

By: Representatives Eure, Felsher

To: Gaming; Appropriations

HOUSE BILL NO. 606

1 AN ACT TO AMEND SECTION 97-33-1, MISSISSIPPI CODE OF 1972, TO
 2 LEGALIZE ONLINE BETTING, GAMING AND WAGERING ON SPORTING EVENTS,
 3 ATHLETIC EVENTS AND EVENTS AUTHORIZED BY THE MISSISSIPPI GAMING
 4 COMMISSION UNDER CERTAIN CONDITIONS; TO BRING FORWARD SECTIONS
 5 75-76-5, 75-76-33, 75-76-55, 75-76-79, 75-76-89, 75-76-101,
 6 75-76-175, 75-76-177 AND 97-33-305, MISSISSIPPI CODE OF 1972, FOR
 7 PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 97-33-8,
 8 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO
 9 REVISE GAMING PROHIBITIONS TO PROVIDE AN EXCEPTION FOR ONLINE
 10 BETTING, GAMING AND WAGERING; AND FOR RELATED PURPOSES.

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

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

14 97-33-1. Except as otherwise provided in Section 97-33-8, if
 15 any person shall encourage, promote or play at any game, play or
 16 amusement, other than a fight or fighting match between dogs, for
 17 money or other valuable thing, or shall wager or bet, promote or
 18 encourage the wagering or betting of any money or other valuable
 19 things, upon any game, play, amusement, cockfight, Indian ball
 20 play or duel, other than a fight or fighting match between dogs,
 21 or upon the result of any election, event or contingency whatever,
 22 upon conviction thereof, he shall be fined in a sum not more than



23 Five Hundred Dollars (\$500.00); and, unless such fine and costs be
24 immediately paid, shall be imprisoned for any period not more than
25 ninety (90) days. However, this section shall not apply to
26 betting, gaming or wagering:

27 (a) On a cruise vessel as defined in Section 27-109-1
28 whenever such vessel is in the waters within the State of
29 Mississippi, which lie adjacent to the State of Mississippi south
30 of the three (3) most southern counties in the State of
31 Mississippi, including the Mississippi Sound, St. Louis Bay,
32 Biloxi Bay and Pascagoula Bay, and in which the registered voters
33 of the county in which the port is located have not voted to
34 prohibit such betting, gaming or wagering on cruise vessels as
35 provided in Section 19-3-79;

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

41 (i) The structure is owned, leased or controlled
42 by a person possessing a gaming license, as defined in Section
43 75-76-5, to conduct legal gaming on a cruise vessel under
44 paragraph (a) of this section;

45 (ii) The part of the structure in which licensed
46 gaming activities are conducted is located entirely in an area
47 which is located no more than eight hundred (800) feet from the



48 mean high-water line (as defined in Section 29-15-1) of the waters
49 within the State of Mississippi, which lie adjacent to the State
50 of Mississippi south of the three (3) most southern counties in
51 the State of Mississippi, including the Mississippi Sound, St.
52 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
53 Harrison County only, no farther north than the southern boundary
54 of the right-of-way for U.S. Highway 90, whichever is greater; and

55 (iii) In the case of a structure that is located
56 in whole or part on shore, the part of the structure in which
57 licensed gaming activities are conducted shall lie adjacent to
58 state waters south of the three (3) most southern counties in the
59 State of Mississippi, including the Mississippi Sound, St. Louis
60 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
61 structure is located consists of a parcel of real property,
62 easements and rights-of-way for public streets and highways shall
63 not be construed to interrupt the contiguous nature of the parcel,
64 nor shall the footage contained within the easements and
65 rights-of-way be counted in the calculation of the distances
66 specified in subparagraph (ii);

67 (c) On a vessel as defined in Section 27-109-1 whenever
68 such vessel is on the Mississippi River or navigable waters within
69 any county bordering on the Mississippi River, and in which the
70 registered voters of the county in which the port is located have
71 not voted to prohibit such betting, gaming or wagering on vessels
72 as provided in Section 19-3-79; * * *



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

79 (i) Does not offer or conduct betting, gaming or
80 wagering on an Internet-based version of a gambling game, as that
81 term is defined in Section 75-76-5, or of bingo games or raffles
82 held under Section 97-33-51;

83 (ii) Is limited to a single Internet platform per
84 gaming license;

85 (iii) Requires a participant of an Internet
86 platform to register in-person at its affiliated licensed gaming
87 establishment at least once every twelve (12) months;

88 (iv) Complies with federal law; and

89 (v) Received permission from the Executive
90 Director of the Mississippi Gaming Commission to so offer the
91 Internet platform; or

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

94 **SECTION 2.** Section 97-33-8, Mississippi Code of 1972, is
95 amended as follows:



96 97-33-8. (1) The provisions of this section are intended to
97 clarify that the operation of "Internet sweepstakes cafes" is an
98 illegal gambling activity under state law.

99 (2) Except as otherwise authorized in Section 97-33-1(d) for
100 online betting, it shall be unlawful for any person or entity to
101 possess, own, control, display, operate or have a financial
102 interest in an electronic video monitor that:

103 (a) Is offered or made available to a person to play or
104 participate in a simulated gambling program in return for direct
105 or indirect consideration, including consideration associated with
106 a product, service or activity other than the simulated gambling
107 program; and

108 (b) The person who plays or participates in the
109 simulated gambling program may become eligible to win, redeem or
110 otherwise obtain a cash or cash-equivalent prize, whether or not
111 the eligibility for or value of the prize is determined by or has
112 any relationship to the outcome or play of the program.

113 (3) As used in this section, the following words and phrases
114 shall have the meanings ascribed in this subsection, unless the
115 context clearly indicates otherwise:

116 (a) "Simulated gambling program" means any method
117 intended to be used by a person playing, participating or
118 interacting with an electronic video monitor that is offered by
119 another person or entity; that directly or indirectly implements
120 the predetermination of a cash or cash-equivalent prize, or



121 otherwise connects the player with the cash or cash-equivalent
122 prize; and that is not legal under the Mississippi Gaming Control
123 Act.

124 (b) "Consideration associated with a product, service
125 or activity other than the simulated gambling program" means money
126 or other value collected for a product, service or activity that
127 is offered in any direct or indirect relationship to playing or
128 participating in the simulated gambling program. The term
129 includes consideration paid for Internet access or computer time,
130 or a sweepstakes entry.

131 (c) "Electronic video monitor" means any unit,
132 mechanism, computer or other terminal, or device that is capable
133 of displaying moving or still images.

134 (4) Any person or entity violating the provisions of this
135 section, upon conviction, shall be guilty of a misdemeanor and
136 fined not more than One Thousand Dollars (\$1,000.00) or imprisoned
137 for not less than one (1) year, or both.

138 (5) The provisions of this section shall not apply to:

139 (a) Any lawful activity that is conducted for the
140 primary purpose of entertaining children under the age of eighteen
141 (18) years, during which money is paid for a token or chip that is
142 used to play an electronic or other game, with the winner of the
143 game earning tickets that can be exchanged for prizes;

144 (b) Any lawful marketing promotion, contest, prize or
145 sweepstakes that is designed to attract consumer attention to a



146 specific product or service which is offered for sale by the
147 manufacturer, distributor, vendor or retailer of the product or
148 service; or

149 (c) Any promotional activity as defined in Section
150 75-76-5 that is conducted by a gaming licensee.

151 **SECTION 3.** Section 97-33-17, Mississippi Code of 1972, is
152 amended as follows:

153 97-33-17. (1) All monies exhibited for the purpose of
154 betting or alluring persons to bet at any game, and all monies
155 staked or betted, shall be liable to seizure by any sheriff,
156 constable, or police officer, together with all the appliances
157 used or kept for use in gambling, or by any other person; and all
158 the monies so seized shall be accounted for by the person making
159 the seizure, and all appliances seized shall be destroyed;
160 provided, however, this section shall not apply to betting, gaming
161 or wagering on:

162 (a) A cruise vessel as defined in Section 27-109-1
163 whenever such vessel is in the waters within the State of
164 Mississippi, which lie adjacent to the State of Mississippi south
165 of the three (3) most southern counties in the State of
166 Mississippi, including the Mississippi Sound, St. Louis Bay,
167 Biloxi Bay and Pascagoula Bay, and in which the registered voters
168 of the county in which the port is located have not voted to
169 prohibit such betting, gaming or wagering on cruise vessels as
170 provided in Section 19-3-79;



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

176 (i) The structure is owned, leased or controlled
177 by a person possessing a gaming license, as defined in Section
178 75-76-5, to conduct legal gaming on a cruise vessel under
179 paragraph (a) of this subsection;

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

190 (iii) In the case of a structure that is located
191 in whole or part on shore, the part of the structure in which
192 licensed gaming activities are conducted shall lie adjacent to
193 state waters south of the three (3) most southern counties in the
194 State of Mississippi, including the Mississippi Sound, St. Louis
195 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the



196 structure is located consists of a parcel of real property,
197 easements and rights-of-way for public streets and highways shall
198 not be construed to interrupt the contiguous nature of the parcel,
199 nor shall the footage contained within the easements and
200 rights-of-way be counted in the calculation of the distances
201 specified in subparagraph (ii) * * *;

202 (c) A vessel as defined in Section 27-109-1 whenever
203 such vessel is on the Mississippi River or navigable waters within
204 any county bordering on the Mississippi River, and in which the
205 registered voters of the county in which the port is located have
206 not voted to prohibit such betting, gaming or wagering on vessels
207 as provided in Section 19-3-79; * * *

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

214 (i) Does not offer or conduct betting, gaming or
215 wagering on an Internet-based version of a gambling game, as that
216 term is defined in Section 75-76-5, or of bingo games or raffles
217 held under Section 97-33-51;

218 (ii) Is limited to a single Internet platform per
219 gaming license;



220 (iii) Requires a participant of an Internet
221 platform to register in-person at its affiliated licensed gaming
222 establishment at least once every twelve (12) months;

223 (iv) Complies with federal law; and

224 (v) Received permission from the Executive
225 Director of the Mississippi Gaming Commission to so offer the
226 Internet platform; or

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

229 (2) Nothing in this section shall apply to any gambling
230 device, machine or equipment that is owned, possessed, controlled,
231 installed, procured, repaired or transported in accordance with
232 subsection (4) of Section 97-33-7.

233 **SECTION 4.** Section 97-33-25, Mississippi Code of 1972, is
234 amended as follows:

235 97-33-25. If any person shall sell or buy, either directly
236 or indirectly, any chance in what is commonly called pool, upon
237 any event whatever, or shall in any manner engage in such business
238 or pastime, he shall be fined not more than Five Hundred Dollars
239 (\$500.00) or shall be imprisoned in the county jail not more than
240 ninety (90) days; provided, however, this section shall not apply
241 to betting, gaming or wagering:

242 (a) On a cruise vessel as defined in Section 27-109-1
243 whenever such vessel is in the waters within the State of
244 Mississippi, which lie adjacent to the State of Mississippi south



245 of the three (3) most southern counties in the State of
246 Mississippi, including the Mississippi Sound, St. Louis Bay,
247 Biloxi Bay and Pascagoula Bay, and in which the registered voters
248 of the county in which the port is located have not voted to
249 prohibit such betting, gaming or wagering on cruise vessels as
250 provided in Section 19-3-79;

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

256 (i) The structure is owned, leased or controlled
257 by a person possessing a gaming license, as defined in Section
258 75-76-5, to conduct legal gaming on a cruise vessel under
259 paragraph (a) of this section;

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



270 (iii) In the case of a structure that is located
271 in whole or part on shore, the part of the structure in which
272 licensed gaming activities are conducted shall lie adjacent to
273 state waters south of the three (3) most southern counties in the
274 State of Mississippi, including the Mississippi Sound, St. Louis
275 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
276 structure is located consists of a parcel of real property,
277 easements and rights-of-way for public streets and highways shall
278 not be construed to interrupt the contiguous nature of the parcel,
279 nor shall the footage contained within the easements and
280 rights-of-way be counted in the calculation of the distances
281 specified in subparagraph (ii) * * *;

282 (c) On a vessel as defined in Section 27-109-1 whenever
283 such vessel is on the Mississippi River or navigable waters within
284 any county bordering on the Mississippi River, and in which the
285 registered voters of the county in which the port is located have
286 not voted to prohibit such betting, gaming or wagering on vessels
287 as provided in Section 19-3-79; * * *

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



294 (i) Does not offer or conduct betting, gaming or
295 wagering on an Internet-based version of a gambling game, as that
296 term is defined in Section 75-76-5, or of bingo games or raffles
297 held under Section 97-33-51;

298 (ii) Is limited to a single Internet platform per
299 gaming license;

300 (iii) Requires a participant of an Internet
301 platform to register in-person at its affiliated licensed gaming
302 establishment at least once every twelve (12) months;

303 (iv) Complies with federal law; and

304 (v) Received permission from the Executive
305 Director of the Mississippi Gaming Commission to so offer the
306 Internet platform; or

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

309 **SECTION 5.** Section 97-33-27, Mississippi Code of 1972, is
310 amended as follows:

311 97-33-27. If any person shall bet on a horse race or a yacht
312 race or on a shooting match, he shall be fined not more than Five
313 Hundred Dollars (\$500.00), and, unless the fine and costs be
314 immediately paid, he shall be imprisoned in the county jail not
315 more than ninety (90) days; provided, however, this section shall
316 not apply to betting, gaming or wagering:

317 (a) On a cruise vessel as defined in Section 27-109-1
318 whenever such vessel is in the waters within the State of



319 Mississippi, which lie adjacent to the State of Mississippi south
320 of the three (3) most southern counties in the State of
321 Mississippi, including the Mississippi Sound, St. Louis Bay,
322 Biloxi Bay and Pascagoula Bay, and in which the registered voters
323 of the county in which the port is located have not voted to
324 prohibit such betting, gaming or wagering on cruise vessels as
325 provided in Section 19-3-79;

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

331 (i) The structure is owned, leased or controlled
332 by a person possessing a gaming license, as defined in Section
333 75-76-5, to conduct legal gaming on a cruise vessel under
334 paragraph (a) of this section;

335 (ii) The part of the structure in which licensed
336 gaming activities are conducted is located entirely in an area
337 which is located no more than eight hundred (800) feet from the
338 mean high-water line (as defined in Section 29-15-1) of the waters
339 within the State of Mississippi, which lie adjacent to the State
340 of Mississippi south of the three (3) most southern counties in
341 the State of Mississippi, including the Mississippi Sound, St.
342 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to



343 Harrison County only, no farther north than the southern boundary
344 of the right-of-way for U.S. Highway 90, whichever is greater; and

345 (iii) In the case of a structure that is located
346 in whole or part on shore, the part of the structure in which
347 licensed gaming activities are conducted shall lie adjacent to
348 state waters south of the three (3) most southern counties in the
349 State of Mississippi, including the Mississippi Sound, St. Louis
350 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
351 structure is located consists of a parcel of real property,
352 easements and rights-of-way for public streets and highways shall
353 not be construed to interrupt the contiguous nature of the parcel,
354 nor shall the footage contained within the easements and
355 rights-of-way be counted in the calculation of the distances
356 specified in subparagraph (ii) * * *;

357 (c) On a vessel as defined in Section 27-109-1 whenever
358 such vessel is on the Mississippi River or navigable waters within
359 any county bordering on the Mississippi River, and in which the
360 registered voters of the county in which the port is located have
361 not voted to prohibit such betting, gaming or wagering on vessels
362 as provided in Section 19-3-79; * * *

363 (d) On an Internet platform that offers betting, gaming
364 or wagering on sporting events or athletic events or any events
365 authorized by the Mississippi Gaming Commission offered by a
366 person or entity through a gaming license that authorizes the



367 operation of a licensed gaming establishment, as those terms are
368 defined in Section 75-76-5, provided such an Internet platform:

369 (i) Does not offer or conduct betting, gaming or
370 wagering on an Internet-based version of a gambling game, as that
371 term is defined in Section 75-76-5, or of bingo games or raffles
372 held under Section 97-33-51;

373 (ii) Is limited to a single Internet platform per
374 gaming license;

375 (iii) Requires a participant of an Internet
376 platform to register in-person at its affiliated licensed gaming
377 establishment at least once every twelve (12) months;

378 (iv) Complies with federal law; and

379 (v) Received permission from the Executive
380 Director of the Mississippi Gaming Commission to so offer the
381 Internet platform; or

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

384 **SECTION 6.** Section 75-76-5, Mississippi Code of 1972, is
385 brought forward as follows:

386 75-76-5. As used in this chapter, unless the context
387 requires otherwise:

388 (a) "Applicant" means any person who has applied for or
389 is about to apply for a state gaming license, registration or
390 finding of suitability under the provisions of this chapter or



391 approval of any act or transaction for which approval is required
392 or permitted under the provisions of this chapter.

393 (b) "Application" means a request for the issuance of a
394 state gaming license, registration or finding of suitability under
395 the provisions of this chapter or for approval of any act or
396 transaction for which approval is required or permitted under the
397 provisions of this chapter but does not include any supplemental
398 forms or information that may be required with the application.

399 (c) "Associated equipment" means any equipment or
400 mechanical, electromechanical or electronic contrivance, component
401 or machine used remotely or directly in connection with gaming or
402 with any game, race book or sports pool that would not otherwise
403 be classified as a gaming device, including dice, playing cards,
404 links which connect to progressive slot machines, equipment which
405 affects the proper reporting of gross revenue, computerized
406 systems of betting at a race book or sports pool, computerized
407 systems for monitoring slot machines, and devices for weighing or
408 counting money.

409 (d) "Chairman" means the Chairman of the Mississippi
410 Gaming Commission except when used in the term "Chairman of the
411 State Tax Commission." "Chairman of the State Tax Commission" or
412 "commissioner" means the Commissioner of Revenue of the Department
413 of Revenue.

414 (e) "Commission" or "Mississippi Gaming Commission"
415 means the Mississippi Gaming Commission.



416 (f) "Commission member" means a member of the
417 Mississippi Gaming Commission.

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

422 (h) "Enforcement division" means a particular division
423 supervised by the executive director that provides enforcement
424 functions.

425 (i) "Establishment" means any premises wherein or
426 whereon any gaming is done.

427 (j) "Executive director" means the Executive Director
428 of the Mississippi Gaming Commission.

429 (k) Except as otherwise provided by law, "game," or
430 "gambling game" means any banking or percentage game played with
431 cards, with dice or with any mechanical, electromechanical or
432 electronic device or machine for money, property, checks, credit
433 or any representative of value, including, without limiting, the
434 generality of the foregoing, faro, monte, roulette, keno, fan-tan,
435 twenty-one, blackjack, seven-and-a-half, big injun, klondike,
436 craps, poker, chuck-a-luck (dai shu), wheel of fortune, chemin de
437 fer, baccarat, pai gow, beat the banker, panguingui, slot machine,
438 or any other game or device approved by the commission. However,
439 "game" or "gambling game" shall not include bingo games or raffles



440 which are held pursuant to the provisions of Section 97-33-51, or
441 the illegal gambling activities described in Section 97-33-8.

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

445 (l) "Gaming" or "gambling" means to deal, operate,
446 carry on, conduct, maintain or expose for play any game as defined
447 in this chapter.

448 (m) "Gaming device" means any mechanical,
449 electromechanical or electronic contrivance, component or machine
450 used in connection with gaming or any game which affects the
451 result of a wager by determining win or loss. The term includes a
452 system for processing information which can alter the normal
453 criteria of random selection, which affects the operation of any
454 game, or which determines the outcome of a game. The term does
455 not include a system or device which affects a game solely by
456 stopping its operation so that the outcome remains undetermined,
457 and does not include any antique coin machine as defined in
458 Section 27-27-12.

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

- 462 (i) Boxmen;
463 (ii) Cashiers;
464 (iii) Change personnel;



- 465 (iv) Counting room personnel;
466 (v) Dealers;
467 (vi) Floormen;
468 (vii) Hosts or other persons empowered to extend
469 credit or complimentary services;
470 (viii) Keno runners;
471 (ix) Keno writers;
472 (x) Machine mechanics;
473 (xi) Security personnel;
474 (xii) Shift or pit bosses;
475 (xiii) Shills;
476 (xiv) Supervisors or managers; and
477 (xv) Ticket writers.

478 The term "gaming employee" also includes employees of
479 manufacturers or distributors of gaming equipment within this
480 state whose duties are directly involved with the manufacture,
481 repair or distribution of gaming equipment.

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

485 (o) "Gaming license" means any license issued by the
486 state which authorizes the person named therein to engage in
487 gaming.

488 (p) "Gross revenue" means the total of all of the
489 following, less the total of all cash paid out as losses to



490 patrons and those amounts paid to purchase annuities to fund
491 losses paid to patrons over several years by independent financial
492 institutions:

493 (i) Cash received as winnings;

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

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

498 For the purposes of this definition, cash or the value of
499 noncash prizes awarded to patrons in a contest or tournament are
500 not losses.

501 The term does not include:

502 (i) Counterfeit money or tokens;

503 (ii) Coins of other countries which are received
504 in gaming devices;

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

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

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

512 (r) "Investigation division" means a particular
513 division supervised by the executive director that provides
514 investigative functions.



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

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

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

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

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

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

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

530 (z) "Party" means the Mississippi Gaming Commission and
531 any licensee or other person appearing of record in any proceeding
532 before the commission; or the Mississippi Gaming Commission and
533 any licensee or other person appearing of record in any proceeding
534 for judicial review of any action, decision or order of the
535 commission.

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



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

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

545 (dd) "Regulation" means a rule, standard, directive or
546 statement of general applicability which effectuates law or policy
547 or which describes the procedure or requirements for practicing
548 before the commission. The term includes a proposed regulation
549 and the amendment or repeal of a prior regulation but does not
550 include:

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

554 (ii) A declaratory ruling;

555 (iii) An interagency memorandum;

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

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

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

562 (ff) "Slot machine" means any mechanical, electrical or
563 other device, contrivance or machine which, upon insertion of a



564 coin, token or similar object, or upon payment of any
565 consideration, is available to play or operate, the play or
566 operation of which, whether by reason of the skill of the operator
567 or application of the element of chance, or both, may deliver or
568 entitle the person playing or operating the machine to receive
569 cash, premiums, merchandise, tokens or anything of value, whether
570 the payoff is made automatically from the machine or in any other
571 manner. The term does not include any antique coin machine as
572 defined in Section 27-27-12.

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

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

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

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

584 (kk) "Work permit" means any card, certificate or
585 permit issued by the commission, whether denominated as a work
586 permit, registration card or otherwise, authorizing the employment
587 of the holder as a gaming employee. A document issued by any



588 governmental authority for any employment other than gaming is not
589 a valid work permit for the purposes of this chapter.

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

593 (mm) "Cheat" means to alter the selection of criteria
594 that determine:

595 (i) The rules of a game; or

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

597 (nn) "Promotional activity" means an activity or event
598 conducted or held for the purpose of promoting or marketing the
599 individual licensed gaming establishment that is engaging in the
600 promotional activity. The term includes, but is not limited to, a
601 game of any kind other than as defined in paragraph (k) of this
602 section, a tournament, a contest, a drawing, or a promotion of any
603 kind.

604 **SECTION 7.** Section 75-76-33, Mississippi Code of 1972, is
605 brought forward as follows:

606 75-76-33. (1) The commission shall, from time to time,
607 adopt, amend or repeal such regulations, consistent with the
608 policy, objects and purposes of this chapter, as it may deem
609 necessary or desirable in the public interest in carrying out the
610 policy and provisions of this chapter. The commission shall
611 comply with the Mississippi Administrative Procedures Law when



612 adopting, amending or repealing any regulations authorized under
613 this section or under any other provision of this chapter.

614 (2) These regulations shall, without limiting the general
615 powers herein conferred, include the following:

616 (a) Prescribing the method and form of application
617 which any applicant for a license or for a manufacturer's,
618 seller's or distributor's license must follow and complete before
619 consideration of his application by the executive director or the
620 commission.

621 (b) Prescribing the information to be furnished by any
622 applicant or licensee concerning his antecedents, habits,
623 character, associates, criminal record, business activities and
624 financial affairs, past or present.

625 (c) Prescribing the information to be furnished by a
626 licensee relating to his employees.

627 (d) Requiring fingerprinting of an applicant or
628 licensee, and gaming employees of a licensee, or other methods of
629 identification and the forwarding of all fingerprints taken
630 pursuant to regulation of the Federal Bureau of Investigation.

631 (e) Prescribing the manner and procedure of all
632 hearings conducted by the commission or any hearing examiner of
633 the commission, including special rules of evidence applicable
634 thereto and notices thereof.

635 (f) Requiring any applicant to pay all or any part of
636 the fees and costs of investigation of such applicant as may be



637 determined by the commission under paragraph (g) of this
638 subsection (2).

639 (g) Prescribing the amounts of investigative fees only
640 as authorized by regulations of the commission under paragraph (f)
641 of this subsection, and collecting those fees. The commission
642 shall adopt regulations setting the amounts of those fees at
643 levels that will provide the commission with sufficient revenue,
644 when combined with any other monies as may be deposited into the
645 Mississippi Gaming Commission Fund created in Section 75-76-325,
646 to carry out the provisions of this chapter without any state
647 general funds. In calculating the amount of such fees, the
648 commission shall:

649 (i) Attempt to set the fees at levels that will
650 create a balance in the Mississippi Gaming Commission Fund that
651 does not exceed, at the end of any state fiscal year, two percent
652 (2%) of the projected amount of funds that will provide the
653 commission with such sufficient revenue; and

654 (ii) Demonstrate the reasonableness of the
655 relationship between a fee and the actual costs of the
656 investigative activity for which the fee is being prescribed.

657 (h) Prescribing the manner and method of collection and
658 payment of fees and issuance of licenses.

659 (i) Prescribing under what conditions a licensee may be
660 deemed subject to revocation or suspension of his license.



661 (j) Requiring any applicant or licensee to waive any
662 privilege with respect to any testimony at any hearing or meeting
663 of the commission, except any privilege afforded by the
664 Constitution of the United States or this state.

665 (k) Defining and limiting the area, games and devices
666 permitted, and the method of operation of such games and devices,
667 for the purposes of this chapter.

668 (l) Prescribing under what conditions the nonpayment of
669 a gambling debt by a licensee shall be deemed grounds for
670 revocation or suspension of his license.

671 (m) Governing the use and approval of gambling devices
672 and equipment.

673 (n) Prescribing the qualifications of, and the
674 conditions under which, attorneys, accountants and others are
675 permitted to practice before the commission.

676 (o) Restricting access to confidential information
677 obtained under this chapter and ensuring that the confidentiality
678 of such information is maintained and protected.

679 (p) Prescribing the manner and procedure by which the
680 executive director on behalf of the commission shall notify a
681 county or a municipality wherein an applicant for a license
682 desires to locate.

683 (q) Prescribing the manner and procedure for an
684 objection to be filed with the commission and the executive



685 director by a county or municipality wherein an applicant for a
686 license desires to locate.

687 (3) Notwithstanding any other provision of law, each
688 licensee shall be required to comply with the regulation that no
689 wager may be placed by, or on behalf of, any individual or entity
690 or group, not present on a licensed vessel or cruise vessel.

691 (4) From and after July 1, 2016, the expenses of this agency
692 shall be defrayed by appropriation from the State General Fund and
693 all user charges and fees authorized under this section shall be
694 deposited into the State General Fund as authorized by law.

695 (5) From and after July 1, 2016, no state agency shall
696 charge another state agency a fee, assessment, rent or other
697 charge for services or resources received by authority of this
698 section.

699 **SECTION 8.** Section 75-76-55, Mississippi Code of 1972, is
700 brought forward as follows:

701 75-76-55. (1) Except as otherwise provided in Section
702 75-76-34, it is unlawful for any person, either as owner, lessee
703 or employee, whether for hire or not, either solely or in
704 conjunction with others, without having first procured and
705 thereafter maintaining in effect a state gaming license:

706 (a) To deal, operate, carry on, conduct, maintain or
707 expose for play in the State of Mississippi any gambling game,
708 including, without limitation, any gaming device, slot machine,
709 race book or sports pool;



710 (b) To provide or maintain any information service the
711 primary purpose of which is to aid the placing or making of wagers
712 on events of any kind; or

713 (c) To receive, directly or indirectly, any
714 compensation or reward or any percentage or share of the money or
715 property played, for keeping, running or carrying on any gambling
716 game, including, without limitation, any slot machine, gaming
717 device, race book or sports pool.

718 (2) Except as otherwise provided in Section 75-76-34, it is
719 unlawful for any person knowingly to permit any gambling game,
720 including, without limitation, any slot machine, gaming device,
721 race book or sports pool to be conducted, operated, dealt or
722 carried on in any house or building or other premises owned by
723 him, in whole or in part, by a person who is not licensed pursuant
724 to this chapter or by his employee.

725 **SECTION 9.** Section 75-76-79, Mississippi Code of 1972, is
726 brought forward as follows:

727 75-76-79. (1) (a) Except as otherwise provided in
728 paragraphs (b) and (c) of this subsection, it is unlawful for any
729 person, either as owner, lessee or employee, whether for hire or
730 not, to operate, carry on, conduct or maintain any form of
731 manufacture, selling or distribution of any gaming device for use
732 or play in Mississippi or for distribution outside of Mississippi
733 without first procuring and maintaining all required federal and
734 state licenses.



735 (b) A lessor who specifically acquires equipment for a
736 capital lease is not required to be licensed under this section.

737 (c) The holder of a state gaming license or the holding
738 company of a corporate licensee may, within two (2) years after
739 cessation of business or upon specific approval by the executive
740 director, dispose of by sale in a manner approved by the executive
741 director, any or all of its gaming devices, including slot
742 machines, without a distributor's license. In cases of bankruptcy
743 of a state gaming licensee or foreclosure of a lien by a bank or
744 other person holding a security interest for which gaming devices
745 are security in whole or in part for the lien, the executive
746 director may authorize the disposition of the gaming devices
747 without requiring a distributor's license.

748 (d) Any person whom the commission determines is a
749 suitable person to receive a license under the provisions of this
750 section may be issued a manufacturer's or distributor's license.
751 The burden of proving his qualification to receive or hold a
752 license under this section is at all times on the applicant or
753 licensee.

754 (e) Every person who must be licensed pursuant to this
755 section is subject to the provisions of Sections 75-76-199 through
756 75-76-265, unless exempted from those provisions by the
757 commission.

758 (f) The commission may exempt, for any purpose, a
759 manufacturer, seller or distributor from the provisions of



760 Sections 75-76-199 through 75-76-265, if the commission determines
761 that the exemption is consistent with the purposes of this
762 chapter.

763 (g) As used in this section, "holding company" has the
764 meaning ascribed to it in Section 75-76-199.

765 (2) If the commission determines that a manufacturer or
766 distributor is unsuitable to receive or hold a license:

767 (a) No new gaming device or associated equipment
768 manufactured by the manufacturer or distributed by the distributor
769 may be approved;

770 (b) Any previously approved device or associated
771 equipment manufactured by the manufacturer or distributed by the
772 distributor is subject to revocation of approval if the reasons
773 for the denial of the license also apply to that device or
774 associated equipment;

775 (c) No new device or associated equipment manufactured
776 by the manufacturer or distributed by the distributor may be sold,
777 transferred or offered for use or play in Mississippi; and

778 (d) Any association or agreement between the
779 manufacturer or distributor and a licensee must be terminated,
780 unless otherwise provided by the commission. An agreement between
781 such a manufacturer or distributor of gaming devices or associated
782 equipment and a licensee shall be deemed to include a provision
783 for its termination without liability on the part of the licensee
784 upon a finding by the commission that the manufacturer is



785 unsuitable to be associated with a gaming enterprise. Failure to
786 include that condition in the agreement is not a defense in any
787 action brought pursuant to this section to terminate the
788 agreement.

789 (3) Failure of a licensee to terminate any association or
790 agreement with a manufacturer or distributor of gaming devices or
791 associated equipment after receiving notice of a determination of
792 unsuitability, the denial of a license or failure to file a timely
793 application for a license, is an unsuitable method of operation.

794 (4) There is hereby imposed and levied on each applicant for
795 a manufacturer's, seller's or distributor's license under this
796 section an annual license fee in the following amount:

797 (a) For the issuance or continuation of a
798 manufacturer's license, One Thousand Dollars (\$1,000.00).

799 (b) For the issuance or continuation of a seller's or
800 distributor's license, Five Hundred Dollars (\$500.00).

801 This fee is to be paid by the applicant to the State Tax
802 Commission on or before the filing of the application for a
803 manufacturer's, seller's or distributor's license by the
804 applicant. Upon such payment the chairman of the State Tax
805 Commission shall certify to the executive director that such fee
806 has been paid by the applicant.

807 Except for those amounts that a person issued a
808 manufacturer's license under this section may charge for goods
809 supplied or services rendered, the person holding the



810 manufacturer's license may not be directly reimbursed by a holder
811 of a gaming license for the cost of any fee paid by the person for
812 the issuance or continuation of such a license, whether imposed
813 under this section or any other provision of this chapter.

814 (5) A manufacturer or distributor of associated equipment
815 who sells, transfers or offers the associated equipment for use or
816 play in Mississippi may be required by the executive director to
817 file an application for a finding of suitability to be a
818 manufacturer or distributor of associated equipment.

819 Any person who directly or indirectly involves himself in the
820 sale, transfer or offering for use or play in Mississippi of
821 associated equipment who is not otherwise required to be licensed
822 as a manufacturer or distributor may be required by the executive
823 director to file an application for a finding of suitability to be
824 a manufacturer or distributor of associated equipment.

825 If an application for a finding of suitability is not
826 submitted within thirty (30) days after demand by the executive
827 director, he may pursue any remedy or combination of remedies
828 provided in this chapter.

829 (6) The executive director and his employees may inspect
830 every gaming device which is manufactured, sold or distributed:

831 (a) For use in this state, before the gaming device is
832 put into play.

833 (b) In this state for use outside this state, before
834 the gaming device is shipped out of this state.



835 The executive director may inspect every gaming device which
836 is offered for play within this state by a licensee.

837 The executive director may inspect all associated equipment
838 which is manufactured, sold or distributed for use in this state
839 before the equipment is installed or used by a gaming licensee.

840 In addition to all other fees and charges imposed by this
841 chapter, the executive director may determine an inspection fee
842 with regard to each manufacturer, seller or distributor which must
843 not exceed the actual cost of inspection and investigation. Upon
844 such determination, the executive director shall certify to the
845 Chairman of the State Tax Commission the amount of the inspection
846 fee and the name and address of the applicant. Upon such
847 certification the State Tax Commission shall proceed to assess and
848 collect such inspection fee from the applicant.

849 **SECTION 10.** Section 75-76-89, Mississippi Code of 1972, is
850 brought forward as follows:

851 75-76-89. (1) Except as otherwise provided in subsection
852 (3) of this section, all licenses issued to the same person,
853 including a wholly owned subsidiary of that person, for the
854 operation of any game, including a sports pool or race book, which
855 authorize gaming at the same establishment must be merged into a
856 single gaming license. A gaming license may not be issued to any
857 person if the issuance would result in more than one licensed
858 operation at a single establishment, whether or not the profits or
859 revenue from gaming are shared between the licensed operations.



860 (2) A person who has been issued a gaming license may
861 establish a sports pool or race book on the premises of the
862 establishment at which he conducts a gaming operation only after
863 obtaining permission from the executive director.

864 **SECTION 11.** Section 75-76-101, Mississippi Code of 1972, is
865 brought forward as follows:

866 75-76-101. (1) All gaming must be conducted with chips,
867 tokens or other instrumentalities approved by the executive
868 director or with the legal tender of the United States.

869 (2) No licensee shall permit participation by a person in a
870 game conducted in the licensed gaming establishment if such person
871 is not physically present in the licensed gaming establishment
872 during the period of time when such game is being conducted, and
873 all games and the participation of patrons therein shall be
874 entirely located and conducted on the licensed premises.

875 **SECTION 12.** Section 75-76-175, Mississippi Code of 1972, is
876 brought forward as follows:

877 75-76-175. (1) A credit instrument accepted on or after
878 June 29, 1991, is valid and may be enforced by legal process.

879 (2) A licensee or a person acting on the licensee's behalf
880 may accept an incomplete credit instrument which:

881 (a) Is signed by a patron; and

882 (b) States the amount of the debt in figures.

883 and may complete the instrument as is necessary for the
884 instrument to be presented for payment.



885 (3) A licensee or person acting on behalf of a licensee:
886 (a) May accept a credit instrument that is dated later
887 than the date of its execution if that later date is furnished at
888 the time of the execution of the credit instrument by the patron.
889 (b) May not accept a credit instrument which is
890 incomplete, except as authorized by subsection (2) of this
891 section.
892 (c) May accept a credit instrument that is payable to
893 an affiliated company or may complete a credit instrument in the
894 name of an affiliated company as payee if the credit instrument
895 otherwise complies with this subsection and the records of the
896 affiliated company pertaining to the credit instrument are made
897 available to the executive director upon request.
898 (4) This section does not prohibit the establishment of an
899 account by a deposit of cash, recognized traveler's check, or any
900 other instruments which is equivalent to cash.
901 (5) Any person who violates the provisions of this section
902 is subject only to the penalties provided in Sections 75-76-103
903 through 75-76-119, inclusive.
904 (6) The commission may adopt regulations prescribing the
905 conditions under which a credit instrument may be redeemed or
906 presented to a bank for collection or payment.
907 **SECTION 13.** Section 75-76-177, Mississippi Code of 1972, is
908 brought forward as follows:



909 75-76-177. (1) From and after August 1, 1990, there is
910 hereby imposed and levied on each gaming licensee a license fee
911 based upon all the gross revenue of the licensee as follows:

912 (a) Four percent (4%) of all the gross revenue of the
913 licensee which does not exceed Fifty Thousand Dollars (\$50,000.00)
914 per calendar month;

915 (b) Six percent (6%) of all the gross revenue of the
916 licensee which exceeds Fifty Thousand Dollars (\$50,000.00) per
917 calendar month and does not exceed One Hundred Thirty-four
918 Thousand Dollars (\$134,000.00) per calendar month; and

919 (c) Eight percent (8%) of all the gross revenue of the
920 licensee which exceeds One Hundred Thirty-four Thousand Dollars
921 (\$134,000.00) per calendar month.

922 (2) All revenue received from any game or gaming device
923 which is leased for operation on the premises of the
924 licensee-owner to a person other than the owner thereof or which
925 is located in an area or space on such premises which is leased by
926 the licensee-owner to any such person, must be attributed to the
927 owner for the purposes of this section and be counted as part of
928 the gross revenue of the owner. The lessee is liable to the owner
929 for his proportionate share of such license fees.

930 (3) If the amount of license fees required to be reported
931 and paid pursuant to this section is later determined to be
932 greater or less than the amount actually reported and paid by the
933 licensee, the Chairman of the State Tax Commission shall:



934 (a) Assess and collect the additional license fees
935 determined to be due, with interest thereon until paid; or

936 (b) Refund any overpayment, with interest thereon, to
937 the licensee.

938 Interest must be computed, until paid, at the rate of one
939 percent (1%) per month from the first day of the first month
940 following either the due date of the additional license fees or
941 the date of overpayment.

942 (4) Failure to pay the fees provided for in this section
943 when they are due for continuation of a license shall be deemed a
944 surrender of the license.

945 **SECTION 14.** Section 97-33-305, Mississippi Code of 1972, is
946 brought forward as follows:

947 97-33-305. (1) Fantasy contests are legal in this state. A
948 fantasy contest operator must comply with the provisions of this
949 section if the operator's total player roster for all fantasy
950 contests consists of one hundred (100) or more members of the
951 general public.

952 (2) A fantasy contest operator must implement commercially
953 reasonable procedures for fantasy contests with an entry fee to:

954 (a) Prevent employees of the operator, and relatives
955 living in the same household with an employee of an operator, from
956 competing in fantasy contests offered by an operator in which the
957 operator offers a cash prize;



958 (b) Prevent sharing with third parties of confidential
959 information that could affect fantasy contest play until the
960 information is made publicly available;

961 (c) Prevent the operator from participating in a
962 fantasy contest offered by the operator;

963 (d) Verify that a fantasy contest player is eighteen
964 (18) years of age or older except as required in Section
965 97-33-307(5);

966 (e) Ensure that individuals who participate or
967 officiate in a sporting event or who own, manage or coach a team
968 or player who participates in a sporting event will not knowingly
969 be allowed to enter a fantasy contest that is determined, in whole
970 or in part, on accumulated statistical results that include a
971 sporting event in which the individual could be involved as an
972 athlete, official, owner, manager or coach;

973 (f) Allow individuals to restrict themselves from
974 entering a fantasy contest upon request and provide reasonable
975 steps to prevent the person from entering fantasy contests offered
976 by the operator;

977 (g) Disclose the number of entries that a player may
978 submit to each fantasy contest and provide reasonable steps to
979 prevent players from submitting more than the allowable number;

980 (h) Restrict the number of entries submitted by a
981 single player for any contest as follows:



982 (i) An operator shall not allow a player to submit
983 more than one (1) entry in a contest involving twelve (12) or
984 fewer players.

985 (ii) If the number of players in a contest is more
986 than twelve (12) but fewer than thirty-seven (37), an operator
987 shall not allow a player to submit more than two (2) entries.

988 (iii) If the number of players in a contest is at
989 least thirty-seven (37) but no more than one hundred (100), an
990 operator shall not allow a player to submit more than three (3)
991 entries.

992 (iv) In any contest involving more than one
993 hundred (100) players, an operator shall not allow a player to
994 submit more than the lesser of:

- 995 1. Three percent (3%) of all entries; or
996 2. One hundred fifty (150) entries.

997 (v) For all advertised fantasy contests, the
998 operator must prominently include information about the maximum
999 number of entries that may be submitted for that contest.

1000 (vi) An operator may establish fantasy contests in
1001 which there is no restriction on the number of entries, if those
1002 contests constitute less than two percent (2%) of the total number
1003 of contests it offers, and if the operator clearly discloses:

- 1004 1. That there are no limits on the number of
1005 entries by each player in the contest; and



1006 2. That the cost of participating in such a
1007 contest is Fifty Dollars (\$50.00) or more per entry;

1008 (i) Offer introductory procedures for players that are
1009 prominently displayed on the main page of the operator's platform
1010 to explain contest play and how to identify a highly experienced
1011 player;

1012 (j) Identify all highly experienced players in every
1013 fantasy contest by a symbol attached to the players' usernames, or
1014 by other easily visible means, on all platforms supported by the
1015 operator; and

1016 (k) Segregate fantasy contest player funds from
1017 operational funds or maintain a reserve in the form of cash, cash
1018 equivalents, payment processor reserves and receivables, an
1019 irrevocable letter of credit, a bond, or a combination thereof, in
1020 the amount of the total account balances of the fantasy contest
1021 players for the benefit and protection of the funds held in the
1022 accounts.

1023 (3) An operator shall not offer contests based on the
1024 performance of participants in collegiate, high school or youth
1025 sports events.

1026 (4) A fantasy contest operator offering fantasy contests
1027 with an entry fee in this state shall comply with audit procedures
1028 adopted by the commission to ensure compliance with this section.



1029 (5) (a) Advertisements for contests and prizes offered by
1030 an operator shall not target prohibited participants, minors, or
1031 self-excluded persons.

1032 (b) Representations or implications about average
1033 winnings from contests shall not be unfair or misleading. Such
1034 representations shall include, at a minimum:

1035 (i) The median and mean net winnings of all
1036 players participating in contests offered by the operator; and

1037 (ii) The percentage of winnings awarded by the
1038 operator to highly experienced players participating in contests
1039 offered by the operator within the preceding calendar year.

1040 (6) Operators shall prohibit the use of third-party scripts
1041 or scripting programs for any contest and ensure that measures are
1042 in place to deter, detect and, to the extent reasonably possible,
1043 prevent cheating, including collusion, and the use of cheating
1044 devices, including use of software programs that submit entry fees
1045 or adjust the athletes selected by a player.

1046 (7) The values of all prizes and awards offered to winning
1047 players must be established and made known to the players in
1048 advance of the contest.

1049 **SECTION 15.** This act shall take effect and be in force from
1050 and after its passage.

