

By: Representative Reynolds

To: Gaming; Ways and Means;
Rules

HOUSE BILL NO. 1251

1 AN ACT TO REQUIRE THE MISSISSIPPI GAMING COMMISSION TO
2 ESTABLISH A STATE LOTTERY TO BE ADMINISTERED BY THE MISSISSIPPI
3 GAMING COMMISSION WITH PROCEEDS TO GO TOWARD ROADS AND EDUCATION;
4 TO AMEND SECTIONS 67-1-71, 75-76-3, 75-76-5, 97-33-9, 97-33-11,
5 97-33-13, 97-33-21, 97-33-23, 97-33-31, 97-33-33, 97-33-35,
6 97-33-37, 97-33-39, 97-33-41, 97-33-43, 97-33-45, 97-33-47 AND
7 97-33-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE
8 PROVISIONS OF THIS ACT; AND FOR RELATED 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.** (1) The Mississippi Gaming Commission shall
50 establish a state lottery to be administered by the Mississippi
51 Gaming Commission that shall be operational by December 31, 2018.
52 Upon passage of this act, the commission shall promulgate such
53 reasonable rules and regulations as may be necessary to implement
54 a state lottery.

55 (2) The proceeds generated by the lottery, after operational
56 costs and prize money payouts as determined by the commission,
57 shall be allocated as follows:

58 (a) Twenty-five percent (25%) shall be deposited in the
59 State Aid Road Fund;

60 (b) Twenty-five percent (25%) shall be distributed to
61 municipalities on a population basis for use on municipal streets;
62 and

63 (c) Fifty percent (50%) shall be equally distributed
64 for use of K-12 educational funding, community college funding and
65 state institutions of higher learning funding, with each one-third
66 (1/3) portion to be allocated and distributed by the Mississippi
67 Department of Education, Mississippi Community College Board and
68 the Board of Trustees of State Institutions of Higher Learning
69 respectively.



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

72 67-1-71. The department may revoke or suspend any permit
73 issued by it for a violation by the permittee of any of the
74 provisions of this chapter or of the regulations promulgated under
75 it by the department.

76 Permits must be revoked or suspended for the following
77 causes:

78 (a) Conviction of the permittee for the violation of
79 any of the provisions of this chapter;

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

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

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

89 (e) The possession on the premises of any retail
90 permittee of any alcoholic beverages upon which the tax has not
91 been paid;

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



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

98 (h) The failure to furnish any bond required by Section
99 27-71-21 within fifteen (15) days after notice from the
100 department; and

101 (i) The conducting of any form of illegal gambling on
102 the premises of any permittee or on any premises connected
103 therewith or the presence on any such premises of any gambling
104 device with the knowledge of the permittee.

105 The provisions of this paragraph (i) of this section shall
106 not apply to * * *: the conducting of legal gaming by a person
107 having a gaming license issued under Chapter 76, Title 75,
108 Mississippi Code of 1972, or the operation of the lottery
109 authorized by Section 2 of this act. The department may, in its
110 discretion, issue on-premises retailer's permits to a common
111 carrier of the nature described in this paragraph.

112 No permit shall be suspended or revoked until after the
113 permittee has been provided reasonable notice of the charges
114 against him for which suspension or revocation is sought and the
115 opportunity to a hearing before the Board of Tax Appeals to
116 contest such charges and the suspension or revocation proposed.
117 Opportunity to a hearing is provided without an actual hearing if
118 the permittee, after receiving reasonable notice, including notice
119 of his right to a hearing, fails to timely request a hearing. The



120 permittee may also at any time waive his rights to reasonable
121 notice and/or to the opportunity to a hearing by agreeing to a
122 suspension or revocation offered by the department.
123 Notwithstanding the requirement above that a permit may not be
124 suspended without notice and opportunity to a hearing, sales of
125 alcoholic beverages by a permittee under a permit for which the
126 bond under Section 27-71-21 has been cancelled shall be suspended
127 from and after issuance of the notice provided in subsection (h)
128 above and shall continue to be suspended until the bond is
129 reinstated, a new bond is posted or sufficient cash or securities
130 as provided under Section 27-71-21 are deposited with the State
131 Treasurer for this permit.

132 In addition to the causes specified in this section and other
133 provisions of this chapter, the department shall be authorized to
134 suspend the permit of any permit holder for being out of
135 compliance with an order for support, as defined in Section
136 93-11-153. The procedure for suspension of a permit for being out
137 of compliance with an order for support, and the procedure for the
138 reissuance or reinstatement of a permit suspended for that
139 purpose, and the payment of any fees for the reissuance or
140 reinstatement of a permit suspended for that purpose, shall be
141 governed by Section 93-11-157 or 93-11-163, as the case may be.
142 If there is any conflict between any provision of Section
143 93-11-157 or 93-11-163 and any provision of this chapter, the



144 provisions of Section 93-11-157 or 93-11-163, as the case may be,
145 shall control.

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

148 75-76-3. (1) The provisions of this chapter shall not be
149 construed to legalize any form of gaming which is prohibited under
150 the Mississippi Constitution or the laws of this state. All legal
151 gaming which is conducted in this state and which is otherwise
152 authorized by law shall be regulated and licensed pursuant to the
153 provisions of this chapter, unless the Legislature specifically
154 provides otherwise. Nothing in this chapter shall be construed as
155 encouraging the legalization of gambling in this state.

156 (2) The Legislature hereby finds and declares that lotteries
157 and gaming both consist of the material element of chance. The
158 Legislature is * * * permitted by virtue of its inherent powers to
159 legislate upon lotteries and gaming as the occasion arises. The
160 Legislature derives its power to legislate upon lotteries and
161 gaming or gambling devices from its inherent authority over the
162 morals and policy of the people * * *.

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

165 (a) Regulation of licensed lotteries and gaming is
166 important in order that * * * those activities are conducted
167 honestly and competitively, that the rights of the creditors of



168 licensees are protected and that * * * those activities are free
169 from criminal and corruptive elements.

170 (b) Public confidence and trust can only be maintained
171 by strict regulation of all persons, locations, practices,
172 associations and activities related to the operation of lotteries
173 and licensed gaming establishments and the manufacture or
174 distribution of gambling devices and equipment.

175 (c) All establishments where lotteries or gaming * * *,
176 or both, are conducted and * * * manufacturers, sellers and
177 distributors of certain * * * lottery and gaming devices and
178 equipment must therefore be licensed, controlled and assisted to
179 protect the public health, safety, morals, good order and general
180 welfare of the inhabitants of the state.

181 (4) It is the intent of the Legislature that gaming
182 licensees and any entity authorized to conduct a lottery, to the
183 extent practicable, shall employ residents of Mississippi as * * *
184 employees * * * in the operation of their * * * establishments
185 located in this state.

186 (5) No applicant for a license or other affirmative
187 commission approval has any right to a license or the granting of
188 the approval sought. Any license issued or other commission
189 approval granted pursuant to the provisions of this chapter is a
190 revocable privilege, and no holder acquires any vested right
191 therein or thereunder.

192 * * *



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

195 75-76-5. As used in this chapter, unless the context
196 requires otherwise:

197 (a) "Applicant" means any person who has applied for or
198 is about to apply for a state gaming license, registration or
199 finding of suitability under the provisions of this chapter or
200 approval of any act or transaction for which approval is required
201 or permitted under the provisions of this chapter.

202 (b) "Application" means a request for the issuance of a
203 state gaming license, registration or finding of suitability under
204 the provisions of this chapter or for approval of any act or
205 transaction for which approval is required or permitted under the
206 provisions of this chapter but does not include any supplemental
207 forms or information that may be required with the application.

208 (c) "Associated equipment" means any equipment or
209 mechanical, electromechanical or electronic contrivance, component
210 or machine used remotely or directly in connection with gaming or
211 with any game, race book or sports pool that would not otherwise
212 be classified as a gaming device, including dice, playing cards,
213 links which connect to progressive slot machines, equipment which
214 affects the proper reporting of gross revenue, computerized
215 systems of betting at a race book or sports pool, computerized
216 systems for monitoring slot machines, and devices for weighing or
217 counting money.



218 (d) "Chairman" means the Chairman of the Mississippi
219 Gaming Commission except when used in the term "Chairman of the
220 State Tax Commission." "Chairman of the State Tax Commission" or
221 "commissioner" means the Commissioner of Revenue of the Department
222 of Revenue.

223 (e) "Commission" or "Mississippi Gaming Commission"
224 means the Mississippi Gaming Commission.

225 (f) "Commission member" means a member of the
226 Mississippi Gaming Commission.

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

231 (h) "Enforcement division" means a particular division
232 supervised by the executive director that provides enforcement
233 functions.

234 (i) "Establishment" means any premises wherein or
235 whereon any gaming is done.

236 (j) "Executive director" means the Executive Director
237 of the Mississippi Gaming Commission.

238 (k) Except as otherwise provided by law, "game," or
239 "gambling game" means any banking or percentage game played with
240 cards, with dice or with any mechanical, electromechanical or
241 electronic device or machine for money, property, checks, credit
242 or any representative of value, including, without limiting, the



243 generality of the foregoing, faro, monte, roulette, keno, fan-tan,
244 twenty-one, blackjack, seven-and-a-half, big injun, klondike,
245 craps, poker, chuck-a-luck (dai shu), wheel of fortune, chemin de
246 fer, baccarat, pai gow, beat the banker, panguingui, slot machine,
247 or any other game or device approved by the commission. However,
248 "game" or "gambling game" shall not include bingo games or raffles
249 which are held pursuant to the provisions of Section 97-33-51, or
250 the illegal gambling activities described in Section 97-33-8, or
251 the lottery authorized by Section 2 of this act.

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

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

258 (m) "Gaming device" means any mechanical,
259 electromechanical or electronic contrivance, component or machine
260 used in connection with gaming or any game which affects the
261 result of a wager by determining win or loss. The term includes a
262 system for processing information which can alter the normal
263 criteria of random selection, which affects the operation of any
264 game, or which determines the outcome of a game. The term does
265 not include a system or device which affects a game solely by
266 stopping its operation so that the outcome remains undetermined,



267 and does not include any antique coin machine as defined in
268 Section 27-27-12.

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

- 272 (i) Boxmen;
- 273 (ii) Cashiers;
- 274 (iii) Change personnel;
- 275 (iv) Counting room personnel;
- 276 (v) Dealers;
- 277 (vi) Floormen;
- 278 (vii) Hosts or other persons empowered to extend
279 credit or complimentary services;
- 280 (viii) Keno runners;
- 281 (ix) Keno writers;
- 282 (x) Machine mechanics;
- 283 (xi) Security personnel;
- 284 (xii) Shift or pit bosses;
- 285 (xiii) Shills;
- 286 (xiv) Supervisors or managers; and
- 287 (xv) Ticket writers.

288 The term "gaming employee" also includes employees of
289 manufacturers or distributors of gaming equipment within this
290 state whose duties are directly involved with the manufacture,
291 repair or distribution of gaming equipment.



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

295 (o) "Gaming license" means any license issued by the
296 state which authorizes the person named therein to engage in
297 gaming.

298 (p) "Gross revenue" means the total of all of the
299 following, less the total of all cash paid out as losses to
300 patrons and those amounts paid to purchase annuities to fund
301 losses paid to patrons over several years by independent financial
302 institutions:

303 (i) Cash received as winnings;

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

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

308 For the purposes of this definition, cash or the value of
309 noncash prizes awarded to patrons in a contest or tournament are
310 not losses.

311 The term does not include:

312 (i) Counterfeit money or tokens;

313 (ii) Coins of other countries which are received
314 in gaming devices;

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



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

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

322 (r) "Investigation division" means a particular
323 division supervised by the executive director that provides
324 investigative functions.

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

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

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

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

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

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

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

340 (z) "Party" means the Mississippi Gaming Commission and
341 any licensee or other person appearing of record in any proceeding



342 before the commission; or the Mississippi Gaming Commission and
343 any licensee or other person appearing of record in any proceeding
344 for judicial review of any action, decision or order of the
345 commission.

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

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

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

355 (dd) "Regulation" means a rule, standard, directive or
356 statement of general applicability which effectuates law or policy
357 or which describes the procedure or requirements for practicing
358 before the commission. The term includes a proposed regulation
359 and the amendment or repeal of a prior regulation but does not
360 include:

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

364 (ii) A declaratory ruling;

365 (iii) An interagency memorandum;



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

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

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

372 (ff) "Slot machine" means any mechanical, electrical or
373 other device, contrivance or machine which, upon insertion of a
374 coin, token or similar object, or upon payment of any
375 consideration, is available to play or operate, the play or
376 operation of which, whether by reason of the skill of the operator
377 or application of the element of chance, or both, may deliver or
378 entitle the person playing or operating the machine to receive
379 cash, premiums, merchandise, tokens or anything of value, whether
380 the payoff is made automatically from the machine or in any other
381 manner. The term does not include any antique coin machine as
382 defined in Section 27-27-12.

383 (gg) "Sports pool" means the business of accepting
384 wagers on collegiate or professional sporting events or athletic
385 events, by any system or method of wagering other than the system
386 known as the "pari-mutuel method of wagering."

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



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

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

394 (kk) "Work permit" means any card, certificate or
395 permit issued by the commission, whether denominated as a work
396 permit, registration card or otherwise, authorizing the employment
397 of the holder as a gaming employee. A document issued by any
398 governmental authority for any employment other than gaming is not
399 a valid work permit for the purposes of this chapter.

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

403 (mm) "Cheat" means to alter the selection of criteria
404 that determine:

405 (i) The rules of a game; or

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

407 (nn) "Promotional activity" means an activity or event
408 conducted or held for the purpose of promoting or marketing the
409 individual licensed gaming establishment that is engaging in the
410 promotional activity. The term includes, but is not limited to, a
411 game of any kind other than as defined in paragraph (k) of this
412 section, a tournament, a contest, a drawing, or a promotion of any
413 kind.



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

416 97-33-9. Except as otherwise provided in Section 97-33-8, if
417 any person shall be guilty of keeping or exhibiting any illegal
418 game or gaming table commonly called A.B.C. or E.O. roulette or
419 rowley-powley, or rouge et noir, roredo, keno, monte, or any
420 faro-bank, or other game, gaming table, or bank of the same or
421 like kind or any other kind or description under any other name
422 whatever, or shall be in any manner either directly or indirectly
423 interested or concerned in any gaming tables, banks, or games,
424 either by furnishing money or articles for the purpose of carrying
425 on the same, being interested in the loss or gain of said table,
426 bank or games, or employed in any manner in conducting, carrying
427 on, or exhibiting said gaming tables, games, or banks, every
428 person so offending and being thereof convicted, shall be fined
429 not less than Twenty-five Dollars (\$25.00) nor more than Two
430 Thousand Dollars (\$2,000.00), or be imprisoned in the county jail
431 not longer than two (2) months, or by both such fine and
432 imprisonment, in the discretion of the court. Nothing in this
433 section shall apply to any person who owns, possesses, controls,
434 installs, procures, repairs or transports any legal gaming or
435 gambling device, machine or equipment in accordance with
436 subsection (4) of Section 97-33-7 or Section 75-76-34 or to the
437 operation of the lottery authorized by Section 2 of this act.



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

440 97-33-11. It shall not be lawful for any association of
441 persons of the character commonly known as a "club," whether such
442 association be incorporated or not, in any manner, either directly
443 or indirectly, to have any interest or concern in any gambling
444 tables, banks, or games, by means of what is sometimes called a
445 "rake-off" or "take-out," or by means of an assessment upon
446 certain combinations, or hands at cards, or by means of a
447 percentage extracted from players, or an assessment made upon, or
448 a contribution from them, or by any other means, device or
449 contrivance whatsoever. It shall not be lawful for such an
450 association to lend or advance money or any other valuable thing
451 to any person engaged or about to engage in playing any game of
452 chance prohibited by law, or to become responsible directly or
453 indirectly for any money or other valuable thing lost, or which
454 may be lost, by any player in any such game. If any such
455 association shall violate any of the provisions of this section
456 each and every member thereof shall be guilty of a misdemeanor
457 and, upon conviction thereof, shall be fined in a sum not more
458 than Five Hundred Dollars (\$500.00); and unless such fine and
459 costs be immediately paid, shall be imprisoned in the county jail
460 for not less than five (5) nor more than twenty (20) days. Each
461 grand jury shall cause such of the members of such an association
462 as it may choose to appear before them and submit to examination



463 touching the observance or nonobservance by such association of
464 the provisions hereof.

465 The provisions of this section do not apply to the operation
466 of the lottery authorized by Section 2 of this act.

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

469 97-33-13. Any owner, lessee, or occupant of any outhouse or
470 other building, who shall knowingly permit or suffer any of the
471 before mentioned tables, banks, or games, or any other game
472 prohibited by law, to be carried on, kept, or exhibited in his
473 said house or other building, or on his lot or premises, being
474 thereof convicted, shall be fined not less than One Hundred
475 Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00).

476 The provisions of this section do not apply to the operation
477 of the lottery authorized by Section 2 of this act.

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

480 97-33-21. Any person of full age who shall bet any money or
481 thing of any value with a minor, or allow a minor to bet at any
482 game or gaming-table exhibited by him, or in which he is
483 interested or in any manner concerned, on conviction thereof,
484 shall be fined not less than Three Hundred Dollars (\$300.00) and
485 imprisoned not less than three (3) months.

486 The provisions of this section do not apply to a minor who
487 receives as a gift a ticket associated with the lottery authorized



488 by Section 2 of this act when the ticket has been purchased by a
489 person who is eighteen (18) years of age or older.

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

492 97-33-23. Any person of full age who shall bet any money or
493 thing of value with a minor, knowing such minor to be under the
494 age of twenty-one (21) years, or allowing any such minor to bet at
495 any game or games, or at any gaming table exhibited by him, or in
496 which he is interested or in any manner concerned, on conviction
497 thereof, shall be punished by imprisonment in the Penitentiary not
498 exceeding two (2) years.

499 The provisions of this section do not apply to a minor who
500 receives as a gift a ticket associated with the lottery authorized
501 by Section 2 of this act when the ticket has been purchased by a
502 person who is eighteen (18) years of age or older.

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

505 97-33-31. If any person, in order to raise money for himself
506 or another, or for any purpose whatever, shall publicly or
507 privately put up a lottery to be drawn or adventured for, he
508 shall, on conviction, be imprisoned in the Penitentiary not
509 exceeding five (5) years.

510 The provisions of this section do not apply to the operation
511 of the lottery authorized by Section 2 of this act.



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

514 97-33-33. If any person shall in any way advertise any
515 lottery whatever, no matter where located, or shall knowingly have
516 in his possession any posters or other lottery advertisements of
517 any kind * * *, save a regularly issued newspaper containing such
518 an advertisement without intent to circulate the same as an
519 advertisement * * *, he shall, on conviction, be fined not less
520 than Twenty-five Dollars (\$25.00) nor more than One Hundred
521 Dollars (\$100.00), or be imprisoned in the county jail not
522 exceeding three (3) months, or both.

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

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

527 97-33-35. If any newspaper published or circulated in this
528 state shall contain an advertisement of any lottery whatever, or
529 any matter intended to advertise a lottery, no matter where
530 located, the editor or editors, publisher or publishers, and the
531 owner or owners thereof permitting the same, shall be guilty of a
532 misdemeanor and, on conviction, shall be fined not less than One
533 Hundred Dollars (\$100.00) nor more than One Thousand Dollars
534 (\$1,000.00), and be imprisoned in the county jail not less than
535 ten (10) days nor more than three (3) months, for each offense.
536 The issuance of each separate daily or weekly edition of the



537 newspaper that shall contain such an advertisement shall be
538 considered a separate offense.

539 The provisions of this section do not apply to the operation
540 of the lottery authorized by Section 2 of this act.

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

543 97-33-37. If any newsdealer or other person shall, directly
544 or indirectly, sell or offer for sale any newspaper or other
545 publication containing a lottery advertisement, he shall be guilty
546 of a misdemeanor and, upon conviction, shall be fined not less
547 than Ten Dollars (\$10.00) or imprisoned not less than ten (10)
548 days, or both.

549 The provisions of this section do not apply to the operation
550 of the lottery authorized by Section 2 of this act.

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

553 97-33-39. If any person shall sell, or offer or expose for
554 sale, any lottery ticket, whether the lottery be in or out of this
555 state, or for or in any other state, territory, district, or
556 country, he shall, on conviction, be fined not less than
557 Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars
558 (\$100.00), or imprisoned in the county jail not less than ten (10)
559 days nor more than sixty (60) days, or both.

560 The provisions of this section do not apply to the operation
561 of the lottery authorized by Section 2 of this act.



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

564 97-33-41. If any person shall buy in this state any lottery
565 ticket, whether the lottery be in or out of this state, or of or
566 in any other state, territory, district, or country, he shall, on
567 conviction, be fined not less than Five Dollars (\$5.00) nor more
568 than Twenty-five Dollars (\$25.00), or be imprisoned in the county
569 jail not exceeding ten (10) days, or both.

570 The provisions of this section do not apply to the operation
571 of the lottery authorized by Section 2 of this act.

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

574 97-33-43. If any railroad company shall suffer or permit the
575 sale of a lottery ticket of any kind on its cars, or at its depots
576 or depot grounds, or by its employees, no matter where the lottery
577 is located, it shall be guilty of a misdemeanor and, on
578 conviction, shall be fined not less than Twenty Dollars (\$20.00)
579 nor more than One Hundred Dollars (\$100.00) for every such ticket
580 so sold.

581 The provisions of this section do not apply to the operation
582 of the lottery authorized by Section 2 of this act.

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

585 97-33-45. If the owner or owners of any steamboat shall
586 suffer or permit the sale of a lottery ticket of any kind on his



587 or their boat, or by his or their employees, no matter where the
588 lottery is located, he or they shall be guilty of a misdemeanor
589 and shall, on conviction, be punished as prescribed in Section
590 97-33-43.

591 The provisions of this section do not apply to the operation
592 of the lottery authorized by Section 2 of this act.

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

595 97-33-47. If any person shall act as agent for any lottery
596 or lottery company, no matter where domiciled or located, or if he
597 shall assume to so act as agent, or if he receive any money or
598 other thing for any such lottery or lottery company, or deliver to
599 any person any ticket or tickets, prize or prizes, or other thing
600 from such lottery or lottery company, he shall, on conviction, be
601 fined not less than One Hundred Dollars (\$100.00), nor more than
602 Five Hundred Dollars (\$500.00), and be imprisoned in the county
603 jail not less than three (3) months nor more than six (6) months.

604 The provisions of this section do not apply to the operation
605 of the lottery authorized by Section 2 of this act.

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

608 97-33-49. Except as otherwise provided in Section 97-33-51,
609 if any person, in order to raise money for himself or another,
610 shall publicly or privately put up or in any way offer any prize
611 or thing to be raffled or played for, he shall, on conviction, be



612 fined not more than Twenty Dollars (\$20.00), or be imprisoned not
613 more than one (1) month in the county jail.

614 The provisions of this section do not apply to the operation
615 of the lottery authorized by Section 2 of this act.

616 **SECTION 21.** This act shall take effect and be in force from
617 and after its passage.

