

By: Representative Aguirre

To: Gaming

HOUSE BILL NO. 1484

1 AN ACT TO AMEND SECTIONS 97-33-67, 97-33-69 AND 97-33-203,
2 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PHYSICAL LOCATION MAY
3 HOST MULTIPLE CHARITABLE BINGO LICENSEES AS LONG AS THE LICENSEES
4 DO NOT OVERLAP SERVICES OR OPERATION TIMES; TO FURTHER AMEND
5 SECTION 97-33-69, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
6 FULL-TIME BINGO SUPERVISORS MAY BE PROVIDED WITH THE SAME
7 BENEFITS, INCLUDING BUT NOT LIMITED TO HEALTH INSURANCE, PAID
8 LEAVE AND RETIREMENT CONTRIBUTIONS, THAT ARE PROVIDED TO OTHER
9 CHARITY EMPLOYEES AS LONG AS SUCH BENEFITS ARE PAID BY THE
10 CHARITABLE ORGANIZATION AND NOT A BINGO EXPENSE; AND FOR RELATED
11 PURPOSES.

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

13 **SECTION 1.** Section 97-33-67, Mississippi Code of 1972, is
14 amended as follows:

15 97-33-67. (1) (a) No licensee shall hold, operate or
16 conduct any bingo game more often than for two (2) sessions within
17 one (1) day and more often than eight (8) sessions in any one (1)
18 week. Any licensee who holds no more than one (1) session per
19 week shall be entitled to conduct one (1) six-hour session per
20 week. Notwithstanding the provisions of this paragraph,
21 pull-tabs, video pull-tabs or video bingo games may be played for
22 up to eighty (80) hours per week.



(b) No licensee shall hold, operate or conduct any bingo game in more than one (1) physical location; however, the same physical location may host multiple charitable organization licensees as long as the licensees do not overlap services or operation times. Any bingo operation for which a license has been issued by the Gaming Commission on or after April 1, 1995, and which is located within one thousand five hundred (1,500) feet of a school, church or public library building, shall not conduct bingo sessions during the hours of the school day or during church or library hours.

(2) The total amount of prizes which may be awarded in any one (1) session by a licensee shall not exceed Seven Thousand Five Hundred Dollars (\$7,500.00) in cash or other thing or things of value, except as otherwise provided in Section 97-33-59 and except that the total amount of prizes which may be awarded in any one (1) session shall not exceed Eight Thousand Dollars (\$8,000.00) if only one (1) session is held in any one (1) week. The Seven Thousand Five Hundred Dollars (\$7,500.00) and the Eight Thousand Dollars (\$8,000.00) limits do not include payback of pull-tabs or electronic representations. The commission shall establish by rule the method of calculating the value of anything offered as a prize.

(3) Each licensee shall designate a supervisor and a sufficient number of alternate supervisors to be in charge of and primarily responsible for each session of a bingo game. Such



individual shall be familiar with the provisions of Sections 97-33-51 through 97-33-203 and the rules and regulations of the commission. Such individual, or alternate who shall be designated as the bingo supervisor, shall supervise all activities of such session and be responsible for the conduct of all games of such session. The supervisor shall be present at all times on the premises during the session.

(4) No licensee shall purchase or otherwise obtain any gaming supplies or equipment from any distributor, operator or manufacturer until it has first determined that the individual selling or otherwise offering such supplies or equipment has a valid license issued by the commission.

(5) No licensee shall allow any person under eighteen (18) years of age to assist in the holding, operation or conduct of any bingo game. No licensee shall allow any person under eighteen (18) years of age to play a bingo game unless accompanied by his or her parent or legal guardian, except that a licensee may prohibit all persons under eighteen (18) years from entering the licensed premises by posting a written notice to that effect on the premises.

SECTION 2. Section 97-33-69, Mississippi Code of 1972, is amended as follows:

97-33-69. (1) Except as otherwise provided in subsection (3) of this section, no person shall hold, operate, conduct or assist in holding, operating or conducting, any bingo game under



any license issued pursuant to Sections 97-33-51 through 97-33-81, except designated supervisors or alternate supervisors designated as provided for in Section 97-33-67(3).

(2) Except as otherwise provided in subsection (3) of this section and as may be otherwise provided pursuant to subsection (10) of this section, no commission, salary, compensation, reward or recompense, including, but not limited to, granting or use of bingo cards without charge or at a reduced charge, shall be paid or given directly or indirectly to the bingo supervisor or alternate supervisor or any person related to such supervisor or alternate supervisor by blood, marriage or business relationship, for the holding, operating or conducting any licensed game or games of chance.

(3) Except as may be otherwise provided pursuant to subsection (10) of this section, any licensee may pay as compensation for all persons involved in the holding, operating or conducting of any licensed game or games of chance, an amount not to exceed Six Hundred Dollars (\$600.00) per session. Persons who may be compensated from the Six Hundred Dollars (\$600.00) per session amount may include the bingo supervisor or alternate supervisor, callers, runners and cashiers. Neither the bingo supervisor nor any alternate supervisor, or any person related to such supervisor by blood, marriage or business relationship, while being compensated as the bingo supervisor, shall receive any other compensation, directly or indirectly, from the licensee, except



98 full-time bingo supervisors may be provided with the same
99 benefits, including but not limited to health insurance, paid
100 leave and retirement contributions, that are provided to other
101 charity employees as long as such benefits are paid by the
102 charitable organization and not a bingo expense. No employee
103 receiving compensation for the holding, operating or conducting or
104 assisting in the holding, operating or conducting of a bingo game
105 shall receive compensation for more than one (1) job function.

106 (4) (a) Any corporation, person or entity operating bingo
107 games, under contract, for the benefit of organizations as
108 prescribed in subsection (3) of this section shall be restricted
109 to operating such games for a limit of one (1) such organization
110 authorized to pay employees up to a maximum of Six Hundred Dollars
111 (\$600.00) per session. Such corporation, person or entity shall
112 only be authorized to conduct such sessions at one (1) physical
113 location or building; however, the same physical location may host
114 multiple charitable organization licensees as long as the
115 licensees do not overlap services or operation times.

116 (b) Any corporation, person or entity operating bingo
117 games, under contract, for the benefit of organizations as
118 prescribed in subsection (3) of this section shall have a written
119 contract with the organization and shall be subject to any rules
120 and regulations promulgated by the commission for the purpose of
121 investigating or regulating contracting agents.



(5) Except as may be otherwise provided pursuant to subsection (10) of this section, no manufacturer, operator, distributor, commercial lessor, or his agents or employees, who directly or indirectly leases premises, sells, leases, otherwise distributes gaming supplies or equipment, or furnishes any commodities or services, in relation to the conducting of any bingo game pursuant to Sections 97-33-51 through 97-33-203 shall take part in the holding, operation or conducting of a bingo game. However, nothing in this section shall prohibit the owner of a premises from having a representative present to protect his interests in the premises.

(6) Except as may be otherwise provided pursuant to subsection (10) of this section, no bingo game shall be conducted with any supplies or equipment except such as shall be owned by the licensee, provided without payment of any compensation by the licensee or purchased from a licensed manufacturer or distributor of such supplies or equipment.

(7) Except as may be otherwise provided pursuant to subsection (10) of this section, no item of expense shall be incurred or paid in connection with the holding, operating or conducting of any bingo game by a licensee, except:

(a) The actual and reasonable costs of purchasing or leasing necessary supplies, equipment and materials to be used exclusively in the holding, operating or conducting of the bingo game; and



(b) The actual and reasonable costs incurred in obtaining and performing necessary bookkeeping, security and janitorial services for the holding, operating or conducting of the bingo game. The reasonableness of the amounts of, and the necessity for, an expense authorized by this subsection shall be determined by the commission.

(8) Except as may be otherwise provided pursuant to subsection (10) of this section, no licensee shall pay any consulting fees to any person for any service performed in relation to the conducting of any charitable game of chance or concession fees to any person who provides refreshments to the participants in any such games.

(9) Except as may be otherwise provided pursuant to subsection (10) of this section, no lease providing for a rental arrangement for premises or equipment shall provide for payment in excess of the reasonable market rental rate for such premises or equipment, and in no case shall any payment be based on a percentage of gross receipts or profits derived from a bingo game. Whether a market rental rate is reasonable shall be determined by the commission.

(10) Administrative exceptions to the provisions of this section with regard to organizations which have demonstrated to the Mississippi Gaming Commission a practice of legitimate operation of such games, may be made by the Mississippi Gaming Commission pursuant to its rules and regulations, as duly adopted



and promulgated by the commission; provided that such an administrative exception shall be no more restrictive than the provision of law to which it is an exception.

SECTION 3. Section 97-33-203, Mississippi Code of 1972, is amended as follows:

97-33-203. (1) No lease of any premises by a commercial lessor to any charitable organization for a charitable bingo game shall provide for payment in excess of the reasonable market rental rate for such premises. The commission shall determine whether a market rental rate for such premises is reasonable. No lease shall provide for rental for less than a five-hour session. No more than two (2) sessions shall be conducted within one (1) day and more often than eight (8) sessions in any one (1) week by the same licensee on the premises of a commercial lessor. Any licensee who holds no more than one (1) session per week shall be entitled to conduct one (1) six-hour session per week. The same physical location of a commercial lessor may host multiple charitable organization licensees as long as the licensees do not overlap services or operation times.

(2) No commercial lessor shall require the payment of any other cost or fee from an organization licensed to hold, operate or conduct bingo games other than the rental amount provided for by the rental agreement or contract or charge admission fees to persons entering the premises to participate in the games.



196 (3) No commercial lessor leasing premises for authorized
197 charitable bingo game activities shall enter into any agreement
198 with a distributor of gaming supplies for the use, purchase,
199 promotion or sale of supplies to be used in such bingo games.

200 **SECTION 4.** This act shall take effect and be in force from
201 and after July 1, 2019.

