

By: Representative Lamar

To: Ways and Means

HOUSE BILL NO. 1989

1 AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND
 2 ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE LOANS TO
 3 ASSIST WITH THE DEVELOPMENT OF A PROJECT IN THE CITY OF JACKSON,
 4 MISSISSIPPI, TO BE LOCATED NEAR THE DOWNTOWN AREA OF THE CITY,
 5 INSIDE THE CAPITOL COMPLEX IMPROVEMENT DISTRICT AND WITHIN A
 6 CERTAIN DISTANCE OF THE NEW CAPITOL, AND WHICH WILL CONSIST OF A
 7 LICENSED GAMING ESTABLISHMENT AND OTHER DEVELOPMENTS AS PART OF
 8 THE PROJECT; TO CREATE THE "CAPITAL CITY PROJECT FUND" AS A
 9 SPECIAL FUND IN THE STATE TREASURY AND PROVIDE THAT MONIES IN THE
 10 SPECIAL FUND SHALL BE DISBURSED BY THE DEPARTMENT OF FINANCE AND
 11 ADMINISTRATION TO PROVIDE LOANS AUTHORIZED UNDER THIS ACT; TO
 12 AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE
 13 PURPOSE OF PROVIDING FUNDS FOR THE "CAPITAL CITY PROJECT FUND"; TO
 14 AMEND SECTION 19-3-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
 15 THIS SECTION DOES NOT APPLY TO A PERSON, CORPORATION OR OTHER
 16 LEGAL ENTITY APPLYING FOR A LICENSE FOR A GAMING ESTABLISHMENT
 17 THAT IS PART OF A PROJECT DESCRIBED IN THIS ACT; TO AMEND SECTIONS
 18 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27,
 19 MISSISSIPPI CODE OF 1972, TO AUTHORIZE LEGAL GAMING IN A LICENSED
 20 GAMING ESTABLISHMENT THAT IS PART OF A PROJECT DESCRIBED IN THIS
 21 ACT; TO BRING FORWARD SECTION 27-109-1, MISSISSIPPI CODE OF 1972,
 22 WHICH DEFINES THE TERMS "CRUISE VESSEL" AND "VESSEL" FOR CERTAIN
 23 PURPOSES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD
 24 SECTION 95-3-25, MISSISSIPPI CODE OF 1972, WHICH RELATES TO
 25 VARIOUS FORMS OF ILLEGAL GAMBLING, FOR THE PURPOSES OF POSSIBLE
 26 AMENDMENT; AND FOR RELATED PURPOSES.

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

28 **SECTION 1.** (1) As used in this section, the following words
 29 and phrases shall have the meanings as defined in this subsection
 30 unless the context clearly requires otherwise:



31 (a) "Department" means the Department of Finance and
32 Administration.

33 (b) "Gaming license" means and has the same definition
34 as such term has in Section 75-76-5.

35 (c) "Licensed gaming establishment" means and has the
36 same definition as such term has in Section 75-76-5.

37 (d) "Person" means and has the same definition as such
38 term has in Section 75-76-5.

39 (e) "Project" means a major capital project that (i)
40 will be located near the downtown area of the City of Jackson,
41 Mississippi, inside the Capitol Complex Improvement District
42 created in Section 29-5-203, and within six thousand (6,000) feet
43 of the grounds of the New Capitol, (ii) is owned or will be owned
44 by one (1) or more persons owning or operating a licensed gaming
45 establishment, other than the establishment that will be part of
46 the project, at the time of submitting an application under this
47 section, (iii) will consist of one (1) licensed gaming
48 establishment as well as other developments as part of the project
49 and (iv) has a minimum capital investment of Five Hundred Million
50 Dollars (\$500,000,000.00).

51 (2) (a) The department shall establish a program to provide
52 loans to any person or persons owning or operating a business
53 entity for the purpose of assisting with the payments of costs
54 associated with the development of a project.



55 (b) A person desiring a loan under the program must
56 submit an application to the department that contains:

57 (i) A description of:

58 1. The property where the project will be
59 located;

60 2. The amount of capital investment for the
61 project; and

62 3. The amount of any loan requested and the
63 purposes for which the loan proceeds will be used; and

64 (ii) Any other information requested by the
65 department.

66 (c) The department shall review such application to
67 determine whether the applicant should be approved for a loan.
68 The department may consult with the Capitol Complex Improvement
69 District Advisory Committee created in Section 29-5-213, when
70 reviewing the application. If the department approves the
71 applicant for a loan, it shall provide a certificate to the
72 applicant verifying the applicant's eligibility for a loan.

73 (d) Monies repaid to the state from loans authorized in
74 this section shall be deposited into the Capital City Project Loan
75 Fund created in subsection (3) of this section.

76 (3) There is created in the State Treasury a special fund,
77 to be designated as the "Capital City Project Loan Fund", which
78 shall consist of funds made available by the Legislature in any
79 manner and any other monies designated for deposit therein. The



80 fund shall be maintained by the State Treasurer as a separate and
81 special fund, separate and apart from the General Fund of the
82 state. Unexpended amounts remaining in the fund at the end of a
83 fiscal year shall not lapse into the State General Fund, and any
84 interest earned or investment earnings on amounts in the fund
85 shall be deposited into such fund. Monies in the fund shall be
86 disbursed, in the discretion of the Department of Finance and
87 Administration, to provide loans for the purposes described in
88 this section.

89 (4) The department shall have all powers necessary to
90 implement and administer the program established under this
91 section, and the department shall promulgate rules, in accordance
92 with the Mississippi Administrative Procedures Law, as necessary
93 for the implementation of this section.

94 **SECTION 2.** (1) As used in this section, the following words
95 shall have the meanings ascribed herein unless the context clearly
96 requires otherwise:

97 (a) "Accreted value" of any bond means, as of any date
98 of computation, an amount equal to the sum of (i) the stated
99 initial value of such bond, plus (ii) the interest accrued thereon
100 from the issue date to the date of computation at the rate,
101 compounded semiannually, that is necessary to produce the
102 approximate yield to maturity shown for bonds of the same
103 maturity.

104 (b) "State" means the State of Mississippi.



105 (c) "Commission" means the State Bond Commission.

106 (2) (a) The commission, at one time, or from time to time,
107 may declare by resolution the necessity for issuance of general
108 obligation bonds of the State of Mississippi to provide funds for
109 the loan program authorized in Section 1 of this act. Upon the
110 adoption of a resolution by the Department of Finance and
111 Administration, declaring the necessity for the issuance of any
112 part or all of the general obligation bonds authorized by this
113 subsection, the department shall deliver a certified copy of its
114 resolution or resolutions to the commission. Upon receipt of such
115 resolution, the commission, in its discretion, may act as the
116 issuing agent, prescribe the form of the bonds, determine the
117 appropriate method for sale of the bonds, advertise for and accept
118 bids or negotiate the sale of the bonds, issue and sell the bonds
119 so authorized to be sold and do any and all other things necessary
120 and advisable in connection with the issuance and sale of such
121 bonds. The total amount of bonds issued under this section shall
122 not exceed Ten Million Dollars (\$10,000,000.00).

123 (b) Any investment earnings on amounts deposited into
124 the special fund created in Section 1(3) of this act shall be used
125 to pay debt service on bonds issued under this section, in
126 accordance with the proceedings authorizing issuance of such
127 bonds.

128 (3) The principal of and interest on the bonds authorized
129 under this section shall be payable in the manner provided in this



130 subsection. Such bonds shall bear such date or dates, be in such
131 denomination or denominations, bear interest at such rate or rates
132 (not to exceed the limits set forth in Section 75-17-101,
133 Mississippi Code of 1972), be payable at such place or places
134 within or without the State of Mississippi, shall mature
135 absolutely at such time or times not to exceed twenty-five (25)
136 years from date of issue, be redeemable before maturity at such
137 time or times and upon such terms, with or without premium, shall
138 bear such registration privileges, and shall be substantially in
139 such form, all as shall be determined by resolution of the
140 commission.

141 (4) The bonds authorized by this section shall be signed by
142 the chairman of the commission, or by his facsimile signature, and
143 the official seal of the commission shall be affixed thereto,
144 attested by the secretary of the commission. The interest
145 coupons, if any, to be attached to such bonds may be executed by
146 the facsimile signatures of such officers. Whenever any such
147 bonds shall have been signed by the officials designated to sign
148 the bonds who were in office at the time of such signing but who
149 may have ceased to be such officers before the sale and delivery
150 of such bonds, or who may not have been in office on the date such
151 bonds may bear, the signatures of such officers upon such bonds
152 and coupons shall nevertheless be valid and sufficient for all
153 purposes and have the same effect as if the person so officially
154 signing such bonds had remained in office until their delivery to



155 the purchaser, or had been in office on the date such bonds may
156 bear. However, notwithstanding anything herein to the contrary,
157 such bonds may be issued as provided in the Registered Bond Act of
158 the State of Mississippi.

159 (5) All bonds and interest coupons issued under the
160 provisions of this section have all the qualities and incidents of
161 negotiable instruments under the provisions of the Uniform
162 Commercial Code, and in exercising the powers granted by this
163 section, the commission shall not be required to and need not
164 comply with the provisions of the Uniform Commercial Code.

165 (6) The commission shall act as the issuing agent for the
166 bonds authorized under this section, prescribe the form of the
167 bonds, determine the appropriate method for sale of the bonds,
168 advertise for and accept bids or negotiate the sale of the bonds,
169 issue and sell the bonds so authorized to be sold, pay all fees
170 and costs incurred in such issuance and sale, and do any and all
171 other things necessary and advisable in connection with the
172 issuance and sale of such bonds. The commission is authorized and
173 empowered to pay the costs that are incident to the sale, issuance
174 and delivery of the bonds authorized under this section from the
175 proceeds derived from the sale of such bonds. The commission may
176 sell such bonds on sealed bids at public sale or may negotiate the
177 sale of the bonds for such price as it may determine to be for the
178 best interest of the State of Mississippi. All interest accruing
179 on such bonds so issued shall be payable semiannually or annually.



180 If such bonds are sold by sealed bids at public sale, notice
181 of the sale of any such bonds shall be published at least one
182 time, not less than ten (10) days before the date of sale, and
183 shall be so published in one or more newspapers published or
184 having a general circulation in the City of Jackson, Mississippi,
185 to be selected by the commission.

186 The commission, when issuing any bonds under the authority of
187 this section, may provide that bonds, at the option of the State
188 of Mississippi, may be called in for payment and redemption at the
189 call price named therein and accrued interest on such date or
190 dates named therein.

191 (7) The bonds issued under the provisions of this section
192 are general obligations of the State of Mississippi, and for the
193 payment thereof the full faith and credit of the State of
194 Mississippi is irrevocably pledged. If the funds appropriated by
195 the Legislature are insufficient to pay the principal of and the
196 interest on such bonds as they become due, then the deficiency
197 shall be paid by the State Treasurer from any funds in the State
198 Treasury not otherwise appropriated. All such bonds shall contain
199 recitals on their faces substantially covering the provisions of
200 this subsection.

201 (8) Upon the issuance and sale of bonds under the provisions
202 of this section, the commission shall transfer the proceeds of any
203 such sale or sales to the special fund created in Section 1(3) of
204 this act. The proceeds of such bonds shall be disbursed solely



205 upon the order of the Department of Finance and Administration
206 under such restrictions, if any, as may be contained in the
207 resolution providing for the issuance of the bonds.

208 (9) The bonds authorized under this section may be issued
209 without any other proceedings or the happening of any other
210 conditions or things other than those proceedings, conditions and
211 things which are specified or required by this section. Any
212 resolution providing for the issuance of bonds under the
213 provisions of this section shall become effective immediately upon
214 its adoption by the commission, and any such resolution may be
215 adopted at any regular or special meeting of the commission by a
216 majority of its members.

217 (10) The bonds authorized under the authority of this
218 section may be validated in the Chancery Court of the First
219 Judicial District of Hinds County, Mississippi, in the manner and
220 with the force and effect provided by Chapter 13, Title 31,
221 Mississippi Code of 1972, for the validation of county, municipal,
222 school district and other bonds. The notice to taxpayers required
223 by such statutes shall be published in a newspaper published or
224 having a general circulation in the City of Jackson, Mississippi.

225 (11) Any holder of bonds issued under the provisions of this
226 section or of any of the interest coupons pertaining thereto may,
227 either at law or in equity, by suit, action, mandamus or other
228 proceeding, protect and enforce any and all rights granted under
229 this section, or under such resolution, and may enforce and compel



230 performance of all duties required by this section to be
231 performed, in order to provide for the payment of bonds and
232 interest thereon.

233 (12) All bonds issued under the provisions of this section
234 shall be legal investments for trustees and other fiduciaries, and
235 for savings banks, trust companies and insurance companies
236 organized under the laws of the State of Mississippi, and such
237 bonds shall be legal securities which may be deposited with and
238 shall be received by all public officers and bodies of this state
239 and all municipalities and political subdivisions for the purpose
240 of securing the deposit of public funds.

241 (13) Bonds issued under the provisions of this section and
242 income therefrom shall be exempt from all taxation in the State of
243 Mississippi.

244 (14) The proceeds of the bonds issued under this section
245 shall be used solely for the purposes herein provided, including
246 the costs incident to the issuance and sale of such bonds.

247 (15) The State Treasurer is authorized, without further
248 process of law, to certify to the Department of Finance and
249 Administration the necessity for warrants, and the Department of
250 Finance and Administration is authorized and directed to issue
251 such warrants, in such amounts as may be necessary to pay when due
252 the principal of, premium, if any, and interest on, or the
253 accreted value of, all bonds issued under this section; and the
254 State Treasurer shall forward the necessary amount to the



255 designated place or places of payment of such bonds in ample time
256 to discharge such bonds, or the interest thereon, on the due dates
257 thereof.

258 (16) This section shall be deemed to be full and complete
259 authority for the exercise of the powers herein granted, but this
260 section shall not be deemed to repeal or to be in derogation of
261 any existing law of this state.

262 **SECTION 3.** Section 19-3-79, Mississippi Code of 1972, is
263 amended as follows:

264 19-3-79. (1) Any person, corporation or other legal entity
265 required to obtain a state gaming license to conduct legal gaming
266 aboard a cruise vessel or vessel, as defined in Section 27-109-1,
267 as prescribed by the Mississippi Gaming Control Act shall, before
268 applying for such license, provide the Mississippi Gaming
269 Commission with a written notice of intent to apply for a license.
270 The "notice of intent to apply for a gaming license" shall be on a
271 form prescribed by the executive director of the commission and
272 shall state the county in which the intending licensee desires to
273 conduct legal gaming aboard a cruise vessel or vessel, as the case
274 may be. Within ten (10) days after receipt of a notice of intent
275 to apply for a gaming license, the commission shall require such
276 person, corporation or legal entity to publish the notice once
277 each week for three (3) consecutive weeks in a newspaper having
278 general circulation in the county in which the intending licensee



279 desires to conduct legal gaming aboard a cruise vessel or vessel,
280 as the case may be.

281 (2) If no petition as prescribed in subsection (3) of this
282 section is filed with the board of supervisors of the applicable
283 county within thirty (30) days after the date of the last
284 publication, the board of supervisors of such county shall adopt a
285 resolution stating that no petition was timely filed and that
286 legal gaming may henceforth be conducted aboard cruise vessels or
287 vessels, as the case may be, in such county.

288 (3) If a petition signed by twenty percent (20%) or fifteen
289 hundred (1500), whichever is less, of the registered voters of a
290 county in which a notice of intent to apply for a gaming license
291 is published is filed within thirty (30) days of the date of the
292 last publication with the circuit clerk of the applicable county,
293 the board of supervisors of such county shall authorize the
294 circuit clerk to hold an election on the proposition of allowing
295 legal gaming to be conducted aboard cruise vessels or vessels, as
296 the case may be, in the county on the date upon which such an
297 election may be conducted under subsection (7). The referendum
298 shall be advertised, held, conducted and the result thereof
299 canvassed in the manner provided by law for advertising, holding
300 and canvassing county elections.

301 (4) At such election, all qualified electors of such county
302 may vote. The ballots used at such election shall have printed
303 thereon a brief statement of the purpose of the election and the



304 words "FOR LEGAL GAMING ABOARD CRUISE VESSELS (OR VESSELS) IN THE
305 COUNTY AS PRESCRIBED BY LAW" and "AGAINST LEGAL GAMING ABOARD
306 CRUISE VESSELS (OR VESSELS) IN THE COUNTY AS PRESCRIBED BY LAW."
307 The voter shall vote by placing a cross (x) or check (✓) mark
308 opposite his choice on the proposition. If a majority of the
309 qualified electors who vote in such election shall vote in favor
310 of allowing legal gaming to be conducted aboard cruise vessels or
311 vessels, as the case may be, then legal gaming may henceforth be
312 conducted aboard cruise vessels or vessels, as the case may be, in
313 the county. If less than a majority of the qualified electors who
314 vote in such election shall vote in favor of allowing legal gaming
315 to be conducted aboard cruise vessels or vessels, as the case may
316 be, in the county, then gaming aboard cruise vessels or vessels,
317 as the case may be, shall be prohibited in the county until such
318 time as a subsequent election, held according to the restrictions
319 specified in subsection (7), may authorize such legal gaming.

320 (5) In any county in which no petition is timely filed after
321 a notice of intent to apply for a gaming license is published, or
322 in which an election is held on the proposition of allowing legal
323 gaming to be conducted aboard cruise vessels or vessels, as the
324 case may be, in the county and a majority of the qualified
325 electors who vote in such election vote in favor of allowing legal
326 gaming to be conducted aboard cruise vessels or vessels, as the
327 case may be, in the county, no election shall thereafter be held
328 in that county pursuant to this section on the proposition of



329 allowing legal gaming to be conducted aboard cruise vessels or
330 vessels, as the case may be, in that county.

331 (6) Notwithstanding any provision of this section or
332 Sections 97-33-1, 97-33-7, 97-33-17, 97-33-25 and 97-33-27 to the
333 contrary, if an election is held pursuant to this section which
334 causes the conducting of gaming aboard cruise vessels to be
335 prohibited in any county in which one or more cruise vessels were
336 operating out of a port in the county on the effective date of
337 this chapter, the prohibition on the conducting of gaming aboard
338 cruise vessels in that county shall not apply to the conducting of
339 legal gaming aboard any of those cruise vessels which were still
340 operating out of a port in that county at the time of the
341 election.

342 (7) If an election has been held on the issue of allowing
343 legal gaming to be conducted aboard cruise vessels or vessels, as
344 the case may be, in a county, and the authority to conduct such
345 legal gaming has been denied by the electors of such county, then
346 a subsequent election on such issue may not be held until:

347 (a) The date of the next succeeding general election in
348 which the election for President of the United States occurs; or

349 (b) In the case in which the authority to conduct such
350 legal gaming has been denied by the electors of such county at
351 elections on three (3) different occasions, whether those
352 occasions be successive or not, the date of the next succeeding
353 general election occurring at least eight (8) years after the last



354 of the three (3) occasions on which the electors denied the
355 authority to conduct such legal gaming.

356 (8) The provisions of this section shall not apply to a
357 person, corporation or other legal entity applying for a license
358 for a gaming establishment that is part of a project as defined in
359 Section 1 of this act.

360 **SECTION 4.** Section 87-1-5, Mississippi Code of 1972, is
361 amended as follows:

362 87-1-5. If any person, by playing at any game whatever, or
363 by betting on the sides or hands of such as do play at any game,
364 or by betting on any horse race or cockfight, or at any other
365 sport or pastime, or by any wager whatever, shall lose any money,
366 property, or other valuable thing, real or personal, and shall pay
367 or deliver the same or any part thereof, the person so losing and
368 paying or delivering the same, or his wife or children, may sue
369 for and recover such money, property, or other valuable thing so
370 lost and paid or delivered, or any part thereof, from the person
371 knowingly receiving the same, with costs. However, this section
372 shall not apply to betting, gaming or wagering:

373 (a) On a cruise vessel as defined in Section 27-109-1
374 whenever such vessel is in the waters within the State of
375 Mississippi, which lie adjacent to the State of Mississippi south
376 of the three (3) most southern counties in the State of
377 Mississippi, including the Mississippi Sound, St. Louis Bay,
378 Biloxi Bay and Pascagoula Bay;



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

384 (i) The structure is owned, leased or controlled
385 by a person possessing a gaming license, as defined in Section
386 75-76-5, to conduct legal gaming on a cruise vessel under
387 paragraph (a) of this section;

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

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



404 structure is located consists of a parcel of real property,
405 easements and rights-of-way for public streets and highways shall
406 not be construed to interrupt the contiguous nature of the parcel,
407 nor shall the footage contained within the easements and
408 rights-of-way be counted in the calculation of the distances
409 specified in subparagraph (ii) * * *;

410 (c) On a vessel as defined in Section 27-109-1 whenever
411 such vessel is on the Mississippi River or navigable waters within
412 any county bordering on the Mississippi River;

413 (d) In a licensed gaming establishment that is part of
414 a project as defined in Section 1 of this act; or

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

417 **SECTION 5.** Section 97-33-1, Mississippi Code of 1972, is
418 amended as follows:

419 97-33-1. Except as otherwise provided in Section 97-33-8, if
420 any person shall encourage, promote or play at any game, play or
421 amusement, other than a fight or fighting match between dogs, for
422 money or other valuable thing, or shall wager or bet, promote or
423 encourage the wagering or betting of any money or other valuable
424 things, upon any game, play, amusement, cockfight, Indian ball
425 play or duel, other than a fight or fighting match between dogs,
426 or upon the result of any election, event or contingency whatever,
427 upon conviction thereof, he shall be fined in a sum not more than
428 Five Hundred Dollars (\$500.00); and, unless such fine and costs be



429 immediately paid, shall be imprisoned for any period not more than
430 ninety (90) days. However, this section shall not apply to
431 betting, gaming or wagering:

432 (a) On a cruise vessel as defined in Section 27-109-1
433 whenever such vessel is in the waters within the State of
434 Mississippi, which lie adjacent to the State of Mississippi south
435 of the three (3) most southern counties in the State of
436 Mississippi, including the Mississippi Sound, St. Louis Bay,
437 Biloxi Bay and Pascagoula Bay, and in which the registered voters
438 of the county in which the port is located have not voted to
439 prohibit such betting, gaming or wagering on cruise vessels as
440 provided in Section 19-3-79;

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

446 (i) The structure is owned, leased or controlled
447 by a person possessing a gaming license, as defined in Section
448 75-76-5, to conduct legal gaming on a cruise vessel under
449 paragraph (a) of this section;

450 (ii) The part of the structure in which licensed
451 gaming activities are conducted is located entirely in an area
452 which is located no more than eight hundred (800) feet from the
453 mean high-water line (as defined in Section 29-15-1) of the waters



454 within the State of Mississippi, which lie adjacent to the State
455 of Mississippi south of the three (3) most southern counties in
456 the State of Mississippi, including the Mississippi Sound, St.
457 Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to
458 Harrison County only, no farther north than the southern boundary
459 of the right-of-way for U.S. Highway 90, whichever is greater; and

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

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



478 (d) In a licensed gaming establishment that is part of
479 a project as defined in Section 1 of this act; or

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

482 **SECTION 6.** Section 97-33-7, Mississippi Code of 1972, is
483 amended as follows:

484 97-33-7. (1) Except as otherwise provided in Section
485 97-33-8, it shall be unlawful for any person or persons, firm,
486 copartnership or corporation to have in possession, own, control,
487 display, or operate any cane rack, knife rack, artful dodger,
488 punch board, roll down, merchandise wheel, slot machine, pinball
489 machine, or similar device or devices. Provided, however, that
490 this section shall not be so construed as to make unlawful the
491 ownership, possession, control, display or operation of any
492 antique coin machine as defined in Section 27-27-12, or any music
493 machine or bona fide automatic vending machine where the purchaser
494 receives exactly the same quantity of merchandise on each
495 operation of said machine. Any slot machine other than an antique
496 coin machine as defined in Section 27-27-12 which delivers, or is
497 so constructed as that by operation thereof it will deliver to the
498 operator thereof anything of value in varying quantities, in
499 addition to the merchandise received, and any slot machine other
500 than an antique coin machine as defined in Section 27-27-12 that
501 is constructed in such manner as that slugs, tokens, coins or
502 similar devices are, or may be, used and delivered to the operator



503 thereof in addition to merchandise of any sort contained in such
504 machine, is hereby declared to be a gambling device, and shall be
505 deemed unlawful under the provisions of this section. Provided,
506 however, that pinball machines which do not return to the operator
507 or player thereof anything but free additional games or plays
508 shall not be deemed to be gambling devices, and neither this
509 section nor any other law shall be construed to prohibit same.

510 (2) No property right shall exist in any person, natural or
511 artificial, or be vested in such person, in any or all of the
512 devices described herein that are not exempted from the provisions
513 of this section; and all such devices are hereby declared to be at
514 all times subject to confiscation and destruction, and their
515 possession shall be unlawful, except when in the possession of
516 officers carrying out the provisions of this section. It shall be
517 the duty of all law enforcing officers to seize and immediately
518 destroy all such machines and devices.

519 (3) A first violation of the provisions of this section
520 shall be deemed a misdemeanor, and the party offending shall, upon
521 conviction, be fined in any sum not exceeding Five Hundred Dollars
522 (\$500.00), or imprisoned not exceeding three (3) months, or both,
523 in the discretion of the court. In the event of a second
524 conviction for a violation of any of the provisions of this
525 section, the party offending shall be subject to a sentence of not
526 less than six (6) months in the county jail, nor more than two (2)



527 years in the State Penitentiary, in the discretion of the trial
528 court.

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

534 (a) On a cruise vessel as defined in Section 27-109-1
535 whenever such vessel is in the waters within the State of
536 Mississippi, which lie adjacent to the State of Mississippi south
537 of the three (3) most southern counties in the State of
538 Mississippi, including the Mississippi Sound, St. Louis Bay,
539 Biloxi Bay and Pascagoula Bay, and in which the registered voters
540 of the county in which the port is located have not voted to
541 prohibit such betting, gaming or wagering on cruise vessels as
542 provided in Section 19-3-79;

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

548 (i) The structure is owned, leased or controlled
549 by a person possessing a gaming license, as defined in Section
550 75-76-5, to conduct legal gaming on a cruise vessel under
551 paragraph (a) of this subsection;



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

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

574 (c) On a vessel as defined in Section 27-109-1 whenever
575 such vessel is on the Mississippi River or navigable waters within
576 any county bordering on the Mississippi River, and in which the



577 registered voters of the county in which the port is located have
578 not voted to prohibit such betting, gaming or wagering on vessels
579 as provided in Section 19-3-79;

580 (d) In a licensed gaming establishment that is part of
581 a project as defined in Section 1 of this act; or

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

584 (5) Notwithstanding any provision of this section to the
585 contrary, it shall not be unlawful (a) to own, possess, repair or
586 control any gambling device, machine or equipment in a licensed
587 gaming establishment or on the business premises appurtenant to
588 any such licensed gaming establishment during any period of time
589 in which such licensed gaming establishment is being constructed,
590 repaired, maintained or operated in this state; (b) to install any
591 gambling device, machine or equipment in any licensed gaming
592 establishment; (c) to possess or control any gambling device,
593 machine or equipment during the process of procuring or
594 transporting such device, machine or equipment for installation on
595 any such licensed gaming establishment; or (d) to store in a
596 warehouse or other storage facility any gambling device, machine,
597 equipment, or part thereof, regardless of whether the county or
598 municipality in which the warehouse or storage facility is located
599 has approved gaming aboard cruise vessels or vessels, provided
600 that such device, machine or equipment is operated only in a
601 county or municipality that has approved gaming aboard cruise



602 vessels or vessels. Any gambling device, machine or equipment
603 that is owned, possessed, controlled, installed, procured,
604 repaired, transported or stored in accordance with this subsection
605 shall not be subject to confiscation, seizure or destruction, and
606 any person, firm, partnership or corporation which owns,
607 possesses, controls, installs, procures, repairs, transports or
608 stores any gambling device, machine or equipment in accordance
609 with this subsection shall not be subject to any prosecution or
610 penalty under this section. Any person constructing or repairing
611 such cruise vessels or vessels within a municipality shall comply
612 with all municipal ordinances protecting the general health or
613 safety of the residents of the municipality.

614 **SECTION 7.** Section 97-33-17, Mississippi Code of 1972, is
615 amended as follows:

616 97-33-17. (1) All monies exhibited for the purpose of
617 betting or alluring persons to bet at any game, and all monies
618 staked or betted, shall be liable to seizure by any sheriff,
619 constable, or police officer, together with all the appliances
620 used or kept for use in gambling, or by any other person; and all
621 the monies so seized shall be accounted for by the person making
622 the seizure, and all appliances seized shall be destroyed;
623 provided, however, this section shall not apply to betting, gaming
624 or wagering on:

625 (a) A cruise vessel as defined in Section 27-109-1
626 whenever such vessel is in the waters within the State of



627 Mississippi, which lie adjacent to the State of Mississippi south
628 of the three (3) most southern counties in the State of
629 Mississippi, including the Mississippi Sound, St. Louis Bay,
630 Biloxi Bay and Pascagoula Bay, and in which the registered voters
631 of the county in which the port is located have not voted to
632 prohibit such betting, gaming or wagering on cruise vessels as
633 provided in Section 19-3-79;

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

639 (i) The structure is owned, leased or controlled
640 by a person possessing a gaming license, as defined in Section
641 75-76-5, to conduct legal gaming on a cruise vessel under
642 paragraph (a) of this subsection;

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



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

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

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

671 (d) In a licensed gaming establishment that is part of
672 a project as defined in Section 1 of this act; or

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



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

679 **SECTION 8.** Section 97-33-25, Mississippi Code of 1972, is
680 amended as follows:

681 97-33-25. If any person shall sell or buy, either directly
682 or indirectly, any chance in what is commonly called pool, upon
683 any event whatever, or shall in any manner engage in such business
684 or pastime, he shall be fined not more than Five Hundred Dollars
685 (\$500.00) or shall be imprisoned in the county jail not more than
686 ninety (90) days; provided, however, this section shall not apply
687 to betting, gaming or wagering:

688 (a) On a cruise vessel as defined in Section 27-109-1
689 whenever such vessel is in the waters within the State of
690 Mississippi, which lie adjacent to the State of Mississippi south
691 of the three (3) most southern counties in the State of
692 Mississippi, including the Mississippi Sound, St. Louis Bay,
693 Biloxi Bay and Pascagoula Bay, and in which the registered voters
694 of the county in which the port is located have not voted to
695 prohibit such betting, gaming or wagering on cruise vessels as
696 provided in Section 19-3-79;

697 (b) In a structure located in whole or in part on shore
698 in any of the three (3) most southern counties in the State of
699 Mississippi in which the registered voters of the county have



700 voted to allow such betting, gaming or wagering on cruise vessels
701 as provided in Section 19-3-79, if:

702 (i) The structure is owned, leased or controlled
703 by a person possessing a gaming license, as defined in Section
704 75-76-5, to conduct legal gaming on a cruise vessel under
705 paragraph (a) of this section;

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

716 (iii) In the case of a structure that is located
717 in whole or part on shore, the part of the structure in which
718 licensed gaming activities are conducted shall lie adjacent to
719 state waters south of the three (3) most southern counties in the
720 State of Mississippi, including the Mississippi Sound, St. Louis
721 Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the
722 structure is located consists of a parcel of real property,
723 easements and rights-of-way for public streets and highways shall
724 not be construed to interrupt the contiguous nature of the parcel,



725 nor shall the footage contained within the easements and
726 rights-of-way be counted in the calculation of the distances
727 specified in subparagraph (ii) * * *;

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

734 (d) In a licensed gaming establishment that is part of
735 a project as defined in Section 1 of this act; or

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

738 **SECTION 9.** Section 97-33-27, Mississippi Code of 1972, is
739 amended as follows:

740 97-33-27. If any person shall bet on a horse race or a yacht
741 race or on a shooting match, he shall be fined not more than Five
742 Hundred Dollars (\$500.00), and, unless the fine and costs be
743 immediately paid, he shall be imprisoned in the county jail not
744 more than ninety (90) days; provided, however, this section shall
745 not apply to betting, gaming or wagering:

746 (a) On a cruise vessel as defined in Section 27-109-1
747 whenever such vessel is in the waters within the State of
748 Mississippi, which lie adjacent to the State of Mississippi south
749 of the three (3) most southern counties in the State of



750 Mississippi, including the Mississippi Sound, St. Louis Bay,
751 Biloxi Bay and Pascagoula Bay, and in which the registered voters
752 of the county in which the port is located have not voted to
753 prohibit such betting, gaming or wagering on cruise vessels as
754 provided in Section 19-3-79;

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

760 (i) The structure is owned, leased or controlled
761 by a person possessing a gaming license, as defined in Section
762 75-76-5, to conduct legal gaming on a cruise vessel under
763 paragraph (a) of this section;

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



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

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

792 (d) In a licensed gaming establishment that is part of
793 a project as defined in Section 1 of this act; or

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

796 **SECTION 10.** Section 27-109-1, Mississippi Code of 1972, is
797 brought forward as follows:



798 27-109-1. (1) The provisions of this chapter shall be
799 administered by the State Tax Commission, which shall administer
800 them for the protection of the public and in the public interest
801 in accordance with the policy of this state.

802 (2) (a) The operator of any cruise vessel or vessel
803 operating within the territorial jurisdiction of the State of
804 Mississippi shall be required to apply for and obtain a privilege
805 license from the State Tax Commission.

806 (b) For purposes of this chapter, the operator of any
807 cruise vessel or vessel shall be identified as any owner or lessee
808 which is vested with the authority and responsibility to manage
809 daily operations of any such cruise vessel or vessel.

810 (c) (i) For purposes of this chapter, the term "cruise
811 vessel" shall mean a vessel which complies with all United States
812 Coast Guard regulations, having a minimum overall length of one
813 hundred fifty (150) feet and a minimum draft of six (6) feet and
814 which is certified to carry at least two hundred (200) passengers;
815 and the term "vessel" shall mean a vessel having a minimum overall
816 length of one hundred fifty (150) feet. The term "vessel" shall
817 also mean a "cruise vessel" as referred to in Section 27-109-11.
818 For the purposes of a "vessel" as that term is defined in this
819 section, "navigable waters" means any rivers, creeks, bayous or
820 other bodies of water within any county in this state bordering on
821 the Mississippi River that are used or susceptible of being used
822 as an artery of commerce and which either in their natural or



823 improved condition are used or suitable for use as an artery of
824 commerce or are used for the docking or mooring of a vessel,
825 notwithstanding interruptions between the navigable parts of such
826 rivers, creeks, bayous or other bodies of water by falls,
827 shallows, or rapids compelling land carriage. The term "cruise
828 vessel" or "vessel" also includes a structure as described in
829 Section 97-33-1(b).

830 (ii) For purposes of this subparagraph, the
831 definitions of the words "person" and "gaming license" shall have
832 the meanings ascribed to those words and terms in Section 75-76-5.
833 After July 1, 2005, any person possessing a valid gaming license
834 to conduct legal gaming on a cruise vessel or vessel may construct
835 permanent structures upon which to place the vessel or cruise
836 vessel where the licensee has received approval to offer legal
837 gaming. Such permanent structures shall be included within the
838 meanings of the terms "cruise vessel" and "vessel" under
839 subparagraph (i). In the event that such a gaming licensee
840 constructs permanent structures under this subparagraph, the
841 requirement that a cruise vessel have a minimum draft of six (6)
842 feet shall not apply. This subparagraph shall not authorize any
843 form of inland gaming or the conducting of legal gaming on a
844 vessel or cruise vessel which is not on, in or above water, as
845 contemplated under subparagraph (i) and Section 97-33-1.

846 (3) The commission and its agents may:



847 (a) Inspect and examine all premises on the cruise
848 vessel.

849 (b) Inspect all equipment and supplies in, upon or
850 about such premises.

851 (c) Summarily seize and remove from such premises and
852 impound any equipment or supplies for the purpose of examination
853 and inspection.

854 (d) Demand access to and inspect, examine, photocopy
855 and audit all papers, books and records of applicants and
856 licensees, on their premises, or elsewhere as practicable, and in
857 the presence of the licensee or his agent, respecting all matters
858 affecting the enforcement of the policy or any of the provisions
859 of this chapter.

860 (4) For the purpose of conducting audits after the cessation
861 of operations by a licensee, the former licensee shall furnish,
862 upon demand of an agent of the commission, books, papers and
863 records as necessary to conduct the audits. The former licensee
864 shall maintain all books, papers and records necessary for audits
865 for a period of one (1) year after the date of the surrender or
866 revocation of his privilege license. If the former licensee seeks
867 judicial review of a deficiency determination or files a petition
868 for a redetermination, he must maintain all books, papers and
869 records until a final order is entered on the determination.

870 (5) The commission may investigate, for the purpose of
871 prosecution, any suspected criminal violation of the provisions of



872 this chapter. For the purpose of the administration and
873 enforcement of this chapter, the commission and the executive,
874 supervisory and investigative personnel of the commission have the
875 powers of a peace officer of this state.

876 (6) The commission, or any of its members, has full power
877 and authority to issue subpoenas and compel the attendance of
878 witnesses at any place within this state, to administer oaths and
879 to require testimony under oath. Any process or notice may be
880 served in the manner provided for service of process and notices
881 in civil actions. The commission may pay such transportation and
882 other expense of witnesses as it may deem reasonable and proper.
883 Any person making false oath in any matter before the commission
884 is guilty of perjury. The commission, or any member thereof, may
885 appoint hearing examiners who may administer oaths and receive
886 evidence and testimony under oath.

887 **SECTION 11.** Section 95-3-25, Mississippi Code of 1972, is
888 brought forward as follows:

889 95-3-25. Any building, club, vessel, boat, place or room,
890 wherein is kept or exhibited any game or gaming table, commonly
891 called A.B.C. or E.O. roulette, or rowley-powley, or rouquetnoir,
892 roredo, keno, monte, or any faro-bank, dice, or other game, gaming
893 table, or bank of the same or like kind, or any other kind or
894 description of gambling device under any other name whatever, and
895 any such place where information is furnished for the purpose of
896 making and settling bets or wagers on any horse race, prize fight,



897 or on the outcome of any like event, or where bets or wagers are
898 arranged for, made or settled, shall be deemed to be a common
899 nuisance and may be abated by writ of injunction, issued out of a
900 court of equity upon a bill filed in the name of the state by the
901 Attorney General, or any district or county attorney, whose duty
902 requires him to prosecute criminal cases on behalf of the state in
903 the county where the nuisance is maintained, or by any citizen or
904 citizens of such county, such bill to be filed in the county in
905 which the nuisance exists. And all rules of evidence and of
906 practice and procedure that pertain to courts of equity generally
907 in this state may be invoked and applied in any injunction
908 procedure hereunder. The provisions of this section shall not
909 apply to any form of gaming or gambling that is legal under the
910 laws of the State of Mississippi or to a licensed gaming
911 establishment and shall not apply to any licensed gaming
912 establishment having on its premises any gambling device, machine
913 or equipment that is owned, possessed, controlled, installed,
914 procured, repaired or transported in accordance with subsection
915 (4) of Section 97-33-7.

916 Upon the abatement of any such nuisance, any person found to
917 be the owner, operator or exhibitor of any gambling device
918 described in the first paragraph of this section may be required
919 by the court to enter into a good and sufficient bond in such
920 amount as may be deemed proper by the court, to be conditioned
921 that the obligor therein will not violate any of the laws of



922 Mississippi pertaining to gaming or gambling for a period of not
923 to exceed two (2) years from the date thereof. The failure to
924 make such bond shall be a contempt of court and for such contempt
925 the person or party shall be confined in the county jail until
926 such bond is made, but not longer than two (2) years. Said bond
927 shall be approved by the clerk of the court where the proceedings
928 were had and shall be filed as a part of the record of such case.

929 **SECTION 12.** This act shall take effect and be in force from
930 and after July 1, 2024.

