

By: Representative Clarke

To: Gaming; Ways and Means;  
Rules

## HOUSE BILL NO. 1254

1 AN ACT TO PROVIDE FOR A STATEWIDE SPECIAL ELECTION FOR THE  
2 PURPOSE OF ALLOWING THE ELECTORATE TO VOTE ON THE ISSUE OF  
3 ESTABLISHING A STATE LOTTERY AS A FORM OF LEGALIZED GAMING IN THE  
4 STATE OF MISSISSIPPI; TO SET THE DATE OF JUNE 6, 2018, FOR THE  
5 STATEWIDE SPECIAL ELECTION; TO REQUIRE THE SECRETARY OF STATE TO  
6 PROVIDE THE BALLOTS TO THE ELECTION COMMISSIONERS OF EACH COUNTY;  
7 TO REQUIRE THAT ANY INDIVIDUAL OR POLITICAL COMMITTEE MAKING  
8 CERTAIN CONTRIBUTIONS OR EXPENDITURES IN SUPPORT OF A STATE  
9 LOTTERY MUST FILE CERTAIN REPORTS DISCLOSING THOSE CONTRIBUTIONS  
10 AND EXPENDITURES; TO ESTABLISH THE "MISSISSIPPI LOTTERY FOR  
11 EDUCATION" IF THE ELECTION ALLOWS IT; TO CREATE A STATE LOTTERY TO  
12 FUND THE MISSISSIPPI HOPE SCHOLARSHIP TRUST FUND; TO PROVIDE THAT  
13 THE STATE LOTTERY SHALL BE ADMINISTERED BY THE MISSISSIPPI GAMING  
14 COMMISSION; TO PROVIDE THE POWERS AND DUTIES OF THE MISSISSIPPI  
15 GAMING COMMISSION REGARDING THE STATE LOTTERY; TO CREATE THE  
16 MISSISSIPPI HOPE SCHOLARSHIP TRUST FUND TO PROVIDE THAT A  
17 PERCENTAGE OF THE PROCEEDS COLLECTED FROM THE SALE OF LOTTERY  
18 TICKETS WITHIN A COUNTY SHALL BE DISTRIBUTED TO THAT COUNTY; TO  
19 PROVIDE THAT, AFTER DEDUCTING CERTAIN ADMINISTRATIVE AND PRIZE  
20 EXPENSES, THE REMAINDER OF THE NET PROCEEDS SHALL BE DEPOSITED  
21 INTO THE MISSISSIPPI HOPE SCHOLARSHIP TRUST FUND; TO AMEND  
22 SECTIONS 23-15-351, 23-15-355, 23-15-805, 37-106-5, 67-1-71,  
23 75-76-3, 75-76-5, 97-33-9, 97-33-11, 97-33-13, 97-33-21, 97-33-23,  
24 97-33-31, 97-33-33, 97-33-35, 97-33-37, 97-33-39, 97-33-41,  
25 97-33-43, 97-33-45, 97-33-47 AND 97-33-49, MISSISSIPPI CODE OF  
26 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED  
27 PURPOSES.

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

29 **SECTION 1.** (1) There shall be a statewide special election  
30 for the purpose of determining whether a state lottery may be



31 established as a form of legalized gaming in the State of  
32 Mississippi, to be held on Tuesday, June 6, 2018, and conducted in  
33 the same manner as regular general elections are held, except as  
34 otherwise provided in subsections (2) and (5) of this section.  
35 The question put before the voters at the election shall read on  
36 the ballots as follows:

37 **"THIS PROPOSAL AUTHORIZES A STATE LOTTERY TO BE ESTABLISHED**  
38 **AS A LEGALIZED FORM OF GAMING IN THE STATE OF MISSISSIPPI, KNOWN**  
39 **AS THE "MISSISSIPPI LOTTERY FOR EDUCATION" TO BE ADMINISTERED AND**  
40 **REGULATED BY THE MISSISSIPPI GAMING COMMISSION.**

41 **YES..... ( )**

42 **NO..... ( )"**

43 The qualified electors may indicate their preference on the  
44 line or in the box following the option that they prefer.

45 The preference of a majority of the qualified electors voting  
46 in the election shall determine whether a state lottery may be  
47 established as a form of legalized gaming in the State of  
48 Mississippi. In addition to the enactment of a state lottery as  
49 provided in Section 2 of this act, the Legislature shall take  
50 whatever other steps are necessary to effectuate the mandate of  
51 the electorate's selection of establishing a state lottery and all  
52 other provisions of Section 2 of this act.

53 (2) The statewide special election for the purpose of  
54 determining whether a state lottery may be established as a form  
55 of legalized gaming in the State of Mississippi shall be



56 administered by means of ballots containing a uniform explanation  
57 of the proposal to establish a state lottery, which shall be  
58 provided by the Secretary of State to the election commissioners  
59 of each county. The Secretary of State shall determine whether,  
60 in each county, it would be more efficient to administer the  
61 election by paper ballots, voting machines, electronic voting  
62 systems, optical mark reading equipment or other mechanized  
63 equipment. The method used in each county shall be as uniform as  
64 practicable when compared to any other county in which the same  
65 method is used. The costs incurred in providing the ballots that  
66 will include an explanation of the proposal to establish a state  
67 lottery shall be borne by the State of Mississippi, and the  
68 Legislature shall appropriate the funds necessary for this  
69 purpose. All other costs associated with the holding of the  
70 statewide special election shall be borne by each individual  
71 county.

72 (3) Every individual who makes contributions to or  
73 expenditures in support of or in opposition to a proposition  
74 presented to the electorate in the statewide special election, in  
75 amounts aggregating in excess of Two Hundred Dollars (\$200.00),  
76 shall file all reports required to be filed by political  
77 committees under Sections 23-15-801 through 23-15-817, in the same  
78 manner and at the same time as provided for political committees.

79 (4) The county election commissioners shall transmit to the  
80 Secretary of State, in the same manner as the vote for state



81 officers is transmitted, a statement of the total number of votes  
82 cast for the proposition in the statewide special election. The  
83 Secretary of State shall tabulate those returns and certify the  
84 results to the Governor and to each house of the Legislature.

85 (5) The Secretary of State, the circuit clerks of each  
86 county and the election commissioners of each county are  
87 authorized to take any necessary actions to prepare the official  
88 ballots for the statewide special election provided in this act.

89 **SECTION 2.** (1) As used in this section, the following words  
90 and phrases shall have the meanings ascribed in this section  
91 unless the context clearly indicates otherwise:

92 (a) "Commission" means the Mississippi Gaming  
93 Commission.

94 (b) "Distributor" means any person authorized by the  
95 Mississippi Gaming Commission to distribute lottery tickets to  
96 retailers. A person possessing a gaming license issued under  
97 Section 75-76-1 et seq., may be a distributor if located in a  
98 county in which legal gaming has been approved.

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

101 (i) The player or players pay or agree to pay  
102 something of value for chances, represented and differentiated by  
103 tickets, slips of paper or other physical and tangible  
104 documentation upon which appear numbers, symbols, characters or



105 other distinctive marks used to identify and designate the winner  
106 or winners;

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

111                   (iii) The holder or holders of the winning chance  
112 or chances are to receive a prize or something of valuable  
113 consideration; and

114                   (iv) The activity is conducted and participated in  
115 without regard to geographical location, with the player or  
116 players not being required to be present upon any particular  
117 premises or at any particular location in order to participate or  
118 to win.

119                   (d) "Person" means any association, corporation, firm,  
120 partnership, trust or other form or business association as well  
121 as a natural person.

122                   (e) "Retailer" means any person authorized by the  
123 Mississippi Gaming Commission to sell lottery tickets to the  
124 public. A person possessing a gaming license issued under Section  
125 75-76-1 et seq., may be a retailer if located in a county in which  
126 legal gaming has been approved.

127                   (2) There is created a state lottery, to be administered by  
128 the Mississippi Gaming Commission. The commission is authorized  
129 to:



130           (a) Prescribe the method and form of application which  
131 an applicant for a distributor's license or retailer's license, or  
132 both, must follow and complete before consideration of his  
133 application by the commission;

134           (b) Prescribe guidelines for the review of applications  
135 for licenses and the approval or disapproval of such applications;

136           (c) Require an applicant to pay all or any part of the  
137 fees and costs of investigation of such applicant as may be  
138 determined by the commission, except that no applicant for an  
139 initial license shall be required to pay any part of the fees or  
140 costs of the investigation of the applicant with regard to the  
141 initial license;

142           (d) Prescribe the manner and method of collection and  
143 payment of fees and issuance of licenses;

144           (e) Prescribe conditions under which a licensee may be  
145 subject to revocation or suspension of his license;

146           (f) Prescribe guidelines regarding the conduct of  
147 specific lottery games including, but not limited to:

148                   (i) The types of games to be conducted;

149                   (ii) The sale price of tickets;

150                   (iii) The number and amount of prizes;

151                   (iv) The method and location of selecting or  
152 validating winning tickets;

153                   (v) The frequency and means of conducting drawings  
154 which shall be open to the public;



155                   (vi) The manner of payment of prizes;  
156                   (vii) The frequency of games and drawings; and  
157                   (viii) Any other matters necessary or desirable  
158 for the efficient and effective operation of lottery games;  
159                   (g) Enter into contracts with distributors for the  
160 distribution of lottery tickets to retailers; and  
161                   (h) Take any action necessary for the implementation  
162 and administration of the provisions of this section and  
163 promulgate rules and regulations necessary for its implementation  
164 and administration.

165                   (3) No ticket shall be sold knowingly to any person under  
166 the age of eighteen (18) years, but this subsection (3) does not  
167 prohibit the purchase of a ticket by a person eighteen (18) years  
168 of age or older for the purpose of making a gift to any person of  
169 any age. In such case, the commission shall direct payment to an  
170 adult member of the person's family or the legal guardian of the  
171 person on behalf of such person.

172                   (4) The proceeds received from the actual sale of lottery  
173 tickets, less a reasonable percentage in an amount as determined  
174 by the commission up to a maximum amount of one-half of one  
175 percent (0.5%) to be retained by a retailer selling a ticket,  
176 shall be remitted to the commission on a monthly basis. The  
177 commission shall deposit the proceeds into the State Treasury on  
178 the day collected. At the end of each month, the commission shall  
179 certify the total proceeds collected from the sale of lottery



180 tickets to the State Treasurer who shall distribute such  
181 collections as follows:

182 (a) As nearly as practicable, forty-five percent (45%)  
183 of the proceeds collected during the preceding month from the sale  
184 of lottery tickets in the state shall be allocated as prize money,  
185 to be distributed by the commission, provided that this provision  
186 shall not create any lien, entitlement, cause of action, or other  
187 private right, and any rights of holders of lottery tickets shall  
188 be determined by the commission in administering the lottery;

189 (b) A reasonable percentage, in an amount as determined  
190 by the commission up to a maximum amount of one-half of one  
191 percent (0.5%), of the proceeds collected during the preceding  
192 month from the sale of lottery tickets in the state, shall be  
193 allocated for distribution to the commission and paid to the  
194 commission to defray the costs of administering the provisions of  
195 this section;

196 (c) Four percent (4%) of the proceeds collected during  
197 the preceding month from the sale of lottery tickets within a  
198 county shall be allocated for distribution to that county and paid  
199 to that county.

200 (d) The remainder of the proceeds collected during the  
201 preceding month from the sale of lottery tickets in the state  
202 shall be deposited into the Mississippi Hope Scholarship Trust  
203 Fund created in subsection (5) of this section.





204 (5) There is created in the State Treasury a special fund to  
205 be designated as the "Mississippi Hope Scholarship Trust Fund,"  
206 into which shall be deposited the funds as provided in subsection  
207 (4)(d) of this section. All investment earnings or interest  
208 earned on amounts in the fund shall be deposited to the credit of  
209 the fund. Amounts remaining in the fund at the end of a fiscal  
210 year shall not lapse into the State General Fund.

211 The trust fund shall remain inviolate and shall not be  
212 expended, except as provided in this section. Beginning in fiscal  
213 year 2018 and in each subsequent fiscal year, the Legislature may  
214 appropriate from the trust fund an amount not greater than the  
215 aggregate investment earnings and interest earned during the  
216 preceding fiscal year on amounts in the fund. This appropriation  
217 shall be for the exclusive purpose of providing funds for the  
218 purposes described in subsection (6) of this section, but shall  
219 not be considered to be the only source for providing funds for  
220 those purposes.

221 (6) The trust fund shall be administered by the Mississippi  
222 Postsecondary Education Financial Assistance Board established  
223 under Section 37-106-9. For purposes of this section, "eligible  
224 institution" means any state institution of higher learning or  
225 public community or junior college or any regionally accredited,  
226 state-approved, nonprofit four-year or two-year college or  
227 university located in the State of Mississippi as listed in  
228 Section 37-106-29(4). The board shall set the date that will



229 serve as the deadline for applying for a scholarship award under  
230 subsections (6) through (9) of this section. The board shall  
231 award Hope scholarships to each Mississippi student who enrolls as  
232 a student for the first time at an eligible institution in  
233 Mississippi, and who:

234 (a) (i) Has earned, after seven (7) semester hours, a  
235 minimum cumulative grade point average of 3.0 calculated on a 4.0  
236 scale in high school subjects acceptable for credit toward a  
237 diploma, as certified by the high school principal or other  
238 authorized school official on the application;

239 (ii) Has completed a home study program meeting  
240 state law requirements in lieu of graduating from high school, and  
241 has earned a cumulative grade point average of 3.0 in an eligible  
242 institution as described in paragraph (b) of this subsection (2)  
243 at the end of the student's first quarter, trimester or semester,  
244 at which time the student shall be eligible to receive a  
245 retroactive Hope scholarship; or

246 (iii) Has received the general educational  
247 development (GED) diploma awarded by the Mississippi Department of  
248 Education, and has earned a cumulative grade point average of 3.0  
249 in an eligible institution as described in paragraph (b) of this  
250 subsection (2) at the end of the student's first quarter,  
251 trimester or semester, at which time the student shall be eligible  
252 to receive a retroactive Hope scholarship;



253 (b) Is enrolled, on a full-time basis, at an eligible  
254 institution;

255 (c) Is a resident of the State of Mississippi and a  
256 United States citizen;

257 (d) Has complied with the United States Selective  
258 Service System requirements for registration, if such requirements  
259 are applicable to the student;

260 (e) Is not in default on a federal or state educational  
261 loan, or does not owe a refund on a federal student financial aid  
262 program or a state student financial aid program;

263 (f) Has not been convicted of a felony offense  
264 involving marijuana or a controlled substance; and

265 (g) Is not incarcerated.

266 (7) The annual scholarship award to a student shall be the  
267 total cost of the student's tuition for the calendar year,  
268 excluding nontuition fees and costs of books and other supplies.  
269 Payment of the award shall be made payable to the recipient and  
270 the educational institution and mailed directly to the  
271 institution.

272 (8) A recipient shall maintain the equivalent of a 3.0  
273 cumulative grade point average on a 4.0 scale, on at least twelve  
274 (12) hours per quarter, trimester or semester in order to be  
275 eligible for a continuation of the award. No student may receive  
276 an award for more than the equivalent quarters, trimesters or  
277 semesters required to complete one (1) degree per institution.



278 The award may be renewed annually upon certification of  
279 eligibility by an eligible institution that the recipient meets  
280 the necessary qualifications. If any recipient transfers from one  
281 (1) eligible college to another, his award will be transferred  
282 provided he is eligible for the award. If a student fails to  
283 maintain continuous enrollment, he is ineligible to receive the  
284 award during the following quarter, trimester or semester of the  
285 regular academic year.

286 (9) The board may conduct annual audits of any college  
287 participating in the program described in subsections (2) through  
288 (5) of this section. The board may suspend or revoke an  
289 institution's eligibility to receive future monies under the  
290 program if it finds that the institution has not complied with the  
291 provisions of subsections (2) through (5) of this section.

292 (10) The provisions of Section 2 of this act shall take  
293 effect and be in force on January 1, 2019, if the result of the  
294 election authorizes the establishment of a state lottery known as  
295 the "Mississippi Lottery for Education."

296 **SECTION 3.** Section 23-15-351, Mississippi Code of 1972, is  
297 amended as follows:

298 23-15-351. \* \* \* Except as provided in Section 1 of this  
299 act, it shall be the duty of the chair of the election commission  
300 of each county to have printed all necessary ballots for use in  
301 elections, except ballots in municipal elections which shall be  
302 printed as herein provided by the authorities of the respective



303 municipalities; and the election commissioner shall cause the  
304 official ballot to be printed by a printer sworn to keep the  
305 ballots secret under the penalties prescribed by law. The printer  
306 shall deliver to the election commissioners for holding elections,  
307 a certificate of the number of ballots printed for each precinct,  
308 and shall not print any additional ballots, except on instruction  
309 of proper election commissioners; and failure to observe either of  
310 these requirements shall be a misdemeanor.

311       **SECTION 4.** Section 23-15-355, Mississippi Code of 1972, is  
312 amended as follows:

313       23-15-355. \* \* \* Except as provided in Section 1 of this  
314 act, ballots in all elections shall be printed and distributed at  
315 public expense and shall be known as "official ballots." The  
316 expense of printing the ballots shall be paid out of the county  
317 treasury, except that in municipal elections such expenses shall  
318 be paid by the respective cities, towns and villages.

319       **SECTION 5.** Section 23-15-805, Mississippi Code of 1972, is  
320 amended as follows:

321       23-15-805. (a) Candidates for state, state district, and  
322 legislative district offices, and every political committee, which  
323 makes reportable contributions to or expenditures in support of or  
324 in opposition to a candidate for any such office or makes  
325 reportable contributions to or expenditures in support of or in  
326 opposition to a statewide ballot measure, shall file all reports



327 required under this article with the Office of the Secretary of  
328 State.

329 (b) Candidates for county or county district office, and  
330 every political committee which makes reportable contributions to  
331 or expenditures in support of or in opposition to a candidate for  
332 such office or makes reportable contributions to or expenditures  
333 in support of or in opposition to a countywide ballot measure or a  
334 ballot measure affecting part of a county, excepting a municipal  
335 ballot measure, shall file all reports required by this section in  
336 the office of the circuit clerk of the county in which the  
337 election occurs, or directly to the Office of the Secretary of  
338 State via facsimile, electronic mail, postal mail or hand  
339 delivery. The circuit clerk shall forward copies of all reports  
340 to the Office of the Secretary of State.

341 (c) Candidates for municipal office, and every political  
342 committee which makes reportable contributions to or expenditures  
343 in support of or in opposition to a candidate for such office, or  
344 makes reportable contributions to or expenditures in support of or  
345 in opposition to a municipal ballot measure shall file all reports  
346 required by this article in the office of the municipal clerk of  
347 the municipality in which the election occurs, or directly to the  
348 Office of the Secretary of State via facsimile, electronic mail,  
349 postal mail or hand delivery. The municipal clerk shall forward  
350 copies of all reports to the Office of the Secretary of State.



351 (d) The Secretary of State, the circuit clerks and the  
352 municipal clerks shall make all reports received under this  
353 subsection available for public inspection and copying and shall  
354 preserve the reports for a period of five (5) years.

355 (e) The provisions of this section applicable to the  
356 reporting by a political committee of contributions and  
357 expenditures regarding statewide ballot measures shall apply to  
358 the statewide special election held for the purpose of determining  
359 whether a state lottery may be established as a form of legalized  
360 gaming in the State of Mississippi, as provided for in Section 1  
361 of this act.

362 **SECTION 6.** Section 37-106-5, Mississippi Code of 1972, is  
363 amended as follows:

364 37-106-5. (1) For purposes of this chapter, the following  
365 words shall be defined as follows unless the context requires  
366 otherwise:

367 (a) "Eligible applicant or eligible student" means an  
368 individual who completes an application by the published  
369 application deadline for a given student financial assistance  
370 program, meets all initial or continuing eligibility requirements  
371 for the program and enrolls in an approved institution for the  
372 given program.

373 (b) "Approved institution" means an institution of  
374 higher learning, public or private, which is accredited by the  
375 Southern Association of Colleges and Secondary Schools, or its



376 equivalent or a business, vocational, technical or other  
377 specialized school recognized and approved by the Postsecondary  
378 Education Financial Assistance Board.

379 (c) "Board" means the Postsecondary Education Financial  
380 Assistance Board created by Section 37-106-9 authorized and  
381 empowered to administer the provisions of this chapter.

382 (d) "Financial need" means anticipated expenses of an  
383 eligible student while attending an approved institution which  
384 cannot reasonably be met by said student or by the parents thereof  
385 as shall be determined according to the criteria established by  
386 the rules and regulations of the board. Financial need shall be  
387 reevaluated and redetermined at least annually.

388 (e) "Agency" means the Board of Trustees of State  
389 Institutions of Higher Learning.

390 (f) "Renewal applicant or renewal student" means a  
391 student who previously received funding for a given program.

392 (g) "Resident," "resident status" or "residency" shall  
393 be defined and determined in the same manner as resident status  
394 for tuition purposes as set forth in Sections 37-103-1 through  
395 37-103-29, with the exception of Section 37-103-17. Unless  
396 excepted by the rules of a given program, an applicant must be a  
397 Mississippi resident to qualify for financial assistance under  
398 this chapter.

399 (h) "Dependent" shall be defined and used in the same  
400 manner as the term "minor" in Sections 37-103-1 through 37-103-29.





401 The board will follow the federal guidelines for classifying a  
402 student as "dependent" or "independent."

403 (i) "Fund" means the Mississippi Hope Scholarship Trust  
404 Fund created in Section 2 of this act.

405 **SECTION 7.** Section 67-1-71, Mississippi Code of 1972, is  
406 amended as follows:

407 67-1-71. The department may revoke or suspend any permit  
408 issued by it for a violation by the permittee of any of the  
409 provisions of this chapter or of the regulations promulgated under  
410 it by the department.

411 Permits must be revoked or suspended for the following  
412 causes:

413 (a) Conviction of the permittee for the violation of  
414 any of the provisions of this chapter;

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

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

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



424 (e) The possession on the premises of any retail  
425 permittee of any alcoholic beverages upon which the tax has not  
426 been paid;

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

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

433 (h) The failure to furnish any bond required by Section  
434 27-71-21 within fifteen (15) days after notice from the  
435 department; and

436 (i) The conducting of any form of illegal gambling on  
437 the premises of any permittee or on any premises connected  
438 therewith or the presence on any such premises of any gambling  
439 device with the knowledge of the permittee.

440 The provisions of this paragraph (i) of this section shall  
441 not apply to \* \* \*: the conducting of legal gaming by a person  
442 having a gaming license issued under Section 75-76-1 et seq., or  
443 the operation of the lottery authorized by Section 2 of this act.

444 The department may, in its discretion, issue on-premises  
445 retailer's permits to a common carrier of the nature described in  
446 this paragraph.

447 No permit shall be suspended or revoked until after the  
448 permittee has been provided reasonable notice of the charges



449 against him for which suspension or revocation is sought and the  
450 opportunity to a hearing before the Board of Tax Appeals to  
451 contest such charges and the suspension or revocation proposed.  
452 Opportunity to a hearing is provided without an actual hearing if  
453 the permittee, after receiving reasonable notice, including notice  
454 of his right to a hearing, fails to timely request a hearing. The  
455 permittee may also at any time waive his rights to reasonable  
456 notice and/or to the opportunity to a hearing by agreeing to a  
457 suspension or revocation offered by the department.  
458 Notwithstanding the requirement above that a permit may not be  
459 suspended without notice and opportunity to a hearing, sales of  
460 alcoholic beverages by a permittee under a permit for which the  
461 bond under Section 27-71-21 has been cancelled shall be suspended  
462 from and after issuance of the notice provided in subsection (h)  
463 above and shall continue to be suspended until the bond is  
464 reinstated, a new bond is posted or sufficient cash or securities  
465 as provided under Section 27-71-21 are deposited with the State  
466 Treasurer for this permit.

467 In addition to the causes specified in this section and other  
468 provisions of this chapter, the department shall be authorized to  
469 suspend the permit of any permit holder for being out of  
470 compliance with an order for support, as defined in Section  
471 93-11-153. The procedure for suspension of a permit for being out  
472 of compliance with an order for support, and the procedure for the  
473 reissuance or reinstatement of a permit suspended for that



474 purpose, and the payment of any fees for the reissuance or  
475 reinstatement of a permit suspended for that purpose, shall be  
476 governed by Section 93-11-157 or 93-11-163, as the case may be.  
477 If there is any conflict between any provision of Section  
478 93-11-157 or 93-11-163 and any provision of this chapter, the  
479 provisions of Section 93-11-157 or 93-11-163, as the case may be,  
480 shall control.

481 **SECTION 8.** Section 75-76-3, Mississippi Code of 1972, is  
482 amended as follows:

483 75-76-3. (1) The provisions of this chapter shall not be  
484 construed to legalize any form of gaming which is prohibited under  
485 the Mississippi Constitution or the laws of this state. All legal  
486 gaming which is conducted in this state and which is otherwise  
487 authorized by law shall be regulated and licensed pursuant to the  
488 provisions of this chapter, unless the Legislature specifically  
489 provides otherwise. Nothing in this chapter shall be construed as  
490 encouraging the legalization of gambling in this state.

491 (2) The Legislature hereby finds and declares that lotteries  
492 and gaming both consist of the material element of chance. The  
493 Legislature is \* \* \* permitted by virtue of its inherent powers to  
494 legislate upon lotteries and gaming as the occasion arises. The  
495 Legislature derives its power to legislate upon lotteries and  
496 gaming or gambling devices from its inherent authority over the  
497 morals and policy of the people \* \* \*.



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

500 (a) Regulation of licensed lotteries and gaming is  
501 important in order that \* \* \* those activities are conducted  
502 honestly and competitively, that the rights of the creditors of  
503 licensees are protected and that \* \* \* those activities are free  
504 from criminal and corruptive elements.

505 (b) Public confidence and trust can only be maintained  
506 by strict regulation of all persons, locations, practices,  
507 associations and activities related to the operation of lotteries  
508 and licensed gaming establishments and the manufacture or  
509 distribution of gambling devices and equipment.

510 (c) All establishments where lotteries or gaming \* \* \*,  
511 or both, are conducted and \* \* \* manufacturers, sellers and  
512 distributors of certain \* \* \* lottery and gaming devices and  
513 equipment must therefore be licensed, controlled and assisted to  
514 protect the public health, safety, morals, good order and general  
515 welfare of the inhabitants of the state.

516 (4) It is the intent of the Legislature that gaming  
517 licensees and any entity authorized to conduct a lottery, to the  
518 extent practicable, shall employ residents of Mississippi as \* \* \*  
519 employees \* \* \* in the operation of their \* \* \* establishments  
520 located in this state.

521 (5) No applicant for a license or other affirmative  
522 commission approval has any right to a license or the granting of



523 the approval sought. Any license issued or other commission  
524 approval granted pursuant to the provisions of this chapter is a  
525 revocable privilege, and no holder acquires any vested right  
526 therein or thereunder.

527 \* \* \*

528 **SECTION 9.** Section 75-76-5, Mississippi Code of 1972, is  
529 amended as follows:

530 75-76-5. As used in this chapter, unless the context  
531 requires otherwise:

532 (a) "Applicant" means any person who has applied for or  
533 is about to apply for a state gaming license, registration or  
534 finding of suitability under the provisions of this chapter or  
535 approval of any act or transaction for which approval is required  
536 or permitted under the provisions of this chapter.

537 (b) "Application" means a request for the issuance of a  
538 state gaming license, registration or finding of suitability under  
539 the provisions of this chapter or for approval of any act or  
540 transaction for which approval is required or permitted under the  
541 provisions of this chapter but does not include any supplemental  
542 forms or information that may be required with the application.

543 (c) "Associated equipment" means any equipment or  
544 mechanical, electromechanical or electronic contrivance, component  
545 or machine used remotely or directly in connection with gaming or  
546 with any game, race book or sports pool that would not otherwise  
547 be classified as a gaming device, including dice, playing cards,



548 links which connect to progressive slot machines, equipment which  
549 affects the proper reporting of gross revenue, computerized  
550 systems of betting at a race book or sports pool, computerized  
551 systems for monitoring slot machines, and devices for weighing or  
552 counting money.

553 (d) "Chairman" means the Chairman of the Mississippi  
554 Gaming Commission except when used in the term "Chairman of the  
555 State Tax Commission." "Chairman of the State Tax Commission" or  
556 "commissioner" means the Commissioner of Revenue of the Department  
557 of Revenue.

558 (e) "Commission" or "Mississippi Gaming Commission"  
559 means the Mississippi Gaming Commission.

560 (f) "Commission member" means a member of the  
561 Mississippi Gaming Commission.

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

566 (h) "Enforcement division" means a particular division  
567 supervised by the executive director that provides enforcement  
568 functions.

569 (i) "Establishment" means any premises wherein or  
570 whereon any gaming is done.

571 (j) "Executive director" means the Executive Director  
572 of the Mississippi Gaming Commission.



573           (k) Except as otherwise provided by law, "game," or  
574 "gambling game" means any banking or percentage game played with  
575 cards, with dice or with any mechanical, electromechanical or  
576 electronic device or machine for money, property, checks, credit  
577 or any representative of value, including, without limiting, the  
578 generality of the foregoing, faro, monte, roulette, keno, fan-tan,  
579 twenty-one, blackjack, seven-and-a-half, big injun, klondike,  
580 craps, poker, chuck-a-luck (dai shu), wheel of fortune, chemin de  
581 fer, baccarat, pai gow, beat the banker, panguingui, slot machine,  
582 or any other game or device approved by the commission. However,  
583 "game" or "gambling game" shall not include bingo games or raffles  
584 which are held pursuant to the provisions of Section 97-33-51, or  
585 the illegal gambling activities described in Section 97-33-8, or  
586 the lottery that may be authorized by Sections 1 and 2 of this  
587 act.

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

591           (1) "Gaming" or "gambling" means to deal, operate,  
592 carry on, conduct, maintain or expose for play any game as defined  
593 in this chapter.

594           (m) "Gaming device" means any mechanical,  
595 electromechanical or electronic contrivance, component or machine  
596 used in connection with gaming or any game which affects the  
597 result of a wager by determining win or loss. The term includes a





598 system for processing information which can alter the normal  
599 criteria of random selection, which affects the operation of any  
600 game, or which determines the outcome of a game. The term does  
601 not include a system or device which affects a game solely by  
602 stopping its operation so that the outcome remains undetermined,  
603 and does not include any antique coin machine as defined in  
604 Section 27-27-12.

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

- 608 (i) Boxmen;
- 609 (ii) Cashiers;
- 610 (iii) Change personnel;
- 611 (iv) Counting room personnel;
- 612 (v) Dealers;
- 613 (vi) Floormen;
- 614 (vii) Hosts or other persons empowered to extend  
615 credit or complimentary services;
- 616 (viii) Keno runners;
- 617 (ix) Keno writers;
- 618 (x) Machine mechanics;
- 619 (xi) Security personnel;
- 620 (xii) Shift or pit bosses;
- 621 (xiii) Shills;
- 622 (xiv) Supervisors or managers; and



623 (xv) Ticket writers.

624 The term "gaming employee" also includes employees of  
625 manufacturers or distributors of gaming equipment within this  
626 state whose duties are directly involved with the manufacture,  
627 repair or distribution of gaming equipment.

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

631 (o) "Gaming license" means any license issued by the  
632 state which authorizes the person named therein to engage in  
633 gaming.

634 (p) "Gross revenue" means the total of all of the  
635 following, less the total of all cash paid out as losses to  
636 patrons and those amounts paid to purchase annuities to fund  
637 losses paid to patrons over several years by independent financial  
638 institutions:

639 (i) Cash received as winnings;

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

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

644 For the purposes of this definition, cash or the value of  
645 noncash prizes awarded to patrons in a contest or tournament are  
646 not losses.

647 The term does not include:



648 (i) Counterfeit money or tokens;  
649 (ii) Coins of other countries which are received  
650 in gaming devices;

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

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

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

658 (r) "Investigation division" means a particular  
659 division supervised by the executive director that provides  
660 investigative functions.

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

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

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

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

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



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

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

676 (z) "Party" means the Mississippi Gaming Commission and  
677 any licensee or other person appearing of record in any proceeding  
678 before the commission; or the Mississippi Gaming Commission and  
679 any licensee or other person appearing of record in any proceeding  
680 for judicial review of any action, decision or order of the  
681 commission.

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

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

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

691 (dd) "Regulation" means a rule, standard, directive or  
692 statement of general applicability which effectuates law or policy  
693 or which describes the procedure or requirements for practicing  
694 before the commission. The term includes a proposed regulation  
695 and the amendment or repeal of a prior regulation but does not  
696 include:



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

700 (ii) A declaratory ruling;

701 (iii) An interagency memorandum;

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

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

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

708 (ff) "Slot machine" means any mechanical, electrical or  
709 other device, contrivance or machine which, upon insertion of a  
710 coin, token or similar object, or upon payment of any  
711 consideration, is available to play or operate, the play or  
712 operation of which, whether by reason of the skill of the operator  
713 or application of the element of chance, or both, may deliver or  
714 entitle the person playing or operating the machine to receive  
715 cash, premiums, merchandise, tokens or anything of value, whether  
716 the payoff is made automatically from the machine or in any other  
717 manner. The term does not include any antique coin machine as  
718 defined in Section 27-27-12.

719 (gg) "Sports pool" means the business of accepting  
720 wagers on collegiate or professional sporting events or athletic



721 events, by any system or method of wagering other than the system  
722 known as the "pari-mutuel method of wagering."

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

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

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

730 (kk) "Work permit" means any card, certificate or  
731 permit issued by the commission, whether denominated as a work  
732 permit, registration card or otherwise, authorizing the employment  
733 of the holder as a gaming employee. A document issued by any  
734 governmental authority for any employment other than gaming is not  
735 a valid work permit for the purposes of this chapter.

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

739 (mm) "Cheat" means to alter the selection of criteria  
740 that determine:

741 (i) The rules of a game; or

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

743 (nn) "Promotional activity" means an activity or event  
744 conducted or held for the purpose of promoting or marketing the  
745 individual licensed gaming establishment that is engaging in the



746 promotional activity. The term includes, but is not limited to, a  
747 game of any kind other than as defined in paragraph (k) of this  
748 section, a tournament, a contest, a drawing, or a promotion of any  
749 kind.

750 **SECTION 10.** Section 97-33-9, Mississippi Code of 1972, is  
751 amended as follows:

752 97-33-9. Except as otherwise provided in Section 97-33-8, if  
753 any person shall be guilty of keeping or exhibiting any illegal  
754 game or gaming table commonly called A.B.C. or E.O. roulette or  
755 rowley-powley, or rouge et noir, roredo, keno, monte, or any  
756 faro-bank, or other game, gaming table, or bank of the same or  
757 like kind or any other kind or description under any other name  
758 whatever, or shall be in any manner either directly or indirectly  
759 interested or concerned in any gaming tables, banks, or games,  
760 either by furnishing money or articles for the purpose of carrying  
761 on the same, being interested in the loss or gain of said table,  
762 bank or games, or employed in any manner in conducting, carrying  
763 on, or exhibiting said gaming tables, games, or banks, every  
764 person so offending and being thereof convicted, shall be fined  
765 not less than Twenty-five Dollars (\$25.00) nor more than Two  
766 Thousand Dollars (\$2,000.00), or be imprisoned in the county jail  
767 not longer than two (2) months, or by both such fine and  
768 imprisonment, in the discretion of the court. Nothing in this  
769 section shall apply to any person who owns, possesses, controls,  
770 installs, procures, repairs or transports any legal gaming or



771 gambling device, machine or equipment in accordance with  
772 subsection (4) of Section 97-33-7 or Section 75-76-34 or to the  
773 operation of the lottery that may be authorized by Sections 1 and  
774 2 of this act.

775         **SECTION 11.** Section 97-33-11, Mississippi Code of 1972, is  
776 amended as follows:

777         97-33-11. It shall not be lawful for any association of  
778 persons of the character commonly known as a "club," whether such  
779 association be incorporated or not, in any manner, either directly  
780 or indirectly, to have any interest or concern in any gambling  
781 tables, banks, or games, by means of what is sometimes called a  
782 "rake-off" or "take-out," or by means of an assessment upon  
783 certain combinations, or hands at cards, or by means of a  
784 percentage extracted from players, or an assessment made upon, or  
785 a contribution from them, or by any other means, device or  
786 contrivance whatsoever. It shall not be lawful for such an  
787 association to lend or advance money or any other valuable thing  
788 to any person engaged or about to engage in playing any game of  
789 chance prohibited by law, or to become responsible directly or  
790 indirectly for any money or other valuable thing lost, or which  
791 may be lost, by any player in any such game. If any such  
792 association shall violate any of the provisions of this section  
793 each and every member thereof shall be guilty of a misdemeanor  
794 and, upon conviction thereof, shall be fined in a sum not more  
795 than Five Hundred Dollars (\$500.00); and unless such fine and





796 costs be immediately paid, shall be imprisoned in the county jail  
797 for not less than five (5) nor more than twenty (20) days. Each  
798 grand jury shall cause such of the members of such an association  
799 as it may choose to appear before them and submit to examination  
800 touching the observance or nonobservance by such association of  
801 the provisions hereof.

802 The provisions of this section shall not apply to the  
803 operation of the lottery that may be authorized by Sections 1 and  
804 2 of this act.

805 **SECTION 12.** Section 97-33-13, Mississippi Code of 1972, is  
806 amended as follows:

807 97-33-13. Any owner, lessee, or occupant of any outhouse or  
808 other building, who shall knowingly permit or suffer any of the  
809 before mentioned tables, banks, or games, or any other game  
810 prohibited by law, to be carried on, kept, or exhibited in his  
811 said house or other building, or on his lot or premises, being  
812 thereof convicted, shall be fined not less than One Hundred  
813 Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00).

814 The provisions of this section shall not apply to the  
815 operation of the lottery that may be authorized by Sections 1 and  
816 2 of this act.

817 **SECTION 13.** Section 97-33-21, Mississippi Code of 1972, is  
818 amended as follows:

819 97-33-21. Any person of full age who shall bet any money or  
820 thing of any value with a minor, or allow a minor to bet at any



821 game or gaming-table exhibited by him, or in which he is  
822 interested or in any manner concerned, on conviction thereof,  
823 shall be fined not less than Three Hundred Dollars (\$300.00) and  
824 imprisoned not less than three (3) months.

825 The provisions of this section shall not apply to a minor who  
826 receives as a gift a ticket associated with the lottery that may  
827 be authorized by Sections 1 and 2 of this act, when the ticket has  
828 been purchased by a person who is eighteen (18) years of age or  
829 older.

830 **SECTION 14.** Section 97-33-23, Mississippi Code of 1972, is  
831 amended as follows:

832 97-33-23. Any person of full age who shall bet any money or  
833 thing of value with a minor, knowing such minor to be under the  
834 age of twenty-one (21) years, or allowing any such minor to bet at  
835 any game or games, or at any gaming table exhibited by him, or in  
836 which he is interested or in any manner concerned, on conviction  
837 thereof, shall be punished by imprisonment in the Penitentiary not  
838 exceeding two (2) years.

839 The provisions of this section shall not apply to a minor who  
840 receives as a gift a ticket associated with the lottery that may  
841 be authorized by Sections 1 and 2 of this act, when the ticket has  
842 been purchased by a person who is eighteen (18) years of age or  
843 older.

844 **SECTION 15.** Section 97-33-31, Mississippi Code of 1972, is  
845 amended as follows:



846 97-33-31. If any person, in order to raise money for himself  
847 or another, or for any purpose whatever, shall publicly or  
848 privately put up a lottery to be drawn or adventured for, he  
849 shall, on conviction, be imprisoned in the Penitentiary not  
850 exceeding five (5) years.

851 The provisions of this section shall not apply to the  
852 operation of the lottery that may be authorized by Sections 1 and  
853 2 of this act.

854 **SECTION 16.** Section 97-33-33, Mississippi Code of 1972, is  
855 amended as follows:

856 97-33-33. If any person shall in any way advertise any  
857 lottery whatever, no matter where located, or shall knowingly have  
858 in his possession any posters or other lottery advertisements of  
859 any kind \* \* \*, save a regularly issued newspaper containing such  
860 an advertisement without intent to circulate the same as an  
861 advertisement \* \* \*, he shall, on conviction, be fined not less  
862 than Twenty-five Dollars (\$25.00) nor more than One Hundred  
863 Dollars (\$100.00), or be imprisoned in the county jail not  
864 exceeding three (3) months, or both.

865 The provisions of this section shall not apply to the  
866 operation of the lottery that may be authorized by Sections 1 and  
867 2 of this act.

868 **SECTION 17.** Section 97-33-35, Mississippi Code of 1972, is  
869 amended as follows:



870 97-33-35. If any newspaper published or circulated in this  
871 state shall contain an advertisement of any lottery whatever, or  
872 any matter intended to advertise a lottery, no matter where  
873 located, the editor or editors, publisher or publishers, and the  
874 owner or owners thereof permitting the same, shall be guilty of a  
875 misdemeanor and, on conviction, shall be fined not less than One  
876 Hundred Dollars (\$100.00) nor more than One Thousand Dollars  
877 (\$1,000.00), and be imprisoned in the county jail not less than  
878 ten (10) days nor more than three (3) months, for each offense.  
879 The issuance of each separate daily or weekly edition of the  
880 newspaper that shall contain such an advertisement shall be  
881 considered a separate offense.

882 The provisions of this section shall not apply to the  
883 operation of the lottery that may be authorized by Sections 1 and  
884 2 of this act.

885 **SECTION 18.** Section 97-33-37, Mississippi Code of 1972, is  
886 amended as follows:

887 97-33-37. If any newsdealer or other person shall, directly  
888 or indirectly, sell or offer for sale any newspaper or other  
889 publication containing a lottery advertisement, he shall be guilty  
890 of a misdemeanor and, upon conviction, shall be fined not less  
891 than Ten Dollars (\$10.00) or imprisoned not less than ten (10)  
892 days, or both.



893           The provisions of this section shall not apply to the  
894 operation of the lottery that may be authorized by Sections 1 and  
895 2 of this act.

896           **SECTION 19.** Section 97-33-39, Mississippi Code of 1972, is  
897 amended as follows:

898           97-33-39. If any person shall sell, or offer or expose for  
899 sale, any lottery ticket, whether the lottery be in or out of this  
900 state, or for or in any other state, territory, district, or  
901 country, he shall, on conviction, be fined not less than  
902 Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars  
903 (\$100.00), or imprisoned in the county jail not less than ten (10)  
904 days nor more than sixty (60) days, or both.

905           The provisions of this section shall not apply to the  
906 operation of the lottery that may be authorized by Sections 1 and  
907 2 of this act.

908           **SECTION 20.** Section 97-33-41, Mississippi Code of 1972, is  
909 amended as follows:

910           97-33-41. If any person shall buy in this state any lottery  
911 ticket, whether the lottery be in or out of this state, or of or  
912 in any other state, territory, district, or country, he shall, on  
913 conviction, be fined not less than Five Dollars (\$5.00) nor more  
914 than Twenty-five Dollars (\$25.00), or be imprisoned in the county  
915 jail not exceeding ten (10) days, or both.



916           The provisions of this section shall not apply to the  
917 operation of the lottery that may be authorized by Sections 1 and  
918 2 of this act.

919           **SECTION 21.** Section 97-33-43, Mississippi Code of 1972, is  
920 amended as follows:

921           97-33-43. If any railroad company shall suffer or permit the  
922 sale of a lottery ticket of any kind on its cars, or at its depots  
923 or depot grounds, or by its employees, no matter where the lottery  
924 is located, it shall be guilty of a misdemeanor and, on  
925 conviction, shall be fined not less than Twenty Dollars (\$20.00)  
926 nor more than One Hundred Dollars (\$100.00) for every such ticket  
927 so sold.

928           The provisions of this section shall not apply to the  
929 operation of the lottery that may be authorized by Sections 1 and  
930 2 of this act.

931           **SECTION 22.** Section 97-33-45, Mississippi Code of 1972, is  
932 amended as follows:

933           97-33-45. If the owner or owners of any steamboat shall  
934 suffer or permit the sale of a lottery ticket of any kind on his  
935 or their boat, or by his or their employees, no matter where the  
936 lottery is located, he or they shall be guilty of a misdemeanor  
937 and shall, on conviction, be punished as prescribed in Section  
938 97-33-43.



939           The provisions of this section shall not apply to the  
940 operation of the lottery that may be authorized by Sections 1 and  
941 2 of this act.

942           **SECTION 23.** Section 97-33-47, Mississippi Code of 1972, is  
943 amended as follows:

944           97-33-47. If any person shall act as agent for any lottery  
945 or lottery company, no matter where domiciled or located, or if he  
946 shall assume to so act as agent, or if he receive any money or  
947 other thing for any such lottery or lottery company, or deliver to  
948 any person any ticket or tickets, prize or prizes, or other thing  
949 from such lottery or lottery company, he shall, on conviction, be  
950 fined not less than One Hundred Dollars (\$100.00), nor more than  
951 Five Hundred Dollars (\$500.00), and be imprisoned in the county  
952 jail not less than three (3) months nor more than six (6) months.

953           The provisions of this section shall not apply to the  
954 operation of the lottery that may be authorized by Sections 1 and  
955 2 of this act.

956           **SECTION 24.** Section 97-33-49, Mississippi Code of 1972, is  
957 amended as follows:

958           97-33-49. Except as otherwise provided in Section 97-33-51,  
959 if any person, in order to raise money for himself or another,  
960 shall publicly or privately put up or in any way offer any prize  
961 or thing to be raffled or played for, he shall, on conviction, be  
962 fined not more than Twenty Dollars (\$20.00), or be imprisoned not  
963 more than one (1) month in the county jail.



964           The provisions of this section shall not apply to the  
965 operation of the lottery that may be authorized by Sections 1 and  
966 2 of this act.

967           **SECTION 25.** Sections 1, 3, 4 and 5 of this act shall take  
968 effect and be in force from and after its passage. Section 2 and  
969 Sections 6 through 24 of this act shall take effect and be in  
970 force from and after January 1, 2019, if the result of the  
971 election authorizes the establishment of a state lottery known as  
972 the "Mississippi Lottery for Education."

