

By: Representatives McNeal, Bain

To: Gaming

HOUSE BILL NO. 1113

1 AN ACT TO AMEND SECTION 75-76-33, MISSISSIPPI CODE OF 1972,  
 2 TO AMEND THE MISSISSIPPI GAMING CONTROL ACT TO PROVIDE THAT NO  
 3 WAGERING SHALL BE ALLOWED ON THE OUTCOME OF ANY ATHLETIC EVENT,  
 4 NOR ANY MATTER TO BE DETERMINED DURING AN ATHLETIC EVENT, NOR ON  
 5 THE OUTCOME OF ANY EVENT, WHICH DOES NOT TAKE PLACE ON THE  
 6 PREMISES; TO EXEMPT THE FANTASY CONTEST ACT FROM SUCH PROVISION;  
 7 AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 75-76-33, Mississippi Code of 1972, is  
 10 amended as follows:

11 75-76-33. (1) The commission shall, from time to time,  
 12 adopt, amend or repeal such regulations, consistent with the  
 13 policy, objects and purposes of this chapter, as it may deem  
 14 necessary or desirable in the public interest in carrying out the  
 15 policy and provisions of this chapter. The commission shall  
 16 comply with the Mississippi Administrative Procedures Law when  
 17 adopting, amending or repealing any regulations authorized under  
 18 this section or under any other provision of this chapter.

19 (2) These regulations shall, without limiting the general  
 20 powers herein conferred, include the following:



21           (a) Prescribing the method and form of application  
22 which any applicant for a license or for a manufacturer's,  
23 seller's or distributor's license must follow and complete before  
24 consideration of his application by the executive director or the  
25 commission.

26           (b) Prescribing the information to be furnished by any  
27 applicant or licensee concerning his antecedents, habits,  
28 character, associates, criminal record, business activities and  
29 financial affairs, past or present.

30           (c) Prescribing the information to be furnished by a  
31 licensee relating to his employees.

32           (d) Requiring fingerprinting of an applicant or  
33 licensee, and gaming employees of a licensee, or other methods of  
34 identification and the forwarding of all fingerprints taken  
35 pursuant to regulation of the Federal Bureau of Investigation.

36           (e) Prescribing the manner and procedure of all  
37 hearings conducted by the commission or any hearing examiner of  
38 the commission, including special rules of evidence applicable  
39 thereto and notices thereof.

40           (f) Requiring any applicant to pay all or any part of  
41 the fees and costs of investigation of such applicant as may be  
42 determined by the commission under paragraph (g) of this  
43 subsection (2).

44           (g) Prescribing the amounts of investigative fees only  
45 as authorized by regulations of the commission under paragraph (f)



46 of this subsection, and collecting those fees. The commission  
47 shall adopt regulations setting the amounts of those fees at  
48 levels that will provide the commission with sufficient revenue,  
49 when combined with any other monies as may be deposited into the  
50 Mississippi Gaming Commission Fund created in Section 75-76-325,  
51 to carry out the provisions of this chapter without any state  
52 general funds. In calculating the amount of such fees, the  
53 commission shall:

54 (i) Attempt to set the fees at levels that will  
55 create a balance in the Mississippi Gaming Commission Fund that  
56 does not exceed, at the end of any state fiscal year, two percent  
57 (2%) of the projected amount of funds that will provide the  
58 commission with such sufficient revenue; and

59 (ii) Demonstrate the reasonableness of the  
60 relationship between a fee and the actual costs of the  
61 investigative activity for which the fee is being prescribed.

62 (h) Prescribing the manner and method of collection and  
63 payment of fees and issuance of licenses.

64 (i) Prescribing under what conditions a licensee may be  
65 deemed subject to revocation or suspension of his license.

66 (j) Requiring any applicant or licensee to waive any  
67 privilege with respect to any testimony at any hearing or meeting  
68 of the commission, except any privilege afforded by the  
69 Constitution of the United States or this state.



70 (k) Defining and limiting the area, games and devices  
71 permitted, and the method of operation of such games and devices,  
72 for the purposes of this chapter.

73 (l) Prescribing under what conditions the nonpayment of  
74 a gambling debt by a licensee shall be deemed grounds for  
75 revocation or suspension of his license.

76 (m) Governing the use and approval of gambling devices  
77 and equipment.

78 (n) Prescribing the qualifications of, and the  
79 conditions under which, attorneys, accountants and others are  
80 permitted to practice before the commission.

81 (o) Restricting access to confidential information  
82 obtained under this chapter and ensuring that the confidentiality  
83 of such information is maintained and protected.

84 (p) Prescribing the manner and procedure by which the  
85 executive director on behalf of the commission shall notify a  
86 county or a municipality wherein an applicant for a license  
87 desires to locate.

88 (q) Prescribing the manner and procedure for an  
89 objection to be filed with the commission and the executive  
90 director by a county or municipality wherein an applicant for a  
91 license desires to locate.

92 (3) Notwithstanding any other provision of law, each  
93 licensee shall be required to comply with the following  
94 regulations:



95           (a) No wagering shall be allowed on the outcome of any  
96 athletic event, nor any matter to be determined during an athletic  
97 event, nor on the outcome of any event, which does not take place  
98 on the premises. This paragraph (a) shall not apply to the  
99 Fantasy Contest Act in Sections 97-33-301 et seq.

100           (b) \* \* \* No wager may be placed by, or on behalf of,  
101 any individual or entity or group, not present on a licensed  
102 vessel or cruise vessel.

103           (4) From and after July 1, 2016, the expenses of this agency  
104 shall be defrayed by appropriation from the State General Fund and  
105 all user charges and fees authorized under this section shall be  
106 deposited into the State General Fund as authorized by law.

107           (5) From and after July 1, 2016, no state agency shall  
108 charge another state agency a fee, assessment, rent or other  
109 charge for services or resources received by authority of this  
110 section.

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

