south  
456 of the three (3) most southern counties in the State of  
457 Mississippi, including the Mississippi Sound, St. Louis Bay,  
458 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
459 of the county in which the port is located have not voted to  
460 prohibit such betting, gaming or wagering on cruise vessels as  
461 provided in Section 19-3-79;

462 (b) In a structure located, in whole or in part, on  
463 shore in any of the three (3) most southern counties in the State  
464 of Mississippi in which the registered voters of the county have



465 voted to allow such betting, gaming or wagering on cruise vessels  
466 as provided in Section 19-3-79, if:

467 (i) The structure is owned, leased or controlled  
468 by a person possessing a gaming license, as defined in Section  
469 75-76-5, to conduct legal gaming on a cruise vessel under  
470 paragraph (a) of this section;

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

481 (iii) In the case of a structure that is located,  
482 in whole or part, on shore, the part of the structure in which  
483 licensed gaming activities are conducted shall lie adjacent to  
484 state waters south of the three (3) most southern counties in the  
485 State of Mississippi, including the Mississippi Sound, St. Louis  
486 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the  
487 structure is located consists of a parcel of real property,  
488 easements and rights-of-way for public streets and highways shall  
489 not be construed to interrupt the contiguous nature of the parcel,



490 nor shall the footage contained within the easements and  
491 rights-of-way be counted in the calculation of the distances  
492 specified in subparagraph (ii) \* \* \*;

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

499 (d) In a structure located, in whole or in part, on  
500 shore in Tunica County, if:

501 (i) The structure is owned, leased or controlled  
502 by a person possessing a gaming license, as defined in Section  
503 75-76-5, to conduct legal gaming;

504 (ii) The structure in which licensed gaming  
505 activities are conducted is located entirely within Tunica County  
506 to the west of any point that is three thousand (3000) feet east  
507 of U.S. Highway 61; and

508 (iii) The structure serves as a relocation of a  
509 vessel in Tunica County that was licensed and operational under  
510 paragraph (c) of this subsection on January 1, 2018. This  
511 subparagraph (iii) shall stand repealed from and after July 1,  
512 2021.

513 ( \* \* \*e) That is legal under the laws of the State of  
514 Mississippi.



515           **SECTION 7.** This act shall take effect and be in force from  
516 and after its passage.

