

## House Amendments to Senate Bill No. 2510

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

36       97-33-1. Except as otherwise provided in Section 97-33-8 and  
37 where not otherwise exempted, if any person shall encourage,  
38 promote or play at any game, play or amusement, other than a fight  
39 or fighting match between dogs, for money or other valuable thing,  
40 or shall wager or bet, promote or encourage the wagering or  
41 betting of any money or other valuable things, upon any game,  
42 play, amusement, cockfight, Indian ball play or duel, other than a  
43 fight or fighting match between dogs, or upon the result of any  
44 election, event or contingency whatever, including any online,  
45 interactive, or computerized version thereof, upon conviction  
46 thereof, he shall be fined in a sum not more than Five Hundred  
47 Dollars (\$500.00) per occurrence; and, unless such fine and costs  
48 be immediately paid, shall be imprisoned for any period not more  
49 than ninety (90) days. If any person shall operate an online  
50 platform that facilitates illegal wagering, such person shall be

51 guilty of a felony. Upon each conviction, a person shall be fined  
52 in a sum not more than One Hundred Thousand Dollars (\$100,000.00),  
53 or shall be imprisoned for a term of years not to exceed ten (10)  
54 years, or by both fine and imprisonment. The assets, rights, and  
55 privileges used in connection with violations of the provisions of  
56 this section shall be liable to forfeiture, to the State of  
57 Mississippi or to the county in which a violation is committed.

58 However, this section shall not apply to betting, gaming or  
59 wagering:

60           (a) On a cruise vessel as defined in Section 27-109-1  
61 whenever such vessel is in the waters within the State of  
62 Mississippi, which lie adjacent to the State of Mississippi south  
63 of the three (3) most southern counties in the State of  
64 Mississippi, including the Mississippi Sound, St. Louis Bay,  
65 Biloxi Bay and Pascagoula Bay, and in which the registered voters  
66 of the county in which the port is located have not voted to  
67 prohibit such betting, gaming or wagering on cruise vessels as  
68 provided in Section 19-3-79;

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

74           (i) The structure is owned, leased or controlled  
75 by a person possessing a gaming license, as defined in Section

75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this section;

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

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

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within

any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

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

(e) An action to prosecute a violation of this section may, in the discretion of the Attorney General or prosecuting attorney, be tried in the county in which the violation occurred or in Hinds County.

**SECTION 2.** Section 97-33-7, Mississippi Code of 1972, is amended as follows:

97-33-7. (1) Except as otherwise provided in Section 97-33-8, it shall be unlawful for any person or persons, firm, copartnership or corporation to have in possession, own, control, display, or operate any cane rack, knife rack, artful dodger, punch board, roll down, merchandise wheel, slot machine, pinball machine, or similar device or devices. Provided, however, that this section shall not be so construed as to make unlawful the ownership, possession, control, display or operation of any antique coin machine as defined in Section 27-27-12, or any music machine or bona fide automatic vending machine where the purchaser receives exactly the same quantity of merchandise on each operation of said machine. Any slot machine other than an antique coin machine as defined in Section 27-27-12 which delivers, or is so constructed as that by operation thereof it will deliver to the

operator thereof anything of value in varying quantities, in addition to the merchandise received, and any slot machine other than an antique coin machine as defined in Section 27-27-12 that is constructed in such manner as that slugs, tokens, coins or similar devices are, or may be, used and delivered to the operator thereof in addition to merchandise of any sort contained in such machine, is hereby declared to be a gambling device, and shall be deemed unlawful under the provisions of this section. Provided, however, that pinball machines which do not return to the operator or player thereof anything but free additional games or plays shall not be deemed to be gambling devices, and neither this section nor any other law shall be construed to prohibit same. Any online, interactive, or computerized version of any game as defined in Section 75-76-5(k) or any other game of chance or digital simulation thereof, including, but not limited to, online race books, online sports pools, and online sweepstakes casino-style games, is hereby declared to be a gambling device, and the offering for play or operating an online or interactive platform that offers for play such games within the State of Mississippi shall be deemed unlawful under the provisions of this section unless licensed and authorized by the State.

(2) No property right shall exist in any person, natural or artificial, or be vested in such person, in any or all of the devices described herein that are not exempted from the provisions of this section; and all such devices are hereby declared to be at all times subject to confiscation and destruction, and their

possession shall be unlawful, except when in the possession of officers carrying out the provisions of this section. It shall be the duty of all law enforcing officers to seize and immediately destroy all such machines and devices.

(3) \* \* \* Each violation of the provisions of this section shall be deemed a \* \* \* felony, and the party offending shall, upon each conviction, be fined in any sum not exceeding \* \* \* One Hundred Thousand Dollars (\$100,000.00), or imprisoned not exceeding \* \* \* ten (10) years, or both, in the discretion of the court, and shall be liable to forfeiture, to the State of Mississippi or to the county in which a violation is committed, of the assets, rights, and privileges used in connection with violations of the provisions of this section. \* \* \*

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

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to

179 prohibit such betting, gaming or wagering on cruise vessels as  
180 provided in Section 19-3-79;

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

186           (i) The structure is owned, leased or controlled  
187 by a person possessing a gaming license, as defined in Section  
188 75-76-5, to conduct legal gaming on a cruise vessel under  
189 paragraph (a) of this subsection;

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

200           (iii) In the case of a structure that is located  
201 in whole or part on shore, the part of the structure in which  
202 licensed gaming activities are conducted shall lie adjacent to  
203 state waters south of the three (3) most southern counties in the  
204 State of Mississippi, including the Mississippi Sound, St. Louis

Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii);

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

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

(5) Notwithstanding any provision of this section to the contrary, it shall not be unlawful (a) to own, possess, repair or control any gambling device, machine or equipment in a licensed gaming establishment or on the business premises appurtenant to any such licensed gaming establishment during any period of time in which such licensed gaming establishment is being constructed, repaired, maintained or operated in this state; (b) to install any gambling device, machine or equipment in any licensed gaming establishment; (c) to possess or control any gambling device, machine or equipment during the process of procuring or transporting such device, machine or equipment for installation on



any such licensed gaming establishment; or (d) to store in a warehouse or other storage facility any gambling device, machine, equipment, or part thereof, regardless of whether the county or municipality in which the warehouse or storage facility is located has approved gaming aboard cruise vessels or vessels, provided that such device, machine or equipment is operated only in a county or municipality that has approved gaming aboard cruise vessels or vessels. Any gambling device, machine or equipment that is owned, possessed, controlled, installed, procured, repaired, transported or stored in accordance with this subsection shall not be subject to confiscation, seizure or destruction, and any person, firm, partnership or corporation which owns, possesses, controls, installs, procures, repairs, transports or stores any gambling device, machine or equipment in accordance with this subsection shall not be subject to any prosecution or penalty under this section. Any person constructing or repairing such cruise vessels or vessels within a municipality shall comply with all municipal ordinances protecting the general health or safety of the residents of the municipality.

(6) An action to prosecute a violation of this section may, in the discretion of the Attorney General or prosecuting attorney, be tried in the county in which the crime occurred or in Hinds County. The Mississippi Gaming Commission may enter into contingency fee agreements for assets forfeited in connection with the prosecution of violations of this section, pursuant to Section 7-5-8.

**SECTION 3.** Section 97-33-8, Mississippi Code of 1972, is amended as follows:

97-33-8. (1) The provisions of this section are intended to clarify that the operation of "internet sweepstakes cafes" \* \* \* and "online sweepstakes casinos" are illegal gambling \* \* \* activities under state law.

(2) It shall be unlawful for any person or entity to possess, own, control, display, operate or have a financial interest in an electronic video monitor or platform that:

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

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

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

(a) "Simulated gambling program" means any method intended to be used by a person playing, participating or interacting with an electronic video monitor or online or mobile platform that is offered by another person or entity; that

283 directly or indirectly implements the predetermination of a cash  
284 or cash-equivalent prize, or otherwise connects the player with  
285 the cash or cash-equivalent prize; and that is not legal under the  
286 Mississippi Gaming Control Act.

287 (b) "Consideration associated with a product, service  
288 or activity other than the simulated gambling program" means money  
289 or other value collected for a product, service or activity that  
290 is offered in any direct or indirect relationship to playing or  
291 participating in the simulated gambling program. The term  
292 includes, but is not limited to, consideration paid for internet  
293 access or computer time, or a sweepstakes entry.

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

297 (4) Any person or entity violating the provisions of this  
298 section by promoting or operating an internet sweepstakes cafe or  
299 casino, upon conviction, shall be guilty of a \* \* \* felony and  
300 fined in a sum not exceeding One Hundred Thousand Dollars  
301 (\$100,000.00), or imprisoned not exceeding a term of ten (10)  
302 years, or both. The assets, rights and privileges used in  
303 connection with violations of the provisions of this section shall  
304 be liable to forfeiture, to the State of Mississippi or to the  
305 county in which a violation is committed.

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

307 (a) Any lawful activity that is conducted for the  
308 primary purpose of entertaining children under the age of eighteen

(18) years, during which money is paid for a token or chip that is used to play an electronic or other game, with the winner of the game earning tickets that can be exchanged for prizes;

(b) Any lawful marketing promotion, contest, prize or sweepstakes that is designed to attract consumer attention to a specific product or service unrelated to digital tokens, coins or currency associated with a sweepstakes game and which is offered for sale by the manufacturer, distributor, vendor or retailer of the product or service; or

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

**SECTION 4.** Sections 4 through 8 of this act shall be known as the "Mississippi Mobile Sports Wagering Act" and the sections shall be codified in Sections 97-33-401, et seq. of the Mississippi Code of 1972.

**SECTION 5.** The following terms shall have the meanings ascribed herein:

(a) "Commission" means the Mississippi Gaming Commission created in Section 75-76-7, Mississippi Code of 1972.

(b) "Executive director" means the Executive Director of the Mississippi Gaming Commission.

(c) "Gaming" means to deal, operate, carry on, maintain, or expose for play any game as defined in Section 75-76-5 (k), Mississippi Code of 1972, including any game approved by the commission.

335           (d) "Gaming license" means any license issued by  
336 the commission pursuant to the Mississippi Gaming Control  
337 Act which authorizes the person named therein to engage in  
338 gaming.

339           (e) "Gross revenue" means that term as defined in  
340 Section 75-76-5 (p), Mississippi Code of 1972.

341           (f) "Interactive gaming" means wagering on any  
342 interactive game.

343           (g) "Interactive game" means computerized or  
344 virtual versions of any game as defined in Section 75-76-5  
345 (k), Mississippi Code of 1972, or any other game of chance  
346 or digital simulation thereof, including, but not limited  
347 to, casino themed slot machines or gaming devices, table  
348 games or other such games as approved by the commission for  
349 play in a licensed establishment.

350           (h) "Internet" means that term as defined in  
351 Section 230 of Title II of the Communications Act of 1934,  
352 Chapter 652, 110 Stat. 137, 47 USCS 230.

353           (i) "Licensed establishment" means any premises  
354 for which the commission has issued a gaming license  
355 pursuant to the provisions of the Mississippi Gaming Control  
356 Act.

357           (j) "Manufacturer's," or "distributor's" license  
358 means a license issued pursuant to Section 75-76-79,  
359 Mississippi Code of 1972.

360           (k) "Online race book" means a race book operation  
361 in which wagers are made over the Internet, including on  
362 websites and mobile or interactive devices, and accepted by  
363 a platform on behalf of the holder of a gaming license.

364           (l) "Online sports pool" means a sports wagering  
365 operation in which wagers on collegiate or professional  
366 sporting events or athletic events are made over the  
367 Internet, including on websites and mobile or interactive  
368 devices, and accepted by a platform on behalf of the holder  
369 of a gaming license.

370           (m) "Platform" means a person or entity that  
371 operates an online sports pool or online race book on behalf  
372 of the holder of a gaming license. Each licensed  
373 establishment may enter into contracts with no more than two  
374 (2) platforms to operate an online sports pool and/or online  
375 race book on behalf of the holder of the gaming license.

376           (n) "Race book" means the business of accepting  
377 wagers upon the outcome of any event held at a track which  
378 uses the pari-mutuel system of wagering.

379           (o) "Sports pool" means the business of accepting  
380 wagers on collegiate or professional sporting events or  
381 athletic events, by any system of wagering other than the  
382 system known as the "pari-mutuel system of wagering." The  
383 term includes, but is not limited to, single-game bets,  
384 teaser bets, parlays, over-under, moneyline, pools, exchange  
385 wagering, in-game wagering, in-play bets, proposition bets,

and straight bets. The term does not include fantasy contests as defined in Section 97-33-303.

**SECTION 6.** (1) Online sports pools and online race books are legal in the State of Mississippi; provided, however, that nothing in this act shall authorize any other form of interactive gaming in the State of Mississippi.

(2) A platform that operates an online sports pool or online race book on behalf of the holder of a gaming license in this state must apply for and obtain a manufacturer's and distributor's license from the commission.

(3) The commission shall, from time to time, adopt, amend or repeal such regulations, consistent with the policy, objects and purposes of this chapter, as it may deem necessary or desirable in the public interest in carrying out the policy and provisions of this chapter, including but not limited to such matters as identification and age verification of players, establishing wagering accounts, geolocation of players, compulsive and problem gambling verifications and protections, types of wagers eligible to be offered, and reporting to the commission of any abnormal betting activity or patterns that may indicate a concern about the integrity of a sporting event or athletic event or any other conduct with the potential to corrupt the betting outcome of a sporting event or athletic event for financial gain, such as match fixing or suspicious or illegal wagering activities.

**SECTION 7.**

(1) A platform may accept on behalf of the holder of a gaming license in this state wagers placed over the Internet, including on websites and mobile or interactive devices, only from players located in Mississippi, subject to the rules and regulations of the commission.

(2) A person under the age of twenty-one (21) years shall not play, be allowed to play, place wagers, or collect winnings, whether personally or through an agent, from any gaming or wagers authorized under this chapter.

(3) A dispute over winnings with respect to an online race book or online sports pool shall be resolved under the procedures set forth in Sections 75-76-157 through 75-76-173 Mississippi Code of 1972.

**SECTION 8.**

Gross revenue from a platform operating an online race book or an online sports pool on behalf of the holder of a gaming license shall be subject to the license fees and credits under Section 75-76-177, 75-76-179, 75-76-181 and 75-76-185 Mississippi Code of 1972.

**SECTION 9.**

This act shall take effect and be in force from and after July 1, 2025.

**Further, amend by striking the title in its entirety and inserting in lieu thereof the following:**

AN ACT TO AMEND SECTIONS 97-33-1 AND 97-33-7, MISSISSIPPI CODE OF 1972, TO INCLUDE ANY ONLINE, INTERACTIVE, OR COMPUTERIZED VERSION OF GAMES WITHIN THE PROHIBITION ON BETTING GAMING OR WAGERING AND ANY ONLINE INTERACTIVE OR COMPUTERIZED VERSION OF ANY



5 GAME AS DEFINED IN SECTION 75-76-5(K) SHALL BE A GAMING DEVICE; TO  
6 INCREASE THE CRIMINAL PENALTY; TO PROVIDE THAT AN ACTION TO  
7 PROSECUTE A VIOLATION MAY, IN THE DISCRETION OF THE ATTORNEY  
8 GENERAL OR PROSECUTING ATTORNEY, BE TRIED IN THE COUNTY IN WHICH  
9 THE VIOLATION OCCURRED OR IN HINDS COUNTY; TO INCREASE THE  
10 CRIMINAL PENALTIES FOR A VIOLATION OF THIS SECTION; TO AUTHORIZE  
11 THE FORFEITURE OF THE ASSETS, RIGHTS, AND PRIVILEGES USED IN  
12 CONNECTION WITH VIOLATIONS OF THE PROVISIONS OF THESE SECTIONS; TO  
13 AUTHORIZE THE GAMING COMMISSION TO ENTER INTO CONTINGENCY FEE  
14 AGREEMENTS FOR ASSETS FORFEITED IN CONNECTION WITH THE PROSECUTION  
15 OF VIOLATIONS OF THIS SECTION; TO AMEND SECTION 97-33-8,  
16 MISSISSIPPI CODE OF 1972, TO INCLUDE INTERNET SWEEPSTAKES CASINOS  
17 WITHIN THE PROHIBITIONS OF THIS SECTION; TO INCREASE THE CRIMINAL  
18 VIOLATION FROM A MISDEMEANOR TO A FELONY; TO AUTHORIZE THE  
19 FORFEITURE OF THE ASSETS, RIGHTS, AND PRIVILEGES USED IN  
20 CONNECTION WITH VIOLATIONS OF THIS SECTION; TO CREATE THE  
21 MISSISSIPPI MOBILE SPORTS WAGERING ACT; TO PROVIDE DEFINITIONS  
22 FOR THE ACT; TO LEGALIZE ONLINE SPORTS POOLS AND ONLINE RACE  
23 BOOKS; TO CLARIFY THAT THIS ACT DOES NOT AUTHORIZE INTERACTIVE  
24 GAMING IN THE STATE OF MISSISSIPPI; TO REQUIRE ANY AUTHORIZED  
25 ONLINE PLATFORM THAT OPERATES AN ONLINE SPORTS POOL OR  
26 ONLINE RACE BOOK ON BEHALF OF THE HOLDER OF A GAMING LICENSE  
27 IN THIS STATE TO APPLY FOR AND OBTAIN A MANUFACTURER'S AND  
28 DISTRIBUTOR'S LICENSE FROM THE COMMISSION; TO AUTHORIZE THE  
29 GAMING COMMISSION TO ADOPT, AMEND OR REPEAL REGULATIONS  
30 CONSISTENT WITH THE REQUIREMENTS OF THE ACT, INCLUDING  
31 IDENTIFICATION AND AGE VERIFICATION OF PLAYERS; AND FOR  
32 RELATED PURPOSES.

HR26\SB2510A.1J

Andrew Ketchings  
Clerk of the House of Representatives