By: Representative Burnett

To: Gaming; Ways and Means

HOUSE BILL NO. 1248

- AN ACT TO AMEND SECTIONS 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CASINOS IN TUNICA COUNTY TO LOCATE WEST OF ANY POINT WITHIN TUNICA COUNTY THAT IS THREE THOUSAND FEET TO THE EAST OF UNITED STATES HIGHWAY 61; AND FOR RELATED PURPOSES.
- 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
- 7 **SECTION 1.** Section 87-1-5, Mississippi Code of 1972, is
- 8 amended as follows:
- 9 87-1-5. If any person, by playing at any game whatever, or
- 10 by betting on the sides or hands of such as do play at any game,
- 11 or by betting on any horse race or cockfight, or at any other
- 12 sport or pastime, or by any wager whatever, shall lose any money,
- 13 property, or other valuable thing, real or personal, and shall pay
- 14 or deliver the same or any part thereof, the person so losing and
- 15 paying or delivering the same, or his wife or children, may sue
- 16 for and recover such money, property, or other valuable thing so
- 17 lost and paid or delivered, or any part thereof, from the person
- 18 knowingly receiving the same, with costs. However, this section
- 19 shall not apply to betting, gaming or wagering:

- 20 (a) On a cruise vessel as defined in Section 27-109-1
- 21 whenever such vessel is in the waters within the State of
- 22 Mississippi, which lie adjacent to the State of Mississippi south
- 23 of the three (3) most southern counties in the State of
- 24 Mississippi, including the Mississippi Sound, St. Louis Bay,
- 25 Biloxi Bay and Pascagoula Bay;
- 26 (b) In a structure located, in whole or in part, on
- 27 shore in any of the three (3) most southern counties in the State
- 28 of Mississippi in which the registered voters of the county have
- 29 voted to allow such betting, gaming or wagering on cruise vessels
- 30 as provided in Section 19-3-79, if:
- 31 (i) The structure is owned, leased or controlled
- 32 by a person possessing a gaming license, as defined in Section
- 33 75-76-5, to conduct legal gaming on a cruise vessel under
- 34 paragraph (a) of this section;
- 35 (ii) The part of the structure in which licensed
- 36 gaming activities are conducted is located entirely in an area
- 37 which is located no more than eight hundred (800) feet from the
- 38 mean high-water line (as defined in Section 29-15-1) of the waters
- 39 within the State of Mississippi, which lie adjacent to the State
- 40 of Mississippi south of the three (3) most southern counties in
- 41 the State of Mississippi, including the Mississippi Sound, St.
- 42 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
- 43 Harrison County only, no farther north than the southern boundary
- 44 of the right-of-way for U.S. Highway 90, whichever is greater; and

45	(iii) In the case of a structure that is located $\underline{,}$
46	in whole or $\underline{\text{in}}$ part, on shore, the part of the structure in which
47	licensed gaming activities are conducted shall lie adjacent to
48	state waters south of the three (3) most southern counties in the
49	State of Mississippi, including the Mississippi Sound, St. Louis
50	Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
51	structure is located consists of a parcel of real property,
52	easements and rights-of-way for public streets and highways shall
53	not be construed to interrupt the contiguous nature of the parcel,
54	nor shall the footage contained within the easements and
55	rights-of-way be counted in the calculation of the distances
56	specified in subparagraph (ii) * * *;
57	(c) On a vessel as defined in Section 27-109-1 whenever
58	such vessel is on the Mississippi River or navigable waters within
59	any county bordering on the Mississippi River; * * *
60	(d) <u>In a structure located</u> , in whole or in part, on
61	shore, in Tunica County, if:
62	(i) The structure is owned, leased or controlled
63	by a person possessing a gaming license, as defined in Section
64	75-76-5, to conduct legal gaming;
65	(ii) The structure in which licensed gaming
66	activities are conducted is located entirely within Tunica County
67	to the west of any point that is three thousand (3,000) feet east

of U.S. Highway 61; and

- 69 (iii) The structure serves as a relocation of a
- 70 vessel in Tunica County that was licensed and operational under
- 71 paragraph (c) of this subsection on January 1, 2021. This
- 72 subparagraph (iii) shall stand repealed from and after July 1,
- 73 2024; or
- 74 (* * *e) That is legal under the laws of the State of
- 75 Mississippi.
- 76 **SECTION 2.** Section 97-33-1, Mississippi Code of 1972, is
- 77 amended as follows:
- 78 97-33-1. Except as otherwise provided in Section 97-33-8, if
- 79 any person shall encourage, promote or play at any game, play or
- 80 amusement, other than a fight or fighting match between dogs, for
- 81 money or other valuable thing, or shall wager or bet, promote or
- 82 encourage the wagering or betting of any money or other valuable
- 83 things, upon any game, play, amusement, cockfight, Indian ball
- 84 play or duel, other than a fight or fighting match between dogs,
- 85 or upon the result of any election, event or contingency whatever,
- 86 upon conviction thereof, he shall be fined in a sum not more than
- 87 Five Hundred Dollars (\$500.00); and, unless such fine and costs be
- 88 immediately paid, shall be imprisoned for any period not more than
- 89 ninety (90) days. However, this section shall not apply to
- 90 betting, gaming or wagering:
- 91 (a) On a cruise vessel as defined in Section 27-109-1
- 92 whenever such vessel is in the waters within the State of
- 93 Mississippi, which lie adjacent to the State of Mississippi south

- 94 of the three (3) most southern counties in the State of
- 95 Mississippi, including the Mississippi Sound, St. Louis Bay,
- 96 Biloxi Bay and Pascagoula Bay, and in which the registered voters
- 97 of the county in which the port is located have not voted to
- 98 prohibit such betting, gaming or wagering on cruise vessels as
- 99 provided in Section 19-3-79;
- 100 (b) In a structure located, in whole or in part, on
- 101 shore in any of the three (3) most southern counties in the State
- 102 of Mississippi in which the registered voters of the county have
- 103 voted to allow such betting, gaming or wagering on cruise vessels
- 104 as provided in Section 19-3-79, if:
- 105 (i) The structure is owned, leased or controlled
- 106 by a person possessing a gaming license, as defined in Section
- 107 75-76-5, to conduct legal gaming on a cruise vessel under
- 108 paragraph (a) of this section;
- 109 (ii) The part of the structure in which licensed
- 110 gaming activities are conducted is located entirely in an area
- 111 which is located no more than eight hundred (800) feet from the
- 112 mean high-water line (as defined in Section 29-15-1) of the waters
- 113 within the State of Mississippi, which lie adjacent to the State
- 114 of Mississippi south of the three (3) most southern counties in
- 115 the State of Mississippi, including the Mississippi Sound, St.
- 116 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
- 117 Harrison County only, no farther north than the southern boundary
- 118 of the right-of-way for U.S. Highway 90, whichever is greater; and

119	(iii) In the case of a structure that is located $\underline{,}$
120	in whole or $\underline{\text{in}}$ part, on shore, the part of the structure in which
121	licensed gaming activities are conducted shall lie adjacent to
122	state waters south of the three (3) most southern counties in the
123	State of Mississippi, including the Mississippi Sound, St. Louis
124	Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
125	structure is located consists of a parcel of real property,
126	easements and rights-of-way for public streets and highways shall
127	not be construed to interrupt the contiguous nature of the parcel,
128	nor shall the footage contained within the easements and
129	rights-of-way be counted in the calculation of the distances
130	specified in subparagraph (ii);
131	(c) On a vessel as defined in Section 27-109-1 whenever
132	such vessel is on the Mississippi River or navigable waters within
133	any county bordering on the Mississippi River, and in which the
134	registered voters of the county in which the port is located have
135	not voted to prohibit such betting, gaming or wagering on vessels
136	as provided in Section 19-3-79; or
137	(d) In a structure located, in whole or in part, on
138	shore, in Tunica County, if:
139	(i) The structure is owned, leased or controlled
140	by a person possessing a gaming license, as defined in Section
141	75-76-5, to conduct legal gaming;
142	(ii) The structure in which licensed gaming
143	activities are conducted is located entirely within Tunica County

- 144 to the west of any point that is three thousand (3,000) feet east
- 145 of U.S. Highway 61; and
- 146 (iii) The structure serves as a relocation of a
- 147 vessel in Tunica County that was licensed and operational under
- 148 paragraph (c) of this subsection on January 1, 2021. This
- 149 subparagraph (iii) shall stand repealed from and after July 1,
- 150 2024; or
- 151 (* * *e) That is legal under the laws of the State of
- 152 Mississippi.
- SECTION 3. Section 97-33-7, Mississippi Code of 1972, is
- 154 amended as follows:
- 155 97-33-7. (1) Except as otherwise provided in Section
- 156 97-33-8, it shall be unlawful for any person or persons, firm,
- 157 copartnership or corporation to have in possession, own, control,
- 158 display, or operate any cane rack, knife rack, artful dodger,
- 159 punch board, roll down, merchandise wheel, slot machine, pinball
- 160 machine, or similar device or devices. Provided, however, that
- 161 this section shall not be so construed as to make unlawful the
- 162 ownership, possession, control, display or operation of any
- 163 antique coin machine as defined in Section 27-27-12, or any music
- 164 machine or bona fide automatic vending machine where the purchaser
- 165 receives exactly the same quantity of merchandise on each
- 166 operation of said machine. Any slot machine other than an antique
- 167 coin machine as defined in Section 27-27-12 which delivers, or is
- 168 so constructed as that by operation thereof it will deliver to the

169 operator thereof anything of value in varying quantities, in 170 addition to the merchandise received, and any slot machine other than an antique coin machine as defined in Section 27-27-12 that 171 172 is constructed in such manner as that slugs, tokens, coins or 173 similar devices are, or may be, used and delivered to the operator 174 thereof in addition to merchandise of any sort contained in such machine, is hereby declared to be a gambling device, and shall be 175 176 deemed unlawful under the provisions of this section. Provided, 177 however, that pinball machines which do not return to the operator 178 or player thereof anything but free additional games or plays 179 shall not be deemed to be gambling devices, and neither this 180 section nor any other law shall be construed to prohibit same.

- (2) No property right shall exist in any person, natural or artificial, or be vested in such person, in any or all of the devices described herein that are not exempted from the provisions of this section; and all such devices are hereby declared to be at all times subject to confiscation and destruction, and their possession shall be unlawful, except when in the possession of officers carrying out the provisions of this section. It shall be the duty of all law enforcing officers to seize and immediately destroy all such machines and devices.
- 190 (3) A first violation of the provisions of this section
 191 shall be deemed a misdemeanor, and the party offending shall, upon
 192 conviction, be fined in any sum not exceeding Five Hundred Dollars
 193 (\$500.00), or imprisoned not exceeding three (3) months, or both,

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- 194 in the discretion of the court. In the event of a second 195 conviction for a violation of any of the provisions of this 196 section, the party offending shall be subject to a sentence of not
- 197 less than six (6) months in the county jail, nor more than two (2) 198 years in the State Penitentiary, in the discretion of the trial
- 199 court.
- 200 Notwithstanding any provision of this section to the (4)201 contrary, it shall not be unlawful to operate any equipment or 202 device described in subsection (1) of this section or any gaming, gambling or similar device or devices by whatever name called 203
- 204 while:
- 205 On a cruise vessel as defined in Section 27-109-1 (a)
- 206 whenever such vessel is in the waters within the State of
- 207 Mississippi, which lie adjacent to the State of Mississippi south
- 208 of the three (3) most southern counties in the State of
- 209 Mississippi, including the Mississippi Sound, St. Louis Bay,
- 210 Biloxi Bay and Pascagoula Bay, and in which the registered voters
- of the county in which the port is located have not voted to 211
- 212 prohibit such betting, gaming or wagering on cruise vessels as
- provided in Section 19-3-79; 213
- 214 In a structure located, in whole or in part, on
- 215 shore in any of the three (3) most southern counties in the State
- of Mississippi in which the registered voters of the county have 216
- voted to allow such betting, gaming or wagering on cruise vessels 217
- as provided in Section 19-3-79, if: 218

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219	(i) The structure is owned, leased or controlled
220	by a person possessing a gaming license, as defined in Section
221	75-76-5, to conduct legal gaming on a cruise vessel under
222	paragraph (a) of this subsection;
223	(ii) The part of the structure in which licensed
224	gaming activities are conducted is located entirely in an area
225	which is located no more than eight hundred (800) feet from the
226	mean high-water line (as defined in Section 29-15-1) of the waters
227	within the State of Mississippi, which lie adjacent to the State
228	of Mississippi south of the three (3) most southern counties in
229	the State of Mississippi, including the Mississippi Sound, St.
230	Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
231	Harrison County only, no farther north than the southern boundary
232	of the right-of-way for U.S. Highway 90, whichever is greater; and
233	(iii) In the case of a structure that is located $\underline{\prime}$
234	in whole or $\underline{\text{in}}$ part, on shore, the part of the structure in which
235	licensed gaming activities are conducted shall lie adjacent to
236	state waters south of the three (3) most southern counties in the
237	State of Mississippi, including the Mississippi Sound, St. Louis
238	Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
239	structure is located consists of a parcel of real property,
240	easements and rights-of-way for public streets and highways shall
241	not be construed to interrupt the contiguous nature of the parcel,
242	nor shall the footage contained within the easements and

243	rights-of-way be counted in the calculation of the distances
244	specified in subparagraph (ii);
245	(c) On a vessel as defined in Section 27-109-1 whenever

- such vessel is on the Mississippi River or navigable waters within 246 247 any county bordering on the Mississippi River, and in which the 248 registered voters of the county in which the port is located have 249 not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or 250
- 251 In a structure located, in whole or in part, on (d) 252 shore, in Tunica County, if:
- 253 The structure is owned, leased or controlled 254 by a person possessing a gaming license, as defined in Section 255 75-76-5, to conduct legal gaming;
- 256 (ii) The structure in which licensed gaming 257 activities are conducted is located entirely within Tunica County 258 to the west of any point that is three thousand (3,000) feet east 259 of U.S. Highway 61; and
- 260 (iii) The structure serves as a relocation of a 261 vessel in Tunica County that was licensed and operational under 262 paragraph (c) of this subsection on January 1, 2021. This 263 subparagraph (iii) shall stand repealed from and after July 1, 264 2024; or
- 265 (* * *e) That is legal under the laws of the State of 266 Mississippi.

267	(5) Notwithstanding any provision of this section to the
268	contrary, it shall not be unlawful (a) to own, possess, repair or
269	control any gambling device, machine or equipment in a licensed
270	gaming establishment or on the business premises appurtenant to
271	any such licensed gaming establishment during any period of time
272	in which such licensed gaming establishment is being constructed,
273	repaired, maintained or operated in this state; (b) to install any
274	gambling device, machine or equipment in any licensed gaming
275	establishment; (c) to possess or control any gambling device,
276	machine or equipment during the process of procuring or
277	transporting such device, machine or equipment for installation on
278	any such licensed gaming establishment; or (d) to store in a
279	warehouse or other storage facility any gambling device, machine,
280	equipment, or part thereof, regardless of whether the county or
281	municipality in which the warehouse or storage facility is located
282	has approved gaming aboard cruise vessels or vessels, provided
283	that such device, machine or equipment is operated only in a
284	county or municipality that has approved gaming aboard cruise
285	vessels or vessels. Any gambling device, machine or equipment
286	that is owned, possessed, controlled, installed, procured,
287	repaired, transported or stored in accordance with this subsection
288	shall not be subject to confiscation, seizure or destruction, and
289	any person, firm, partnership or corporation which owns,
290	possesses, controls, installs, procures, repairs, transports or
291	stores any gambling device, machine or equipment in accordance

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- with this subsection shall not be subject to any prosecution or penalty under this section. Any person constructing or repairing such cruise vessels or vessels within a municipality shall comply with all municipal ordinances protecting the general health or
- 296 safety of the residents of the municipality.
- SECTION 4. Section 97-33-17, Mississippi Code of 1972, is amended as follows:
- 299 97-33-17. (1) All monies exhibited for the purpose of 300 betting or alluring persons to bet at any game, and all monies staked or betted, shall be liable to seizure by any sheriff, 301 302 constable, or police officer, together with all the appliances 303 used or kept for use in gambling, or by any other person; and all 304 the monies so seized shall be accounted for by the person making 305 the seizure, and all appliances seized shall be destroyed; 306 provided, however, this section shall not apply to betting, gaming
- 308 (a) A cruise vessel as defined in Section 27-109-1
 309 whenever such vessel is in the waters within the State of
 310 Mississippi, which lie adjacent to the State of Mississippi south
 311 of the three (3) most southern counties in the State of
 312 Mississippi, including the Mississippi Sound, St. Louis Bay,
 313 Biloxi Bay and Pascagoula Bay, and in which the registered voters
- of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

or wagering on:

317	(b) In a structure located, in whole or in part, on
318	shore in any of the three (3) most southern counties in the State
319	of Mississippi in which the registered voters of the county have
320	voted to allow such betting, gaming or wagering on cruise vessels
321	as provided in Section 19-3-79, if:
322	(i) The structure is owned, leased or controlled
323	by a person possessing a gaming license, as defined in Section
324	75-76-5, to conduct legal gaming on a cruise vessel under
325	paragraph (a) of this subsection;
326	(ii) The part of the structure in which licensed
327	gaming activities are conducted is located entirely in an area
328	which is located no more than eight hundred (800) feet from the
329	mean high-water line (as defined in Section 29-15-1) of the waters
330	within the State of Mississippi, which lie adjacent to the State
331	of Mississippi south of the three (3) most southern counties in
332	the State of Mississippi, including the Mississippi Sound, St.
333	Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
334	Harrison County only, no farther north than the southern boundary
335	of the right-of-way for U.S. Highway 90, whichever is greater; and
336	(iii) In the case of a structure that is located $\underline{\prime}$
337	in whole or $\underline{\text{in}}$ part, on shore, the part of the structure in which
338	licensed gaming activities are conducted shall lie adjacent to
339	state waters south of the three (3) most southern counties in the
340	State of Mississippi, including the Mississippi Sound, St. Louis
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342	structure is located consists of a parcel of real property,
343	easements and rights-of-way for public streets and highways shall
344	not be construed to interrupt the contiguous nature of the parcel,
345	nor shall the footage contained within the easements and
346	rights-of-way be counted in the calculation of the distances
347	specified in subparagraph (ii) * * *;
348	(c) A vessel as defined in Section 27-109-1 whenever
349	such vessel is on the Mississippi River or navigable waters within
350	any county bordering on the Mississippi River, and in which the
351	registered voters of the county in which the port is located have
352	not voted to prohibit such betting, gaming or wagering on vessels
353	as provided in Section 19-3-79; or
354	(d) In a structure located, in whole or in part, on
355	<pre>shore, in Tunica County, if:</pre>
356	(i) The structure is owned, leased or controlled
357	by a person possessing a gaming license, as defined in Section
358	75-76-5, to conduct legal gaming;
359	(ii) The structure in which licensed gaming
360	activities are conducted is located entirely within Tunica County
361	to the west of any point that is three thousand (3,000) feet east
362	of U.S. Highway 61; and
363	(iii) The structure serves as a relocation of a
364	vessel in Tunica County that was licensed and operational under
365	paragraph (c) of this subsection on January 1, 2021. This

366	subparagraph	(iii)	shall	stand	repealed	from	and	after	July	1,
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- 367 2024; or
- 368 (* * *e) That is legal under the laws of the State of
- 369 Mississippi.
- 370 (2) Nothing in this section shall apply to any gambling
- 371 device, machine or equipment that is owned, possessed, controlled,
- 372 installed, procured, repaired or transported in accordance with
- 373 subsection (4) of Section 97-33-7.
- 374 **SECTION 5.** Section 97-33-25, Mississippi Code of 1972, is
- 375 amended as follows:
- 376 97-33-25. If any person shall sell or buy, either directly
- 377 or indirectly, any chance in what is commonly called pool, upon
- 378 any event whatever, or shall in any manner engage in such business
- 379 or pastime, he shall be fined not more than Five Hundred Dollars
- 380 (\$500.00) or shall be imprisoned in the county jail not more than
- 381 ninety (90) days; provided, however, this section shall not apply
- 382 to betting, gaming or wagering:
- 383 (a) On a cruise vessel as defined in Section 27-109-1
- 384 whenever such vessel is in the waters within the State of
- 385 Mississippi, which lie adjacent to the State of Mississippi south
- 386 of the three (3) most southern counties in the State of
- 387 Mississippi, including the Mississippi Sound, St. Louis Bay,
- 388 Biloxi Bay and Pascagoula Bay, and in which the registered voters
- 389 of the county in which the port is located have not voted to

390	prohibit	such	bettin	ıg,	gaming	or	wagering	on	cruise	vessels	as
391	provided	in Se	ection	19-	-3-79 ;						

- 392 (b) In a structure located, in whole or in part, on
 393 shore in any of the three (3) most southern counties in the State
 394 of Mississippi in which the registered voters of the county have
 395 voted to allow such betting, gaming or wagering on cruise vessels
 396 as provided in Section 19-3-79, if:
- 397 (i) The structure is owned, leased or controlled 398 by a person possessing a gaming license, as defined in Section 399 75-76-5, to conduct legal gaming on a cruise vessel under 400 paragraph (a) of this section;
 - gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St.

 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and (iii) In the case of a structure that is located, in whole or in part, on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to

state waters south of the three (3) most southern counties in the

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- Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the 416
- structure is located consists of a parcel of real property, 417
- easements and rights-of-way for public streets and highways shall 418
- 419 not be construed to interrupt the contiguous nature of the parcel,
- 420 nor shall the footage contained within the easements and
- 421 rights-of-way be counted in the calculation of the distances
- 422 specified in subparagraph (ii) * * *;
- 423 (c) On a vessel as defined in Section 27-109-1 whenever
- such vessel is on the Mississippi River or navigable waters within 424
- 425 any county bordering on the Mississippi River, and in which the
- 426 registered voters of the county in which the port is located have
- not voted to prohibit such betting, gaming or wagering on vessels 427
- 428 as provided in Section 19-3-79; or
- 429 (d) In a structure located, in whole or in part, on
- 430 shore, in Tunica County, if:
- 431 The structure is owned, leased or controlled
- by a person possessing a gaming license, as defined in Section 432
- 433 75-76-5, to conduct legal gaming;
- 434 (ii) The structure in which licensed gaming
- 435 activities are conducted is located entirely within Tunica County
- 436 to the west of any point that is three thousand (3,000) feet east
- 437 of U.S. Highway 61; and
- 438 (iii) The structure serves as a relocation of a
- vessel in Tunica County that was licensed and operational under 439

- 440 paragraph (c) of this subsection on January 1, 2021. This
- 441 subparagraph (iii) shall stand repealed from and after July 1,
- 442 2024; or
- 443 (\star \star e) That is legal under the laws of the State of
- 444 Mississippi.
- 445 **SECTION 6.** Section 97-33-27, Mississippi Code of 1972, is
- 446 amended as follows:
- 447 97-33-27. If any person shall bet on a horse race or a yacht
- 448 race or on a shooting match, he shall be fined not more than Five
- 449 Hundred Dollars (\$500.00), and, unless the fine and costs be
- 450 immediately paid, he shall be imprisoned in the county jail not
- 451 more than ninety (90) days; provided, however, this section shall
- 452 not apply to betting, gaming or wagering:
- 453 (a) On a cruise vessel as defined in Section 27-109-1
- 454 whenever such vessel is in the waters within the State of
- 455 Mississippi, which lie adjacent to the State of Mississippi south
- 456 of the three (3) most southern counties in the State of
- 457 Mississippi, including the Mississippi Sound, St. Louis Bay,
- 458 Biloxi Bay and Pascagoula Bay, and in which the registered voters
- 459 of the county in which the port is located have not voted to
- 460 prohibit such betting, gaming or wagering on cruise vessels as
- 461 provided in Section 19-3-79;
- 462 (b) In a structure located, in whole or in part, on
- 463 shore in any of the three (3) most southern counties in the State
- 464 of Mississippi in which the registered voters of the county have

465	voted to	allow	such be	etting,	gaming	or	wagering	on	cruise	vessels
466	as provio	ded in	Section	n 19-3-7	9, if:					

- 467 (i) The structure is owned, leased or controlled 468 by a person possessing a gaming license, as defined in Section 469 75-76-5, to conduct legal gaming on a cruise vessel under 470 paragraph (a) of this section;
 - The part of the structure in which licensed (ii) gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and (iii) In the case of a structure that is located, in whole or in part, on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiquous nature of the parcel,

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491	rights-of-way be counted in the calculation of the distances
492	specified in subparagraph (ii) * * *;
493	(c) On a vessel as defined in Section 27-109-1 whenever
494	such vessel is on the Mississippi River or navigable waters within
495	any county bordering on the Mississippi River, and in which the
496	registered voters of the county in which the port is located have
497	not voted to prohibit such betting, gaming or wagering on vessels
498	as provided in Section 19-3-79; or
499	(d) In a structure located, in whole or in part, on
500	shore, in Tunica County, if:
501	(i) The structure is owned, leased or controlled
502	by a person possessing a gaming license, as defined in Section
503	75-76-5, to conduct legal gaming;
504	(ii) The structure in which licensed gaming
505	activities are conducted is located entirely within Tunica County
506	to the west of any point that is three thousand (3,000) feet east
507	of U.S. Highway 61; and
508	(iii) The structure serves as a relocation of a
509	vessel in Tunica County that was licensed and operational under
510	paragraph (c) of this subsection on January 1, 2021. This
511	subparagraph (iii) shall stand repealed from and after July 1,
512	<u>2024; or</u>
513	(* * *e) That is legal under the laws of the State of

nor shall the footage contained within the easements and

Mississippi.

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SECTION 7. This act shall take effect and be in force from and after its passage.