MISSISSIPPI LEGISLATURE

REGULAR SESSION 2021

By: Senator(s) DeLano

To: Gaming

SENATE BILL NO. 2396

AN ACT TO AMEND SECTION 97-33-1, MISSISSIPPI CODE OF 1972, TO
LEGALIZE ONLINE BETTING, GAMING AND WAGERING ON SPORTING EVENTS,
ATHLETIC EVENTS AND EVENTS AUTHORIZED BY THE MISSISSIPPI GAMING
COMMISSION UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

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

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

97-33-1. Except as otherwise provided in Section 97-33-8, if
any person shall encourage, promote or play at any game, play or
amusement, other than a fight or fighting match between dogs, for
money or other valuable thing, or shall wager or bet, promote or
encourage the wagering or betting of any money or other valuable
things, upon any game, play, amusement, cockfight, Indian ball
play or duel, other than a fight or fighting match between dogs,
or upon the result of any election, event or contingency whatever,
upon conviction thereof, he shall be fined in a sum not more than
Five Hundred Dollars ($500.00); and, unless such fine and costs be
immediately paid, shall be imprisoned for any period not more than
ninety (90) days. However, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in 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, 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;

(b) In a structure located, in whole or in part, on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

   (i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this section;

   (ii) The part of the structure in which licensed 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 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 contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii);

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, 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 vessels as provided in Section 19-3-79; * * *

(d) On an internet platform that offers betting, gaming or wagering on sporting events or athletic events or any events
authorized by the Mississippi Gaming Commission offered by a
person or entity through a gaming license that authorizes the
operation of a licensed gaming establishment, as those terms are
defined in Section 75-76-5, provided such an internet platform:

   (i) Is limited to a single internet platform per
gaming license;

   (ii) Complies with federal law; and

   (iii) Received permission from the Executive
Director of the Mississippi Gaming Commission to so offer the
internet platform; or

   (***e) That is legal under the laws of the State of
Mississippi.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2021.