

3/8 2:36p

Chapter No. 327
13/SS26/R999
CRh 1/7B/11B

SENATE BILL NO. 2499

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2499

AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN COURSES RELATED TO EMPLOYMENT IN THE GAMING INDUSTRY MAY BE OFFERED AT STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC COMMUNITY COLLEGES, ONLY IN THOSE COUNTIES WHERE GAMING IS LEGALLY BEING CONDUCTED AND THE PARTICULAR INSTITUTION OR COLLEGE OFFERING SUCH COURSES IS LOCATED; TO PROVIDE THAT STATE INSTITUTIONS OF HIGHER LEARNING AND PUBLIC COMMUNITY COLLEGES OFFERING SUCH COURSES SHALL NOT BE SUBJECT TO REGULATION BY THE MISSISSIPPI GAMING COMMISSION; TO AMEND SECTIONS 75-76-55, 37-101-13, 37-29-1 AND 37-29-63, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

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

75-76-34. (1) Except as otherwise provided in this section, the Mississippi Gaming Commission is authorized to regulate all schools or training institutions that teach or train gaming employees. * * * No such school shall be located on publicly owned property, * * * other than property under the jurisdiction of the Board of Trustees of State Institutions of Higher Learning or a public community college. Except as authorized under this

section, no public school shall teach or train persons to be gaming employees. The gaming educational activities of schools or training institutions regulated by the commission and of state institutions of higher learning and public community colleges shall be deemed to be legal under the laws of the State of Mississippi. Any person desiring to operate a school or training institution other than a state institution of higher learning or public community college must file a license application with the executive director to be licensed by the commission.

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

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

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

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

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

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

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

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

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

(i) Requiring that all employees and students of the school or training institution be at least twenty-one (21) years of age.

(j) Requiring all employees and students of the school or training institution to wear identification cards issued by the

commission while on the premises of the school or training institution.

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

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

(ii) Is a fugitive from justice;

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

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

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

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

(3) State institutions of higher learning and community colleges may offer credited courses specifically relating to gaming management, including, but not limited to, courses that provide instruction in accounting, hospitality, marketing, auditing, finance, procurement, security and regulatory requirements in fulfillment of a degree in general business management, hotel and motel management, food and beverage

management, gaming management, accounting or criminal justice.
State institutions of higher learning and community colleges are
not subject to regulation by the commission for the purposes of
this subsection. The courses authorized by this subsection may be
offered only in those counties where gaming is legally being
conducted and where the institution is located.

(4) State institutions of higher learning and public
community colleges may offer courses related to casino hospitality
services, cage and count operations, and slot machine maintenance.
Slot machine maintenance training may be performed only on
equipment approved by the commission for training purposes only.
State institutions of higher learning and public community
colleges are not subject to regulation by the commission for the
purposes of this subsection. The courses authorized by this
subsection may be offered only in those counties where gaming is
legally being conducted and where the institution or community
college is located.

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

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

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

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

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

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

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

37-101-13. It shall be the duty of the Board of Trustees of State Institutions of Higher Learning and the boards of trustees of the community colleges to begin immediately a comprehensive * * * study of * * * gaming and related

programs * * *, degrees and courses offered. Following the completion of such study, the board shall make such adjustments as may be found to be necessary in the programs of the various institutions, to the end that the broadest possible educational opportunities shall be offered to the citizens of this state without inefficient and needless duplication. Subject to the provisions of Section 75-76-34, the board shall, through such officers of the board and through such procedures as it shall see fit to establish, exercise continuing jurisdiction and control over the establishment of new courses of study, new departments and new functions and activities in each institution so that the growth and development of the program of higher education in the state shall proceed in an orderly and rational manner, inefficient and needless duplication may be avoided, and new expanded programs will be undertaken only as the same may become justified, based upon objective criteria to be established by the board. In carrying out the purposes of this section, particular attention shall be given to the extension programs of the various institutions. The * * * boards, in conjunction with the chancellor and presidents of the institutions * * *, shall take such steps as may be necessary to improve and coordinate such programs and shall exercise such direct control over the establishment, organization, operation and granting of credit for such programs as may be necessary to accomplish such purposes.

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

37-29-1. (1) The creation, establishment, maintenance and operation of community * * * colleges is authorized. Community * * * colleges may admit students if they have earned one (1) unit less than the number of units required for high school graduation established by State Board of Education policy or have earned a General Education Diploma (GED) in courses correlated to those of senior colleges or professional schools. Subject to the provisions of Section 75-76-34, they shall offer, without limitation, education and training preparatory for occupations such as agriculture, industry of all kinds, business, homemaking and for other occupations on the semiprofessional and vocational-technical level. They may offer courses and services to students regardless of their previous educational attainment or further academic plans.

(2) The boards of trustees of the community * * * college districts are authorized to establish an early admission program under which applicants having a minimum ACT composite score of twenty-six (26) or the equivalent SAT score may be admitted as full-time college students if the principal or guidance counselor of the student recommends in writing that it is in the best educational interest of the student. Such recommendation shall also state that the student's age will not keep him from being a successful full-time college student. Students admitted in the

early admission program shall not be counted for adequate education program funding purposes in the average daily attendance of the school district in which they reside, and transportation required by a student to participate in the early admission program shall be the responsibility of the parents or legal guardians of the student. Grades and college credits earned by students admitted to the early admission program shall be recorded on the college transcript at the community * * * college where the student attends classes, and may be released to another institution or used for college graduation requirements only after the student has successfully completed one (1) full semester of course work.

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

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

37-29-63. (1) The president of any community * * * college, or such other person designated or authorized by the board of trustees, shall have the power to recommend to the board of trustees all teachers to be employed in the district.

(2) The president may remove or suspend any member of the faculty subject to the approval of the trustees. He shall be the

general manager of all fiscal and administrative affairs of the district with full authority to select, direct, employ and discharge any and all employees other than teachers; however, the board may make provisions and establish policies for leave for faculty members and other key personnel.

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

SECTION 6. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE SENATE

February 7, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES

February 28, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

2:36 pm
3/8/13