

By: Representatives Reynolds, Holland,  
Baria, Horan

To: Gaming; Rules;  
Appropriations

HOUSE BILL NO. 1347

1 AN ACT TO REQUIRE THE MISSISSIPPI GAMING COMMISSION TO  
2 ESTABLISH A STATE LOTTERY TO BE ADMINISTERED BY THE MISSISSIPPI  
3 GAMING COMMISSION; TO PROVIDE FOR THE DISTRIBUTION OF THE PROCEEDS  
4 FOR K-12 EDUCATION, STATE AID ROADS AND MUNICIPALITIES; TO PROVIDE  
5 THAT REMAINING PROCEEDS SHALL BE DEPOSITED INTO THE STATE GENERAL  
6 FUND; TO AMEND SECTIONS 67-1-71, 75-76-3, 75-76-5, 97-33-9,  
7 97-33-11, 97-33-13, 97-33-21, 97-33-23, 97-33-31, 97-33-33,  
8 97-33-35, 97-33-37, 97-33-39, 97-33-41, 97-33-43, 97-33-45,  
9 97-33-47 AND 97-33-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO  
10 THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

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

15 (a) "Commission" means the Mississippi Gaming  
16 Commission.

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



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

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

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

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

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

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

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



48 public. A person possessing a gaming license issued under Chapter  
49 76, Title 75, Mississippi Code of 1972, may be a retailer if  
50 located in a county in which legal gaming has been approved.

51 **SECTION 2.** (1) The Mississippi Gaming Commission shall  
52 establish a state lottery to be administered by the Mississippi  
53 Gaming Commission, which shall include multi-state lottery games  
54 owned by a multi-state association or consortium. Within six (6)  
55 months of the passage of House Bill No. 1347, 2018 Regular  
56 Session, the commission shall be operating the lottery to seek a  
57 reasonable rate of return for the state and its citizens. The  
58 commission may promulgate such reasonable rules and regulations as  
59 may be necessary to implement this section.

60 (2) Proceeds of the lottery created under subsection (1) of  
61 this section shall be distributed as follows:

62 (a) One-half (1/2) of the proceeds shall be deposited  
63 into a special fund in the State Treasury for the purpose of  
64 providing supplemental education funding for Grades K-12 that  
65 shall be additional funding and not used to supplant funding that  
66 would have otherwise been provided;

67 (b) One-fourth (1/4) of the proceeds shall be deposited  
68 in the State Aid Road Fund to be distributed in accordance with  
69 the formula provided for state aid roads; and

70 (c) One-fourth (1/4) of the proceeds shall be deposited  
71 into a special fund in the State Treasury for the purpose of  
72 providing distributions to municipalities based on population.



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

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

79           Permits must be revoked or suspended for the following  
80 causes:

81                   (a) Conviction of the permittee for the violation of  
82 any of the provisions of this chapter;

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

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

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

92                   (e) The possession on the premises of any retail  
93 permittee of any alcoholic beverages upon which the tax has not  
94 been paid;

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



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

101 (h) The failure to furnish any bond required by Section  
102 27-71-21 within fifteen (15) days after notice from the  
103 department; and

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

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

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



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

135       In addition to the causes specified in this section and other  
136 provisions of this chapter, the department shall be authorized to  
137 suspend the permit of any permit holder for being out of  
138 compliance with an order for support, as defined in Section  
139 93-11-153. The procedure for suspension of a permit for being out  
140 of compliance with an order for support, and the procedure for the  
141 reissuance or reinstatement of a permit suspended for that  
142 purpose, and the payment of any fees for the reissuance or  
143 reinstatement of a permit suspended for that purpose, shall be  
144 governed by Section 93-11-157 or 93-11-163, as the case may be.  
145 If there is any conflict between any provision of Section  
146 93-11-157 or 93-11-163 and any provision of this chapter, the



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

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

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

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

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

168                 (a) Regulation of licensed lotteries and gaming is  
169 important in order that \* \* \* those activities are conducted  
170 honestly and competitively, that the rights of the creditors of



171 licensees are protected and that \* \* \* those activities are free  
172 from criminal and corruptive elements.

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

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

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

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

195 \* \* \*





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

198           75-76-5. As used in this chapter, unless the context  
199 requires otherwise:

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

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

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



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

226 (e) "Commission" or "Mississippi Gaming Commission"  
227 means the Mississippi Gaming Commission.

228 (f) "Commission member" means a member of the  
229 Mississippi Gaming Commission.

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

234 (h) "Enforcement division" means a particular division  
235 supervised by the executive director that provides enforcement  
236 functions.

237 (i) "Establishment" means any premises wherein or  
238 whereon any gaming is done.

239 (j) "Executive director" means the Executive Director  
240 of the Mississippi Gaming Commission.

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



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

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

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

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



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

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

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

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



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

298 (o) "Gaming license" means any license issued by the  
299 state which authorizes the person named therein to engage in  
300 gaming.

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

306 (i) Cash received as winnings;

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

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

311 For the purposes of this definition, cash or the value of  
312 noncash prizes awarded to patrons in a contest or tournament are  
313 not losses.

314 The term does not include:

315 (i) Counterfeit money or tokens;

316 (ii) Coins of other countries which are received  
317 in gaming devices;

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



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

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

325 (r) "Investigation division" means a particular  
326 division supervised by the executive director that provides  
327 investigative functions.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

367 (ii) A declaratory ruling;

368 (iii) An interagency memorandum;



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

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

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

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

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

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





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

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

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

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

406 (mm) "Cheat" means to alter the selection of criteria  
407 that determine:

408 (i) The rules of a game; or

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

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



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

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



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

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



466 touching the observance or nonobservance by such association of  
467 the provisions hereof.

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

530           97-33-35. If any newspaper published or circulated in this  
531 state shall contain an advertisement of any lottery whatever, or  
532 any matter intended to advertise a lottery, no matter where  
533 located, the editor or editors, publisher or publishers, and the  
534 owner or owners thereof permitting the same, shall be guilty of a  
535 misdemeanor and, on conviction, shall be fined not less than One  
536 Hundred Dollars (\$100.00) nor more than One Thousand Dollars  
537 (\$1,000.00), and be imprisoned in the county jail not less than  
538 ten (10) days nor more than three (3) months, for each offense.  
539 The issuance of each separate daily or weekly edition of the



540 newspaper that shall contain such an advertisement shall be  
541 considered a separate offense.

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

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

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

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

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

556 97-33-39. If any person shall sell, or offer or expose for  
557 sale, any lottery ticket, whether the lottery be in or out of this  
558 state, or for or in any other state, territory, district, or  
559 country, he shall, on conviction, be fined not less than  
560 Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars  
561 (\$100.00), or imprisoned in the county jail not less than ten (10)  
562 days nor more than sixty (60) days, or both.

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



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

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

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

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

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

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

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

588           97-33-45. If the owner or owners of any steamboat shall  
589 suffer or permit the sale of a lottery ticket of any kind on his





590 or their boat, or by his or their employees, no matter where the  
591 lottery is located, he or they shall be guilty of a misdemeanor  
592 and shall, on conviction, be punished as prescribed in Section  
593 97-33-43.

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

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

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

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

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

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



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

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

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

