

By: Representative Clark

To: Universities and  
CollegesHOUSE BILL NO. 904  
(As Passed the House)

1 AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC  
3 COMMUNITY AND JUNIOR COLLEGES TO OFFER GAMING-RELATED COURSES; TO  
4 PROVIDE THAT STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC  
5 COMMUNITY AND JUNIOR COLLEGES OFFERING SUCH COURSES SHALL BE  
6 SUBJECT TO REGULATION BY THE BOARD OF TRUSTEES OF INSTITUTIONS OF  
7 HIGHER LEARNING; TO AMEND SECTIONS 75-76-55, 37-101-13 AND  
8 37-29-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS  
9 OF THIS ACT; TO AMEND SECTION 37-29-63, MISSISSIPPI CODE OF 1972,  
10 IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED  
11 PURPOSES.

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

13 **SECTION 1.** Section 75-76-34, Mississippi Code of 1972, is  
14 amended as follows:

15 75-76-34. (1) Except as otherwise provided in this section,  
16 the Board of Trustees of Institutions of Higher Learning is  
17 authorized to regulate all schools or training institutions that  
18 teach or train gaming employees. \* \* \* No such school shall be  
19 located on publicly owned property other than property under the  
20 jurisdiction of the Board of Trustees of State Institutions of  
21 Higher Learning or a public community or junior college. Except  
22 as authorized under this section, no public school shall teach or  
23 train persons to be gaming employees. The gaming activities of  
24 schools or training institutions regulated by the Board of  
25 Trustees of Institutions of Higher Learning and of state  
26 institutions of higher learning and public community and junior  
27 colleges shall be deemed to be legal under the laws of the State  
28 of Mississippi. Any person desiring to operate a school or  
29 training institution other than a state institution of higher  
30 learning or public community or junior college must file a license  
31 application with the executive director to be licensed by the

32 commission. Any community or junior college or institution of  
33 higher learning may teach a course in an industry located in the  
34 county that the institution is located. There shall be no gaming  
35 activity at the college or institution.

36 (2) The commission may adopt regulations it deems necessary  
37 to regulate schools and training institutions other than state  
38 institutions of higher learning and public community and junior  
39 colleges. These regulations shall, without limiting the general  
40 powers of the commission, include the following:

41 (a) Prescribing the method and form of application  
42 which any applicant for a school or training institution must  
43 follow and complete before consideration of his application by the  
44 executive director or commission.

45 (b) Prescribing the information to be furnished by the  
46 applicant relating to his employees.

47 (c) Requiring fingerprinting of the applicant,  
48 employees and students of the school or institution or other  
49 methods of identification and the forwarding of all fingerprints  
50 taken pursuant to regulation of the Federal Bureau of  
51 Investigation.

52 (d) Requiring any applicant to pay all or part of the  
53 fees and costs of investigation of the applicant as may be  
54 determined by the commission.

55 (e) Prescribing the manner and method of collection and  
56 payment of fees and costs and issuance of licenses to schools or  
57 training institutions.

58 (f) Prescribing under what conditions a licensee  
59 authorized by this section may be deemed subject to revocation or  
60 suspension of his license.

61 (g) Defining the curriculum of the school or training  
62 institution, the games and devices permitted, the use of tokens  
63 only for instruction purposes, and the method of operation of  
64 games and devices.

65           (h) Requiring the applicant to submit its location of  
66 the school or training institution, which shall be at least four  
67 hundred (400) feet from any church, school, kindergarten or  
68 funeral home. However, within an area zoned commercial or  
69 business, the minimum distance shall not be less than one hundred  
70 (100) feet.

71           (i) Requiring that all employees and students of the  
72 school or training institution be at least twenty-one (21) years  
73 of age and be a resident of the State of Mississippi.

74           (j) Requiring all employees and students of the school  
75 or training institution to wear identification cards issued by the  
76 commission while on the premises of the school or training  
77 institution.

78           (k) Requiring the commission to investigate each  
79 applicant, employee and student and determine that the individual  
80 does not fall within any one (1) of the following categories:

81               (i) Is under indictment for, or has been convicted  
82 in any court of, a felony;

83               (ii) Is a fugitive from justice;

84               (iii) Is an unlawful user of any controlled  
85 substance, is addicted to any controlled substance or alcoholic  
86 beverage, or is an habitual drunkard;

87               (iv) Is a mental defective, has been committed to  
88 a mental institution, or has been voluntarily committed to a  
89 mental institution on more than one (1) occasion;

90               (v) Has been discharged from the Armed Forces  
91 under dishonorable conditions; or

92               (vi) Has been found at any time by the executive  
93 director or commission to have falsified any information.

94           (3) State institutions of higher learning may offer credited  
95 courses specifically relating to gaming management, including, but  
96 not limited to, courses that provide instruction in accounting,  
97 hospitality, marketing, auditing, finance, procurement, security

98 and regulatory requirements in fulfillment of a degree in general  
99 business management, hotel and motel management, food and beverage  
100 management, gaming management, accounting or criminal justice.  
101 State institutions of higher learning are not subject to  
102 regulation by the commission for the purposes of this subsection.

103 (4) State institutions of higher learning and public  
104 community and junior colleges may offer courses related to casino  
105 hospitality services, cage and count operations, and slot machine  
106 maintenance. Slot machine maintenance training may be performed  
107 only on equipment approved by the commission for training purposes  
108 only. State institutions of higher learning and public community  
109 and junior colleges are not subject to regulation by the  
110 commission for the purposes of this subsection.

111 **SECTION 2.** Section 75-76-55, Mississippi Code of 1972, is  
112 amended as follows:

113 75-76-55. (1) Except as otherwise provided in Section  
114 75-76-34, it is unlawful for any person, either as owner, lessee  
115 or employee, whether for hire or not, either solely or in  
116 conjunction with others, without having first procured and  
117 thereafter maintaining in effect a state gaming license:

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

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

125 (c) To receive, directly or indirectly, any  
126 compensation or reward or any percentage or share of the money or  
127 property played, for keeping, running or carrying on any gambling  
128 game, including without limitation any slot machine, gaming  
129 device, race book or sports pool.

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

137           **SECTION 3.** Section 37-101-13, Mississippi Code of 1972, is  
138 amended as follows:

139           37-101-13. It shall be the duty of the Board of Trustees of  
140 State Institutions of Higher Learning to begin immediately a  
141 comprehensive study of the role and scope of all of the various  
142 institutions under its jurisdiction, including a detailed study of  
143 the programs of study, degrees and courses offered. Following the  
144 completion of such study, the board shall make such adjustments as  
145 may be found to be necessary in the programs of the various  
146 institutions, to the end that the broadest possible educational  
147 opportunities shall be offered to the citizens of this state  
148 without inefficient and needless duplication. Subject to the  
149 provisions of Section 75-76-34, the board shall, through such  
150 officers of the board and through such procedures as it shall see  
151 fit to establish, exercise continuing jurisdiction and control  
152 over the establishment of new courses of study, new departments  
153 and new functions and activities in each institution so that the  
154 growth and development of the program of higher education in the  
155 state shall proceed in an orderly and rational manner, inefficient  
156 and needless duplication may be avoided, and new expanded programs  
157 will be undertaken only as the same may become justified, based  
158 upon objective criteria to be established by the board. In  
159 carrying out the purposes of this section, particular attention  
160 shall be given to the extension programs of the various  
161 institutions. The board, in conjunction with the chancellor and  
162 presidents of the institutions of higher learning, shall take such

163 steps as may be necessary to improve and coordinate such programs  
164 and shall exercise such direct control over the establishment,  
165 organization, operation and granting of credit for such programs  
166 as may be necessary to accomplish such purposes.

167         **SECTION 4.** Section 37-29-1, Mississippi Code of 1972, is  
168 amended as follows:

169         37-29-1. (1) The creation, establishment, maintenance and  
170 operation of community and junior colleges is authorized.  
171 Community and junior colleges may admit students if they have  
172 earned one (1) unit less than the number of units required for  
173 high school graduation established by State Board of Education  
174 policy or have earned a General Education Diploma (GED) in courses  
175 correlated to those of senior colleges or professional schools.  
176 Subject to the provisions of Section 75-76-34, they shall offer  
177 education and training preparatory for occupations such as  
178 agriculture, industry, business, homemaking and for other  
179 occupations on the semi-professional and vocational-technical  
180 level. They may offer courses and services to students regardless  
181 of their previous educational attainment or further academic  
182 plans.

183         (2) The boards of trustees of the community and junior  
184 college districts are authorized to establish a dual enrollment  
185 program under which high school students meeting the requirements  
186 prescribed in this section may enroll at a community or junior  
187 college while they are still attending high school and enrolled in  
188 high school courses. Students may be admitted to enroll in  
189 community or junior college courses under the dual enrollment  
190 program if they meet the following recommended admission  
191 requirements:

192                 (a) Students must have completed a minimum of fourteen  
193 (14) core high school units;

194                 (b) Students must have a 3.0 grade point average on a  
195 4.0 scale, or better, on all high school courses, as documented by

196 an official high school transcript; a home-schooled student must  
197 submit a transcript prepared by a parent, guardian or custodian  
198 with a signed, sworn affidavit to meet the requirement of this  
199 paragraph; and

200 (c) Students must have an unconditional written  
201 recommendation from their high school principal and/or guidance  
202 counselor. A home-schooled student must submit a parent, legal  
203 guardian or custodian's written recommendation to meet the  
204 requirement of this paragraph.

205 Students may be considered for the dual enrollment program  
206 who have not completed the minimum of fourteen (14) core high  
207 school units if they have a minimum ACT composite score of thirty  
208 (30) or the equivalent SAT score, and have the required grade  
209 point average and recommendations prescribed above.

210 Students admitted in the dual enrollment program shall be  
211 counted for adequate education program funding purposes in the  
212 average daily attendance of the public school district in which  
213 they attend high school. Any additional transportation required  
214 by a student to participate in the dual enrollment program shall  
215 be the responsibility of the parents or legal guardians of the  
216 student. Grades and college credits earned by students admitted  
217 to the dual enrollment program shall be recorded on the college  
218 transcript at the community or junior college where the student  
219 attends classes. The transcript of such college course work may  
220 be released to another institution or used for college graduation  
221 requirements only after the student has received his high school  
222 diploma.

223 (3) The boards of trustees of the community and junior  
224 college districts are authorized to establish an early admission  
225 program under which applicants meeting all requirements prescribed  
226 in subsection (2)(a) through (c) and having a minimum ACT  
227 composite score of twenty-six (26) or the equivalent SAT score may  
228 be admitted as full-time college students if the principal or

229 guidance counsellor of the student recommends in writing that it  
230 is in the best educational interest of the student. Such  
231 recommendation shall also state that the student's age will not  
232 keep him from being a successful full-time college student.  
233 Students admitted in the early admission program shall not be  
234 counted for adequate education program funding purposes in the  
235 average daily attendance of the school district in which they  
236 reside, and transportation required by a student to participate in  
237 the early admission program shall be the responsibility of the  
238 parents or legal guardians of the student. Grades and college  
239 credits earned by students admitted to the early admission program  
240 shall be recorded on the college transcript at the community or  
241 junior college where the student attends classes, and may be  
242 released to another institution or used for college graduation  
243 requirements only after the student has successfully completed one  
244 (1) full semester of course work.

245 (4) The community and junior colleges shall provide, through  
246 courses or other acceptable educational measures, the general  
247 education necessary to individuals and groups which will tend to  
248 make them capable of living satisfactory lives consistent with the  
249 ideals of a democratic society.

250 **SECTION 5.** Section 37-29-63, Mississippi Code of 1972, is  
251 amended as follows:

252 37-29-63. The president of any community/junior college, or  
253 such other person designated or authorized by the board of  
254 trustees, shall have the power to recommend to the board of  
255 trustees all teachers to be employed in the district. The  
256 president may remove or suspend any member of the faculty subject  
257 to the approval of the trustees. He shall be the general manager  
258 of all fiscal and administrative affairs of the district with full  
259 authority to select, direct, employ and discharge any and all  
260 employees other than teachers; however, the board may make



261 provisions and establish policies for leave for faculty members  
262 and other key personnel.

263 The president shall have the authority, subject to the  
264 provisions of Section 75-76-34 and Sections 37-29-1 through  
265 37-29-273 and the approval of the trustees, to arrange and survey  
266 courses of study, fix schedules, and establish and enforce rules  
267 and discipline for the governing of teachers and students. He  
268 shall be the general custodian of the property of the district.

269 \* \* \*

270 **SECTION 6.** That a new hire by any casino in this state must  
271 require a certificate of completion under areas authorized under  
272 this act by a Mississippi community college or university, or if  
273 the person has completed a like course in another jurisdiction,  
274 then a certificate by a university or community college in  
275 Mississippi is required to be prepared and given to the casino by  
276 the Mississippi university or community college.

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