

By: Representative Burnett

To: Gaming; Ways and Means

HOUSE BILL NO. 186

1 AN ACT TO AMEND SECTIONS 87-1-5, 97-33-1, 97-33-7, 97-33-17,
2 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
3 CASINOS IN TUNICA COUNTY TO LOCATE WEST OF ANY POINT WITHIN TUNICA
4 COUNTY THAT IS THREE THOUSAND FEET TO THE EAST OF UNITED STATES
5 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,
46 in whole or 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) In a structure located, 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
68 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, 2022. This
72 subparagraph (iii) shall stand repealed from and after July 1,
73 2025; 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,
120 in whole or 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, 2022. This
149 subparagraph (iii) shall stand repealed from and after July 1,
150 2025; or

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

153 **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
171 than an antique coin machine as defined in Section 27-27-12 that
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
175 machine, is hereby declared to be a gambling device, and shall be
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.

181 (2) No property right shall exist in any person, natural or
182 artificial, or be vested in such person, in any or all of the
183 devices described herein that are not exempted from the provisions
184 of this section; and all such devices are hereby declared to be at
185 all times subject to confiscation and destruction, and their
186 possession shall be unlawful, except when in the possession of
187 officers carrying out the provisions of this section. It shall be
188 the duty of all law enforcing officers to seize and immediately
189 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,



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 (4) Notwithstanding any provision of this section to the
201 contrary, it shall not be unlawful to operate any equipment or
202 device described in subsection (1) of this section or any gaming,
203 gambling or similar device or devices by whatever name called
204 while:

205 (a) On a cruise vessel as defined in Section 27-109-1
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
211 of the county in which the port is located have not voted to
212 prohibit such betting, gaming or wagering on cruise vessels as
213 provided in Section 19-3-79;

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



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,
234 in whole or 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
246 such vessel is on the Mississippi River or navigable waters within
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
250 as provided in Section 19-3-79; or

251 (d) In a structure located, in whole or in part, on
252 shore, in Tunica County, if:

253 (i) 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, 2022. This
263 subparagraph (iii) shall stand repealed from and after July 1,
264 2025; 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



292 with this subsection shall not be subject to any prosecution or
293 penalty under this section. Any person constructing or repairing
294 such cruise vessels or vessels within a municipality shall comply
295 with all municipal ordinances protecting the general health or
296 safety of the residents of the municipality.

297 **SECTION 4.** Section 97-33-17, Mississippi Code of 1972, is
298 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
301 staked or betted, shall be liable to seizure by any sheriff,
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
307 or wagering on:

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
314 of the county in which the port is located have not voted to
315 prohibit such betting, gaming or wagering on cruise vessels as
316 provided in Section 19-3-79;



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, in whole or in part,
337 in whole or 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
341 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the



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 shore, in Tunica County, if:

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, 2022. This



366 subparagraph (iii) shall stand repealed from and after July 1,
367 2025; 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 betting, gaming or wagering on cruise vessels as
391 provided in Section 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;

401 (ii) The part of the structure in which licensed
402 gaming activities are conducted is located entirely in an area
403 which is located no more than eight hundred (800) feet from the
404 mean high-water line (as defined in Section 29-15-1) of the waters
405 within the State of Mississippi, which lie adjacent to the State
406 of Mississippi south of the three (3) most southern counties in
407 the State of Mississippi, including the Mississippi Sound, St.
408 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
409 Harrison County only, no farther north than the southern boundary
410 of the right-of-way for U.S. Highway 90, whichever is greater; and

411 (iii) In the case of a structure that is located, in whole or in part,
412 in whole or in part, on shore, the part of the structure in which
413 licensed gaming activities are conducted shall lie adjacent to
414 state waters south of the three (3) most southern counties in the



415 State of Mississippi, including the Mississippi Sound, St. Louis
416 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
417 structure is located consists of a parcel of real property,
418 easements and rights-of-way for public streets and highways shall
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
424 such vessel is on the Mississippi River or navigable waters within
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
427 not voted to prohibit such betting, gaming or wagering on vessels
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 (i) The structure is owned, leased or controlled
432 by a person possessing a gaming license, as defined in Section
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
439 vessel in Tunica County that was licensed and operational under



440 paragraph (c) of this subsection on January 1, 2022. This
441 subparagraph (iii) shall stand repealed from and after July 1,
442 20254; or

443 (* * *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 betting, gaming or wagering on cruise vessels
466 as provided in Section 19-3-79, 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;

471 (ii) The part of the structure in which licensed
472 gaming activities are conducted is located entirely in an area
473 which is located no more than eight hundred (800) feet from the
474 mean high-water line (as defined in Section 29-15-1) of the waters
475 within the State of Mississippi, which lie adjacent to the State
476 of Mississippi south of the three (3) most southern counties in
477 the State of Mississippi, including the Mississippi Sound, St.
478 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
479 Harrison County only, no farther north than the southern boundary
480 of the right-of-way for U.S. Highway 90, whichever is greater; and

481 (iii) In the case of a structure that is located,
482 in whole or in part, on shore, the part of the structure in which
483 licensed gaming activities are conducted shall lie adjacent to
484 state waters south of the three (3) most southern counties in the
485 State of Mississippi, including the Mississippi Sound, St. Louis
486 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
487 structure is located consists of a parcel of real property,
488 easements and rights-of-way for public streets and highways shall
489 not be construed to interrupt the contiguous nature of the parcel,



490 nor shall the footage contained within the easements and
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, 2022. This
511 subparagraph (iii) shall stand repealed from and after July 1,
512 2025; or

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



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

