

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-1

§ 27-115-1. Alyce G. Clarke Mississippi Lottery Law

Effective: September 1, 2018

[Currentness](#)

This chapter shall be referred to as the “Alyce G. Clarke Mississippi Lottery Law.”

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 1, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-1, MS ST § 27-115-1

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-3

§ 27-115-3. Accountability of Mississippi Lottery Corporation

Effective: September 1, 2018

[Currentness](#)

The Legislature recognizes that the operations of a state lottery are unique activities for state government and that a corporate structure will best enable the lottery to be managed in an entrepreneurial and business-like manner. It is the intent of the Legislature that the Mississippi Lottery Corporation shall be accountable to the Governor, the Legislature, and the people of the state through a system of audits, reports, and disclosures as required by this chapter.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 2, eff. [Sept. 1, 2018](#).


Miss. Code Ann. § 27-115-3, MS ST § 27-115-3

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[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-5

§ 27-115-5. Definitions

Effective: September 1, 2018

[Currentness](#)

As used in this chapter, the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

- (a) “Corporation” means the Mississippi Lottery Corporation.
- (b) “Lottery” means any game of chance approved by the corporation and operated pursuant to this chapter, which utilizes the sale of paper tickets for various intrastate and multistate or multisoovereign lottery games (such as Pick-3, Pick-4, Mega Millions, Powerball), and “instant tickets” as defined, but specifically excluding any form of “video lottery” or use of “video lottery terminal” as defined.
- (c) “Major procurement” means any item, product or service in the amount of One Million Dollars (\$1,000,000.00) or more, including, but not limited to, major advertising contracts, annuity contracts, prizes, products, and services unique to the Mississippi lottery.
- (d) “Net proceeds” means gross lottery revenues minus amounts paid as prizes and expenses of operation of the lottery.
- (e) “Person” means any individual, corporation, partnership, unincorporated association or other legal entity.
- (f) “President” means the President of the Mississippi Lottery Corporation, who shall also serve as chief executive officer of the corporation.
- (g) “Retailer” means any person with whom the corporation has contracted to sell lottery tickets to the public.
- (h) “Security” means the protection of information that would provide an unfair advantage to any individual involved in the operation of the lottery, protection and preservation of the integrity of lottery games and operations, as well as measures taken to prevent crimes against the corporation and its retailers.
- (i) “Vendor” means any person who has entered into a contract with the corporation.

(j) “Fiscal year” means the fiscal year used by the State of Mississippi government.

(k) “Board” means the Mississippi Lottery Corporation Board of Directors.

(l) “Instant ticket” means a lottery game in which a player scratches a coating from one or more play areas on a ticket to determine if he or she has won, as indicated by the symbols and words that are revealed.

(m) “Video lottery” and “video lottery terminal” means any electronic interactive computerized game machine or device equipped with a video screen and buttons, keys, a keyboard, touchscreen or other input device allowing input by an individual player and into which the player inserts coins, tokens, currency or other representation of value (including, but not limited to, an electronic card, ticket or other thing on which value is recorded electronically) as consideration in order for play of a game to be available, and through which, as a result of the play of a game, the player may receive free games, credits redeemable for cash or a noncash prize, or some other thing of value, whether or not received directly from the device, or nothing, determined wholly or predominantly by chance.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 3, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-5, MS ST § 27-115-5

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-7

§ 27-115-7. Administration of state lottery

Effective: September 1, 2018

[Currentness](#)

(1) There is hereby created a state lottery, which shall be administered by a corporation which shall be known as the “Mississippi Lottery Corporation.” The corporation shall be managed in such a manner that enables the people of the state to benefit from its profits and to ensure the integrity of the lottery.

(2) The existence of the corporation, which shall be domiciled in the State of Mississippi, shall begin upon the appointment of all five (5) members of the board as provided in [Section 27-115-9](#).

(3) The exclusive venue for any action or matter against the corporation arising out of or in connection with the issuance, nonissuance, delivery or failure to deliver a lottery ticket or payment or nonpayment of a lottery prize is the county in which its corporate headquarters is located, and the circuit court for that county has exclusive jurisdiction thereof. For purposes of court costs, the corporation shall be a private corporation.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 4, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-7, MS ST § 27-115-7

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-9

§ 27-115-9. Administration of the affairs of the Mississippi Lottery Corporation

Effective: September 1, 2018

[Currentness](#)

(1) The affairs of the corporation shall be administered by the Mississippi Lottery Corporation Board of Directors. The board shall be composed of five (5) members appointed by the Governor, with the advice and consent of the Senate. The Commissioner of Revenue and the State Treasurer shall serve as ex officio, nonvoting members. Members appointed when the Senate is not in session shall serve only until the end of the next regular session, unless confirmed by the Senate.

(2)(a) Members of the board shall be residents of the State of Mississippi, and the Governor shall take into account the goals of geographic, racial, gender and other categories of diversity when nominating board members.

(b) Of the initial appointees, the members' terms shall be staggered as follows: one (1) term to expire on December 31, 2019; December 31, 2020; December 31, 2021; December 31, 2022; and December 31, 2023. After the expiration of the initial terms, members of the board shall serve terms of five (5) years.

(c) Members may serve beyond the end of their respective terms until their successors have been appointed and qualified. No member shall serve more than two (2) consecutive five-year terms. Members may be removed by the Governor for neglect of duty, misfeasance or nonfeasance in office. The board shall annually elect a chairman from among its voting members.

(3) Appointed members of the board shall be entitled to per diem compensation pursuant to [Section 25-3-69](#) paid by the corporation and shall be reimbursed by the corporation for necessary travel and other reasonable expenses incurred in the performance of their official duties. No appointed member of the board shall be considered a public officer.

(4) The board, upon the initial call of the Governor and the chairman thereafter, shall meet at least monthly for the first eighteen (18) months and at such other times as the chairman may determine. Three (3) voting members of the board shall constitute a quorum. The board shall also meet upon call of three (3) or more of the voting members of the board. The board shall keep accurate and complete records of all its meetings.

(5) All meetings of the board shall be subject to the Open Meetings Act in [Section 25-41-1 et seq.](#)

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 5, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-9, MS ST § 27-115-9

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-11

§ 27-115-11. Appointment of president of the Mississippi Lottery Corporation

Effective: September 1, 2018

[Currentness](#)

(1) The president of the corporation shall be appointed by the board subject to the approval of the Governor. The Governor shall, within thirty (30) days after receiving the nomination of the president in writing, either approve or reject the nomination. Failure to take either action within the required time shall constitute approval by the Governor. If the Governor rejects the nomination of the president, then the board shall submit a different nominee to the Governor. The president shall manage the daily affairs of the corporation and shall have such powers and duties as specified by this chapter, by the board, and any rules or regulations adopted by the board. The president shall not be a member of the board. The president shall serve at the will and pleasure of the board.

(2) The president shall employ such personnel as he or she deems necessary. All personnel shall serve at the will and pleasure of the president, unless otherwise specified by the president.

(3) The board shall set the salary of the president.

(4) No employee shall be a member of the board.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 6, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-11, MS ST § 27-115-11

The Statutes and Constitution are current through the 2019 Regular Session.



West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-13

§ 27-115-13. Inspection of records

Effective: September 1, 2018

[Currentness](#)

(1) Except as provided under [Section 27-115-23](#), all records of the corporation shall be deemed public records and subject to public inspection as provided by [Section 25-61-1 et seq.](#) unless:

- (a) The record relates to or was provided by a confidential source or informant and relates to lottery security, applicant, vendor, or retailer qualifications or conduct;
- (b) The record involves a trade secret of the corporation or of a vendor;
- (c) The disclosure of the record would endanger the security of the lottery or its retailers; or
- (d) The record is covered by another exemption under federal or state law.

(2) Records pertaining to the security of lottery operations, whether current or proposed, the security director, and the division handling security shall be deemed to be records containing security procedures, investigative techniques, or internal security information.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 7, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-13, MS ST § 27-115-13

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-15

§ 27-115-15. Duties of the board pertaining to the president; publication of policies adopted by board

Effective: September 1, 2018

[Currentness](#)

(1) The board shall provide the president with private sector perspectives on the operation of a business, large marketing enterprise, and the like. The board shall:

- (a) Approve, disapprove, amend or modify the budget recommended by the president for the operation of the corporation.
- (b) Approve, disapprove, amend or modify the terms of major procurements recommended by the president.
- (c) Serve as a board of appeals for any denial, revocation or cancellation by the president of a contract with a lottery retailer.
- (d) Adopt such administrative rules and regulations as may be necessary to carry out and implement its powers and duties, the operations of the corporation, the conduct of lottery games in general and any other matters necessary or desirable for the efficient and effective operation of the lottery or convenience of the public.


(2) Any policies adopted by authority of this section or any other section of this chapter must be published and posted on the corporation's website thirty (30) days prior to becoming effective.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 8, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-15, MS ST § 27-115-15

The Statutes and Constitution are current through the 2019 Regular Session.

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[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-17

§ 27-115-17. Prohibition of video lottery terminals; adoption of administrative rules and regulations; advice and recommendations of board; application of act

Effective: September 1, 2018

[Currentness](#)

(1) The board shall not authorize, conduct or administer lottery games involving the use of a “video lottery terminal” as defined or any mobile or Internet-based or monitor-based interactive game, or any simulated casino-style game, including video poker, video roulette, slot machines or video blackjack, or any variant of these prohibited games.

(2) The board may adopt administrative rules and regulations for the conduct of specific lottery games and operations, including, but not limited to, administrative rules and regulations specifying:

(a) The types of lottery games to be conducted which utilize the sale of paper tickets for various intrastate and multistate or multisoovereign lottery games (such as Pick-3, Pick-4, Mega Millions, Powerball) and “instant tickets” as defined.

(b) The sale price of tickets.

(c) The number and amount of prizes.

(d) The methods to be used in selling tickets for lottery games; provided, however, the corporation shall not permit any lottery game to be played or ticket to be purchased, sold or played by any method involving (i) a video lottery terminal or (ii) by any personal computer, tablet, smartphone, mobile device or other similar equipment or type of device.

(e) The methods and location of selecting or validating winning tickets.

(f) The frequency and the means of conducting drawings which shall be open to the public.

(g) The manner of payment of prizes.

(h) The frequency of games and drawings.

(i) The manner and amount of compensation to lottery retailers, except all compensation shall be uniform.

(j) Any other matters necessary to carry out this chapter and necessary for the efficient and effective operation of the lottery or for the convenience of the public.

(3) In all other matters, the board shall advise and make recommendations. In addition, the board shall:

(a) Conduct hearings upon complaints charging violations of this chapter or of administrative rules and regulations adopted by the corporation and shall conduct such other hearings as may be provided by administrative rules and regulations.

(b) Periodically, review the performance of the corporation and:

(i) Advise the president and make recommendations to him or her regarding operations of the corporation; and

(ii) Identify potential improvements in this chapter, the administrative rules and regulations of the corporation, and the management of the corporation.

(c) Request from the corporation any information the board determines to be relevant to its duties.

(4) Nothing in this chapter shall be construed to govern, affect or limit gaming operations at a licensed gaming facility nor shall this chapter be construed to supersede or preempt the authority of the Mississippi Gaming Commission as it relates to gaming operations occurring at a licensed gaming facility.

(5) Nothing in this chapter shall prohibit a licensed gaming facility under the Mississippi Gaming Commission from applying and operating as a lottery retailer under this chapter.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 9, eff. Sept. 1, 2018](#).

Miss. Code Ann. § 27-115-17, MS ST § 27-115-17

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-19

§ 27-115-19. Administration of lottery games; duties of corporation; liability of corporation

Effective: September 1, 2018

[Currentness](#)

(1) The corporation shall conduct and administer lottery games to result in maximization of revenues to the State of Mississippi. The corporation, its employees, and the members of the board shall provide for the efficient and effective operation of lottery games which ensure the integrity of the lottery and maintain the dignity of the state and the general welfare of its citizens.

(2) The corporation, in pursuing the objectives and purposes of this chapter, may:

(a) Sue and be sued in its corporate name.

(b) Adopt a corporate seal and a symbol.

(c) Hold patents, copyrights, trademarks, and service marks and enforce its rights with respect thereto.

(d) Register to do business in Mississippi and appoint agents upon which process may be served.

(e) Enter into written agreements with one or more other states or sovereigns for the operation, marketing and promotion of a joint lottery or joint-lottery games.

(f) Acquire real property and make improvements thereon.

(g) Make, solicit and request proposals and offers, and execute and effectuate any and all agreements or contracts, including, but not limited to:

(i) Contracts that provide for the placement of commercial advertising on tickets.

(ii) Contracts for the purchase and/or lease of real property as are necessary for the operation and promotion of the lottery.

(iii) Any contract and/or agreement necessary for the implementation, operation, and promotion of the lottery and this chapter.

(h) Adopt and amend such bylaws, rules and regulations, with the approval of the board as it deems necessary to administer this chapter.

(3) The corporation shall:

(a) Supervise and administer the lottery in accordance with the provisions of this chapter and the administrative rules and regulations adopted by the board.

(b) Submit quarterly and annual reports to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the State Treasurer, the State Auditor, the Joint Legislative Committee on Performance Evaluation and Expenditure Review, and the Commissioner of Revenue containing financial information and projections which include, but are not limited to, disclosure of gross revenues, expenses and net proceeds for the period.

(c) Adopt by administrative rules and regulations a system of continuous internal audits.

(d) Maintain weekly or more frequent records of lottery transactions, including distribution of tickets to lottery retailers, revenues received, claims for prizes, prizes paid and all other financial transactions of the corporation.

(e) Adopt by administrative rules and regulations a code of ethics for officers and employees of the corporation to carry out the standards of conduct established by this chapter.

(f) Adopt by administrative rules and regulations guidelines for the disposal of lottery property if the corporation is dissolved.

(4) There shall be no liability on the part of, and no cause of action shall arise against, the corporation, its governing board, staff, agents, vendors, or employees, arising out of or in connection with the issuance, failure to issue, or delivery of a lottery ticket.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 10, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-19, MS ST § 27-115-19

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-21

§ 27-115-21. Duties and obligations of the president of the corporation;  
cooperation from agencies, departments or units of state government

Effective: September 1, 2018

[Currentness](#)

(1) The president, as chief executive officer of the corporation, shall direct and supervise all administrative and technical activities in accordance with the provisions of this chapter and within the administrative rules and regulations adopted by the board. The president shall:

- (a) Supervise and administer the operation of the corporation, the lottery and its games.
- (b) Employ and direct such personnel as may be necessary to carry out the purposes of this chapter and utilize such services, personnel or facilities of the corporation as he or she may deem necessary.
- (c) Contract in accordance with the administrative rules and regulations adopted by the corporation with lottery retailers.
- (d) Make available for inspection by the board or any member of the board, upon request, all books, records, files, and other information and documents of his or her office and to advise the board and recommend such administrative rules and regulations and other matters he or she deems necessary and advisable to improve the operation and administration of the lottery.
- (e) Subject to the limitations under [Section 27-115-69](#), enter into any contract pursuant to this chapter with any person for the promotion and operation of the lottery or for the performance of any of the functions as provided in this chapter or administrative rules and regulations adopted by the board.
- (f) Attend meetings of the board or appoint a designee to attend on his or her behalf.
- (g) Not later than thirty (30) days before the beginning of the corporation's fiscal year, submit the proposed annual budget of the corporation and projected net proceeds to the board for review and approval. In addition, the proposed annual budget of the corporation shall include a personnel table reporting information for each full-time and part-time permanent position, as follows:
  - (i) The position title and the salary for each position in the existing operating budget for the current fiscal year, indicating whether each position is filled or vacant as of the reporting date.

- (ii) The position title and the salary recommended for each position for the next fiscal year.
- (2) The president, with the approval of the board, may amend or modify the budget at any time in any manner deemed necessary for the proper operation of the corporation.
- (3) Following his or her approval by the Governor and during his or her entire employment by the board, the president shall reside in Mississippi.
- (4) The president and the board shall conduct an ongoing examination of the operation and administration of lotteries in other states and/or countries, including reviewing available literature on the subject, of federal laws and regulations which may affect the operation of the lottery, and of the reaction of citizens of this state to existing or proposed features of lottery games with a view toward implementing improvements that will tend to serve the purposes of this chapter. The president may also establish one or more market or equipment research centers for lottery products and may establish lottery player information centers.
- (5) The president shall require bond from corporate employees with access to corporate funds or lottery funds in such an amount as provided in the administrative rules and regulations of the board.
- (6) The president may:
- (a) Require bond from other employees as he or she deems necessary.
  - (b) For good cause, suspend, revoke or refuse to renew any contract entered into in accordance with this chapter or the administrative rules and regulations of the board.
  - (c) Upon specific or general approval of the board, conduct hearings and administer oaths to persons for the purpose of assuring the security or integrity of lottery operations, or to determine the qualifications or compliance by vendors and retailers.
  - (d) Upon specific or general approval of the board, enter into personal service contracts pursuant to administrative rules and regulations adopted by the board and compensate such consultants and technical assistants as may be required to carry out the provisions of this chapter.
  - (e) By agreement, secure information and services as he or she may deem necessary from any department, agency or unit of the federal, state or local government, and to the extent allowed by federal or state law, may compensate such department, agency or unit of government for its information and services.
- (7) Agencies, departments or units of state government shall cooperate with the corporation to assure the integrity of the lottery and the effective operation of the lottery games.



**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 11, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-21, MS ST § 27-115-21

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-23

§ 27-115-23. Agreements with other entities; exemption from Mississippi Public Records Act

Effective: September 1, 2018

[Currentness](#)

(1) The corporation may enter into intelligence sharing, reciprocal use, or restricted use agreements with the federal government, law enforcement agencies, lottery regulation agencies, and gaming enforcement agencies of other jurisdictions which provide for and regulate the use of information provided and received pursuant to the agreement.

(2) Records, documents and information in the possession of the corporation received pursuant to an intelligence sharing, reciprocal use or restricted use agreement entered into by the corporation with a federal department or agency, any law enforcement agency, or the lottery regulation or gaming enforcement agency of any jurisdiction shall be exempt from the Mississippi Public Records Act of 1983 and shall not be released by the corporation without the permission of the person or agency providing the record or information.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 12, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-23, MS ST § 27-115-23

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-25

§ 27-115-25. Use of attorney or outside counsel

Effective: September 1, 2018

[Currentness](#)

The board may employ an attorney and/or may contract with outside counsel when the board determines the need for such counsel.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 13, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-25, MS ST § 27-115-25

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-27

§ 27-115-27. Advertising

Effective: September 1, 2018

[Currentness](#)

(1) The corporation may enter into contracts with any person or persons that provide for the placement of commercial advertising on tickets. For purposes of this section, “commercial advertising” means advertising intended for the sole benefit of the advertiser.

(2) The nature of the advertising authorized in this section and the procedures for its acceptance as well as the implementation of this section shall be provided by administrative rules and regulations adopted by the board. The board shall retain, in its discretion, the authority to accept or reject any bid. Advertisements for tobacco and alcohol products shall not be accepted.

(3) Implementation of this section shall be in the manner provided in the administrative rules and regulations adopted by the board.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 14, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-27, MS ST § 27-115-27

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-29

§ 27-115-29. Personnel program; vendors

Effective: September 1, 2018

[Currentness](#)

(1) The corporation shall establish and maintain a personnel program, including administrative rules and regulations for its employees. The corporation may procure benefit programs or group insurance plans and shall provide or arrange for a retirement plan. Unless otherwise specified by the president, employees of the corporation shall serve at the will and pleasure of the president who shall determine their compensation and benefits. The employees shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel action at the discretion of the president and shall not be subject to civil service provisions. The compensation of officers at the division head level and above shall be determined by the board. Corporation employees shall not be considered employees of the State of Mississippi.

(2) No board member, officer or employee of the corporation or any spouse, sibling, ascendant or descendant of a board member, officer or employee shall have a financial interest in any vendor doing business or proposing to do business with the corporation.

(3) No board member, officer or employee of the corporation with decision-making authority shall participate in any decision involving a lottery retailer with whom the board member, officer or employee or any spouse, sibling, ascendant or descendant of such board member, officer or employee has a financial interest.

(4) No officer or employee of the corporation who leaves the employ of the corporation nor any board member may represent any vendor or lottery retailer before the corporation for a period of one (1) year following termination of employment with the corporation or membership on the board.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 15, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-29, MS ST § 27-115-29

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-31

§ 27-115-31. Background investigations

Effective: September 1, 2018

[Currentness](#)

(1) A background investigation shall be conducted by the security director of the corporation or his or her agent or designee on every applicant who has reached the final selection process prior to employment by the corporation. The background investigation shall include testing the applicants for the presence of illegal controlled substances. Applicants shall be fingerprinted as a condition of employment. In addition, all division chiefs and deputy chiefs, directors of the corporation, and employees of the corporation performing duties primarily related to security matters, and other employee positions prior to employment as determined by the board, shall be subject to a background investigation report conducted by the Department of Public Safety.

(2) The Department of Public Safety shall be reimbursed by the corporation for the cost of investigations conducted pursuant to this section.

(3) No person who has been convicted of a felony, bookmaking or other forms of illegal gambling, or a crime involving moral turpitude shall be employed by the corporation. The board may by administrative rules and regulations provide for a definition of moral turpitude.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 16, eff. [Sept. 1, 2018](#).

Miss. Code Ann. § 27-115-31, MS ST § 27-115-31

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-33

§ 27-115-33. Appeals

Effective: September 1, 2018

[Currentness](#)

- (1) Any lottery retailer, vendor or applicant for a lottery retailer or vendor contract aggrieved by an action of the president of the corporation may appeal that decision to the board in accordance with the administrative rules and regulations of the board.
- (2) Any person aggrieved by a decision of the board may appeal the decision to the chancery court of the county in which its corporate headquarters is located within ten (10) days of the date of the decision of the board.
- (3) The chancery court shall hear appeals from the board.
- (4) The chancery court may remand an appeal to the board to conduct further hearings necessary to adjudicate the appeal.
- (5) Any person who appeals the award of a lottery procurement for the supply of a lottery ticket shall be liable for all costs of appeal and defense in the event the appeal is denied or the contract award upheld. Costs of appeal and defense may include, but should not be limited to, court costs, bond, legal fees and loss of income to the corporation resulting from institution of the appeal if, upon the motion of the corporation, the court finds the appeal to have been frivolous.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 17, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-33, MS ST § 27-115-33

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-35

§ 27-115-35. Letters of credit in lieu of a bond

Effective: September 1, 2018

[Currentness](#)

Whenever a bond is required for the protection of the corporation, letters of credit or other surety approved by the corporation may be utilized in lieu of a bond. All bonds or letters of credit shall be reviewed at least annually as to their solvency and sufficiency.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 18, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-35, MS ST § 27-115-35

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-37

§ 27-115-37. Prohibition of bulk sale of lottery tickets

Effective: September 1, 2018

[Currentness](#)

The board shall promulgate administrative rules and regulations that define and prohibit the bulk sale of lottery tickets by a retailer and the bulk purchase of such tickets by an investment syndicate, investment group, or individual for investment purposes.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 19, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-37, MS ST § 27-115-37

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-39

§ 27-115-39. Inclusion on ticket of toll-free telephone number for compulsive or problem gambling organization

Effective: September 1, 2018

[Currentness](#)

The corporation shall require as a part of any contract for the production or printing of lottery tickets that each ticket include the toll-free telephone number of any state or national organization that provides information and referral services regarding compulsive or problem gambling.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 20, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-39, MS ST § 27-115-39

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-41

§ 27-115-41. Publication of financial statements

Effective: September 1, 2018

[Currentness](#)

The corporation shall publish quarterly and annual financial statements, which shall be made available to the public within thirty (30) days following the close of each quarter. The quarterly and annual financial statements shall include disposition of all funds expended by the corporation for any purpose, including disclosure of any major procurements.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 21, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-41, MS ST § 27-115-41

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-43

§ 27-115-43. Lottery proceeds subject to income tax withholding laws; verification of ticket validity; unclaimed prize money; discharge of liability; persons excluded from purchasing ticket or winning prize

Effective: September 1, 2018

[Currentness](#)

(1) Proceeds of any lottery prize of Six Hundred Dollars (\$600.00) or more shall be subject to state and federal income tax withholding laws, as applicable. Any attachments, garnishments or executions authorized and issued pursuant to law shall also be withheld if timely served upon the process agent of the corporation.

(2) The board shall adopt administrative rules and regulations to establish a system of verifying the validity of tickets claimed to win prizes and to effect payment of such prizes, except that:

(a) No prize, nor any portion of a prize, nor any right of any person to a prize awarded shall be assignable, except as provided for in [Section 27-115-47](#). Any prize, or portion thereof, remaining unpaid at the death of a prizewinner shall be paid to the estate of the deceased prizewinner or to the trustee of a trust established by the deceased prizewinner if a copy of the trust document or instrument has been filed with the corporation, along with a notarized letter of direction from the deceased prizewinner, and no written notice of revocation has been received by the corporation prior to the deceased prizewinner's death. Following a deceased prizewinner's death and prior to any payment to such a trustee, the corporation shall obtain from the trustee and each trust beneficiary a written agreement to indemnify and hold the corporation harmless with respect to any claims that may be asserted against the corporation arising from payment to or through the trust. Notwithstanding any other provisions of this chapter, any person, pursuant to an appropriate judicial order, shall be paid the prize to which a winner is entitled.

(b) No ticket shall knowingly be sold to any person under the age of twenty-one (21).

(c) No prize shall be paid arising from claimed tickets that are stolen, counterfeit, altered, fraudulent, unissued, produced or issued in error, unreadable, not received, unclaimed or not recorded by the corporation within applicable deadlines, lacking in captions that conform and agree with the play symbols as appropriate to the lottery game involved, or not in compliance with such additional specific rules and public or confidential validation and security tests of the corporation appropriate to the particular lottery game involved.

(d) No particular prize in any lottery game shall be paid more than once, and in the event of a binding determination that more than one (1) claimant is entitled to a particular prize, the sole remedy of such claimants is the award to each of them an equal share in the prize.

(e) A holder of a winning ticket from a Mississippi lottery game or from a multistate or multisovereign lottery game shall claim a prize within the timeframe provided for in administrative rules and regulations. If a valid claim is not made for a prize within the applicable period, the prize shall constitute an unclaimed prize for purposes of paragraph (c) of this subsection.

(f) A person holding a winning lottery ticket in the amount of Six Hundred Dollars (\$600.00) or more from a lottery game must provide his or her name and city or area of residence to the corporation to claim a prize. The corporation shall not disclose the identity of the person holding a winning lottery ticket without that person's written permission.

(3) No prize shall be paid upon a ticket purchased or sold in violation of this chapter. Any such prize shall constitute an unclaimed prize for purposes of subsection (2)(c) of this section.

(4) Any unclaimed prize money shall be added to the pool from which future prizes are to be awarded or used for special prize promotions.

(5) The corporation is discharged of all liability upon payment of a prize.

(6) No ticket shall be purchased by and no prize shall be paid to any of the following persons:

(a) Any member of the board;

(b) Any officer, or employee of the corporation;

(c) Any vendor, including lottery retailers; or

(d) Any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any person listed in paragraph (a), (b) or (c) of this subsection.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 22, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-43, MS ST § 27-115-43

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-45

§ 27-115-45. Withholding of lottery prizes of persons who have outstanding child support arrearages or debts owed to the state

Effective: September 1, 2018

[Currentness](#)

(1) The board shall coordinate with the Department of Human Services to promulgate rules and regulations providing for the withholding of lottery prizes of persons who have outstanding child support arrearages as reported to the corporation, beginning at prize levels to be determined by the board. The corporation may require any agency reporting current child support arrearages to the corporation to provide information relating to such arrearages in a manner, format or record approved by the corporation. The corporation shall not be liable for withholding a lottery prize based upon child support arrearage information provided to it. Additionally, the corporation shall employ the same methods, procedures and parameters to withhold lottery prizes for persons who have delinquent debt as submitted by a claimant agency to the Department of Revenue for recovery under [Section 27-7-501 et seq.](#) The corporation shall not be liable for withholding a lottery prize based upon delinquent debt information provided to it by the Department of Revenue.

(2) To the extent feasible, the board shall coordinate with state agencies to promulgate administrative rules and regulations providing for the withholding of lottery prizes of persons who have outstanding debts owed to the state.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 23, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-45, MS ST § 27-115-45

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-47

§ 27-115-47. Assignment of deferred annuity payments

Effective: September 1, 2018

[Currentness](#)

- (1) Under an appropriate judicial order, any prize, or any portion of a prize, or any right of any person to a prize awarded, payable by the corporation in deferred annuity payments, may be paid to any person other than the winner.
- (2) The right of a person to a prize payable by the corporation in deferred annuity payments may be voluntarily assigned as a whole or in part, if the assignment is made to a person designated in accordance with an order of the chancery court in the county where the corporation's headquarters is located. Any such order shall be deemed an appropriate judicial order.
- (3) On the filing by the assignor or the assignee in chancery court of a petition seeking approval of a voluntary assignment, the court may issue an order approving a voluntary assignment and directing the corporation to make prize payments as a whole or in part to the assignee if the court finds all of the following:
  - (a) The assignment is in writing, is executed by the assignor, and is by its terms subject to the laws of this state.
  - (b) The assignor provides a sworn affidavit attesting that the assignor is of sound mind, is in full command of the assignor's faculties, and is not acting under duress.
  - (c) The assignor has been advised about the assignment by an independent attorney who is not related to and not compensated by the assignee or an affiliate of the assignee.
  - (d) The assignor understands that the assignor will not receive the prize payments or parts of payments during the years assigned.
  - (e) The assignor understands and agrees, with regard to the assigned payments, that the corporation, board of directors, and officials and employees of the corporation shall have no further liability or responsibility for making the assigned payments.
  - (f) The assignee provides the assignor with a one-page disclosure statement that sets forth in bold type not less than fourteen (14) points in size the payments being assigned by amount and payment date, the purchase price, the rate of discount to present value, assuming daily compounding and funding on the contract date, and any origination or closing fee that will be charged to the assignor.

(g) The contract of assignment expressly states that the assignor has three (3) business days after signing the contract to cancel the assignment.

(h) The assignor and assignee do not seek assignment for purposes of evading creditors, judgments or obligations of child support.

(i) The assignor and assignee have certified that neither of them has a child support obligation or, if either does have a child support obligation, that no arrearage is due, and that neither the assignor nor the assignee is obligated to repay any public assistance benefits or overpayment of child support.

(j) The petition required by this subsection shall be accompanied by a certification from a representative of the Mississippi Department of Human Services stating any of the following:

(i) That the assignor or assignee does not currently have a child support arrearage, or the assignor or assignee does not owe an obligation to repay any public assistance benefits or an overpayment of child support benefits to the Mississippi Department of Human Services.

(ii) That the assignor or assignee does currently have a child support obligation and that no arrearage is due to the Mississippi Department of Human Services.

(iii) That the assignor or assignee does currently have a child support arrearage, or the assignor or assignee does owe an obligation to repay any public assistance benefits or an overpayment of child support benefits to the Mississippi Department of Human Services.

The certification from the Mississippi Department of Human Services shall be provided to the assignor and the assignee promptly upon the request of the assignor or the assignee, and in no event more than ten (10) business days after the request is received by the Mississippi Department of Human Services.

(4) Written notice of the petition and proposed assignment and any court hearing concerning the petition and proposed assignment shall be served on the corporation, which shall be made a party thereto.

(5)(a) The corporation, not later than ten (10) days after receiving a certified copy of a court order approving a voluntary assignment, shall send the assignor and the assignee written confirmation of both of the following:

(i) The court-approved assignment.

(ii) The intent of the corporation to rely on the assignment in making payments to the assignee named in the order free from any attachments, garnishments or executions.

(b) The corporation shall thereafter make payments in accordance with the assignment.



(6)(a) Neither the state nor the corporation, its board, nor any of its officials or employees shall be liable in any manner for any assigned payments made by the corporation pursuant to this section.

(b) The assignor and assignee shall hold harmless and indemnify the state, the corporation, its board of directors, and its employees and agents from all claims, suits, actions, complaints or liabilities related to the assignment.

(7) The assignee shall pay any costs incurred by the corporation related to the assignment.

(8) The assignee shall notify the corporation of its business location and mailing address for payment purposes and of any change in location or address during the entire course of the assignment.

(9) A court order or a combination of court orders issued pursuant to this section may not require the corporation to divide a single prize payment among more than three (3) different persons.

(10) If the Internal Revenue Service or a court of competent jurisdiction issues a determination letter, revenue ruling, or other public document declaring that the voluntary assignment of prizes will affect the federal income taxation treatment of lottery prizewinners who do not assign their prizes, the following shall occur:

(a) Within fifteen (15) days after the corporation receives the letter, ruling or other document, the president of the corporation shall file a copy of it with the Attorney General; and

(b) A court shall not issue an order authorizing a voluntary assignment under this section.

(11) This section shall prevail over any inconsistent provision in Mississippi law.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 24, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-47, MS ST § 27-115-47

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-49

§ 27-115-49. Contracts for major procurements; bidding process

Effective: September 1, 2018

[Currentness](#)

(1) The corporation shall enter into its contracts for major procurements after bidding. The corporation may adopt administrative rules and regulations pursuant to the provisions of this chapter providing for special procedures whereby the Mississippi Lottery Corporation may make any class of procurement.

(2) In its bidding processes, the corporation may do its own bidding and procurement or may utilize the services of the Department of Finance and Administration, the Department of Information Technology Services, or other state agencies as appropriate and necessary. The president of the corporation may, with approval of the board, declare an emergency for purchasing purposes which shall be governed by the administrative rules and regulations adopted by the board.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 25, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-49, MS ST § 27-115-49

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-51

§ 27-115-51. Monies received from the sale of lottery tickets; creation of Lottery Proceeds Fund

Effective: September 1, 2018

[Currentness](#)

(1)(a) All monies received by the corporation from the sale of lottery tickets and all other sources shall be deposited into a corporate operating account. Such account shall be established in a custodian financial institution domiciled in the State of Mississippi and insured by the Federal Deposit Insurance Corporation and collateralized as prescribed by [Section 27-105-5](#). The corporation may use all monies in the corporate operating account for the purposes of paying prizes and the necessary expenses of the corporation and dividends to the state. The corporation shall estimate and allocate the amount to be paid by the corporation to prizewinners.

(b)(i) The investment of monies in the corporate operating account, other than the amount specifically required for the purchase of securities for payment of deferred prizes, shall be invested in a manner prescribed by the board, consistent with law. Such securities purchased as investments by the corporation shall be issued in the name of the corporation and shall be kept at a custodian financial institution domiciled in the State of Mississippi insured by the Federal Deposit Insurance Corporation.

(ii) The investment of monies in the corporate operating account, other than the amount specifically required for the purchase of securities for deferred prize payments to winners, shall be invested only in securities in a manner prescribed by the board, consistent with law. Such securities purchased as investments by the corporation shall be issued in the name of the corporation and shall be safe kept at a custodian financial institution domiciled in the State of Mississippi insured by the Federal Deposit Insurance Corporation.

(iii) These instruments may be in varying maturities and may be in book-entry form.

(iv) For the purpose of deferred prize payments to winners, the corporation shall purchase or invest in only those securities prescribed by the board, consistent with law.

(c) Within twenty (20) days following the close of each calendar month, the corporation shall transfer to the Lottery Proceeds Fund in the State Treasury the amount of net proceeds.

(d) The apportionment of the total gross revenues accruing from the sale of lottery tickets or shares and from all other sources shall be as follows:

(i) The payment of prizes to the holders of winning lottery tickets or shares which in any case shall be no less than fifty percent (50%) of the total gross revenues accruing from the sale of lottery tickets.

(ii) The payment of costs incurred in the operation and administration of the lottery, including the expenses of the corporation and the costs resulting from any contract or contracts entered into for promotional, advertising or operational services or for the purchase or lease of lottery equipment and materials, which in no case shall exceed fifteen percent (15%) of the total gross revenues accruing from the sale of lottery tickets. However, this restriction shall not apply until after the first twelve (12) months of revenue generation.

(2) A Lottery Proceeds Fund is hereby established in the State Treasury. Net proceeds shall be deposited into this fund as provided in subsection (1) of this section. Monies deposited into the Lottery Proceeds Fund shall be invested by the state in accordance with state investment practices, and all earnings from such investments shall accrue to this account. No monies shall be allotted or expended from this account unless pursuant to a warrant issued as provided under [Section 27-115-85](#).

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 26, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-51, MS ST § 27-115-51

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-53

§ 27-115-53. Funding of corporation

Effective: September 1, 2018

[Currentness](#)

(1) The corporation may accept and expend such monies as may be appropriated by the Legislature or such monies as may be received from any source, including income from the corporation's operations, for effectuating its corporate purposes, including the payment of the initial expenses of administration and operation of the corporation and the lottery.

(2) The corporation is intended to be self-sustaining and self-funded. Monies in the State General Fund shall not be used or obligated to pay the prizes of the lottery, and no claim for the payment of an expense of the lottery or prizes of the lottery may be made against any monies other than monies credited to the corporate operating account.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 27, eff. [Sept. 1, 2018](#).


Miss. Code Ann. § 27-115-53, MS ST § 27-115-53

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 KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-55

§ 27-115-55. Selection and maintenance of statewide network of lottery retailers

Effective: September 1, 2018

[Currentness](#)

(1) The Legislature hereby recognizes that to conduct a successful lottery, the corporation must develop and maintain a statewide network of lottery retailers that will serve the public convenience and promote the sale of tickets, while ensuring the integrity of the lottery operations, games and activities.

(2) To govern the selection of lottery retailers, the board shall, by administrative rules and regulations, develop a list of objective criteria upon which the selection of lottery retailers shall be based. In developing these criteria, the board shall consider such factors as the applicant's financial responsibility, location and security of the applicant's place of business or activity, integrity, and reputation; however, the board shall not consider political affiliation, activities or monetary contributions to political organizations or candidates for any public office. The criteria shall include, but not be limited to, the following:

(a) The applicant shall be current in payment of all taxes, interest and penalties owed to any taxing political subdivision where the lottery retailer will sell lottery tickets.

(b) The applicant shall be current in filing all applicable tax returns and in payment of all taxes, interest and penalties owed to the State of Mississippi, excluding items under formal appeal pursuant to applicable statutes, before a license is issued and before each renewal.

(c) No person shall be selected as a lottery retailer for the sale of lottery tickets who:

(i) Has been convicted of a criminal offense related to the security or integrity of the lottery in this or any other jurisdiction.

(ii) Has been convicted of any illegal gambling activity, false statements, false swearing or perjury in this or any other jurisdiction, or convicted of a felony.

(iii) Has been found to have violated the provisions of this chapter or any administrative rules and regulations adopted under this chapter, unless either ten (10) years have passed since the violation, or the president and the board find the violation both minor and unintentional in nature.

(iv) Is a vendor or an employee or agent of any vendor doing business with the corporation.

(v) Resides in the same household as an officer or board member of the corporation.

(vi) Has made a statement of material fact to the corporation, knowing such statement to be false.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 28, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-55, MS ST § 27-115-55

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-57

§ 27-115-57. Assignability of lottery retail contracts; certificates; retailer payments to winners

Effective: September 1, 2018

[Currentness](#)

(1) No lottery retailer contract awarded pursuant to this chapter shall be transferable or assignable. No lottery retailer shall contract with any person for lottery goods or services except with the approval of the board.

(2) Each lottery retailer shall be issued a lottery retailer certificate which shall be conspicuously displayed at the place where the lottery retailer is authorized to sell lottery tickets. Lottery tickets shall only be sold by the retailer at the location stated on the lottery retailer certificate.

(3) For the convenience of the public, all retailers may pay winners up to Six Hundred Dollars (\$600.00) after performing validation procedures appropriate to the lottery game involved.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 29, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-57, MS ST § 27-115-57

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-59

§ 27-115-59. Lottery retailer letters of credit or bonds

Effective: September 1, 2018

[Currentness](#)

The corporation shall require each lottery retailer to post a letter of credit or a bond with the corporation using a surety acceptable to the corporation in an amount not to exceed twice the average lottery ticket sales of the lottery retailer for the period within which the lottery retailer is required to remit lottery funds to the corporation. This section does not apply to lottery tickets which are prepaid by the lottery retailers. The corporation may facilitate the purchase of bonds and letters of credit by establishing lottery retailer pools for the purchase of bonds and letters of credit for lottery retailers.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 30, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-59, MS ST § 27-115-59

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-61

§ 27-115-61. Cancellation, denial, revocation, suspension,  
renewal rejection or termination of contract with lottery retailer

Effective: September 1, 2018

[Currentness](#)

(1) Any contract executed by the corporation with a lottery retailer pursuant to this section shall specify the reasons for which any contract may be cancelled, denied, revoked, suspended, renewal rejected or terminated by the corporation, which reasons may include, but not be limited to:

- (a) Commission of a violation of this chapter or administrative rules and regulations adopted pursuant to this chapter.
- (b) Failure to accurately account for lottery tickets, revenues or prizes as required by the corporation.
- (c) Commission of any fraud, deceit or misrepresentation.
- (d) Insufficient sale of tickets.
- (e) Conduct prejudicial to public confidence in the lottery.
- (f) The lottery retailer filing for or being placed in bankruptcy or receivership.
- (g) Any material change in any matter considered by the corporation in executing the contract with the lottery retailer.
- (h) Failure to meet any of the objective criteria established by the board pursuant to this chapter.

(2) If, in the discretion of the president, cancellation, denial, revocation, suspension, rejection of renewal or termination of a lottery retailer contract is in the best interest of the lottery, the public welfare, or the State of Mississippi, the president may cancel, deny, revoke, suspend, reject the renewal, or terminate, after notice and a hearing, any contract issued pursuant to this chapter. Such contract may, however, be temporarily suspended by the president without prior notice, pending any prosecution, hearing or investigation, whether by a third party or by the president. A contract may be cancelled, denied, revoked, suspended, renewal rejected or terminated by the president for any one or more of the reasons enumerated in this section.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 31, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-61, MS ST § 27-115-61

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-63

§ 27-115-63. Treatment of lottery proceeds by lottery retailers; insolvency

Effective: September 1, 2018

[Currentness](#)

(1)(a) All proceeds from the sale of lottery tickets received by a lottery retailer shall constitute a trust fund until paid to the corporation either directly or through the corporation's authorized collection representative. A lottery retailer shall have a fiduciary duty to preserve and account for lottery proceeds, and lottery retailers shall be personally liable for all proceeds. Proceeds shall include unsold instant tickets received by a lottery retailer and cash proceeds of the sale of any lottery products, net of allowable sales commissions and credit for lottery prizes to winners by lottery retailers. Sales proceeds and unused instant tickets shall be delivered to the corporation or its authorized collection representative upon demand.

(b) The corporation shall, by administrative rules and regulations, require lottery retailers to place all lottery proceeds due the corporation in accounts in institutions insured by the Federal Deposit Insurance Corporation not later than the close of the next banking day after the date of their collection by the lottery retailer until the date they are paid over to the corporation. Each lottery retailer shall establish a separate bank account for lottery proceeds which shall be kept separate and apart from all other funds and assets and shall not be commingled with any other funds or assets.

(2) Whenever any person who receives proceeds from the sale of lottery tickets in the capacity of a lottery retailer becomes insolvent, or dies insolvent, the proceeds due the corporation from such person or his or her estate shall have preference over all debts or demands.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 32, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-63, MS ST § 27-115-63

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-65

§ 27-115-65. Disbursement of lottery tickets

Effective: September 1, 2018

[Currentness](#)

(1) No person shall sell a ticket at a price other than established by the corporation, unless authorized in writing by the president. No person other than a duly certified lottery retailer shall sell lottery tickets, but this shall not be construed to prevent a person who may lawfully purchase tickets from making a gift of lottery tickets to another. Nothing in this chapter shall be construed to prohibit the corporation from designating certain of its agents and employees to sell lottery tickets directly to the public.

(2) Lottery tickets may be given by merchants as a means of promoting goods or services to customers or prospective customers subject to approval by the board.

(3) No lottery retailer shall sell a ticket except from the locations listed in the contract.

(4) No lottery tickets shall be sold at State of Mississippi safety rest areas.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 33, eff. [Sept. 1, 2018](#).

Miss. Code Ann. § 27-115-65, MS ST § 27-115-65

The Statutes and Constitution are current through the 2019 Regular Session.

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-67

§ 27-115-67. Requirement that lottery retailer post signs providing toll-free telephone number for compulsive or problem gambling organization

Effective: September 1, 2018

[Currentness](#)

The corporation shall require the posting of one or more signs on licensed premises at each point of entry into areas where lottery tickets are sold to inform patrons of a toll-free telephone number of any state or national organization that provides information and referral services regarding compulsive or problem gambling. Failure by the owner of the licensed premises to post and maintain such a sign or signs shall be cause for the imposition of a fine to be determined by the board.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 34, eff. Sept. 1, 2018.


Miss. Code Ann. § 27-115-67, MS ST § 27-115-67

The Statutes and Constitution are current through the 2019 Regular Session.

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 KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-69

§ 27-115-69. Procurement of goods or services by corporation; lottery system vendor bid requirements; prohibited contracts; vendor performance bonds or letters of credit; provision for payment of liquidated damages upon breach of contract; vendor qualifications

Effective: September 1, 2018

[Currentness](#)

(1) The corporation may purchase, lease or lease-purchase such goods or services as are necessary for effectuating the purposes of this chapter. The corporation shall not contract with any person or entity for the total operation and administration of the lottery, but it may make procurements which integrate such functions as lottery game design, lottery ticket distribution to retailers, supply of goods and services and advertising. In all procurement decisions, the corporation shall take into account the particularly sensitive nature of the lottery and shall act to promote and ensure security, honesty, fairness and integrity in the operation and administration of the lottery and the objectives of raising net proceeds for the benefit of the public.

(2) The corporation shall investigate the financial responsibility, security and integrity of any lottery system vendor who submits a bid, proposal or offer. At the time of submitting such bid, proposal or offer to the corporation, the corporation shall require the following items:

(a) A disclosure of the vendor's name and address and, as applicable, the name and address of the following:

(i) If the vendor is a corporation, the officers, directors and each stockholder in such corporation; however, in the case of owners of equity securities of a publicly traded corporation, only the names and addresses of those known to the corporation to own five percent (5%) or more of such securities need be disclosed.

(ii) If the vendor is a trust, the trustee and all persons entitled to receive income or benefits from the trust.

(iii) If the vendor is an association, the members, officers and directors.

(iv) If the vendor is a partnership or joint venture, all of the general partners, limited partners, or joint venturers.

(b) A disclosure of all the states and jurisdictions in which the vendor does business, and the nature of the business for each such state or jurisdiction.

(c) A disclosure of all the states and jurisdictions in which the vendor has contracts to supply gaming goods or services, including, but not limited to, lottery goods and services, and the nature of the goods or services involved for each such state or jurisdiction.

(d) A disclosure of all the states and jurisdictions in which the vendor has applied for, has sought renewal of, has received, has been denied, has pending, or has had revoked a gaming license of any kind, or had fines or penalties assessed on their license, contract, or operation, and the disposition of such in each such state or jurisdiction. If any lottery license or contract has been revoked or has not been renewed or any lottery license or application has remained pending for more than six (6) months, then it shall be disclosed.

(e) A disclosure of the details of any finding of a plea, conviction or adjudication for guilt, in a state or federal court, of the vendor for any felony or any other criminal offense other than a traffic violation.

(f) A disclosure of the details of any bankruptcy, insolvency, reorganization, corporate or individual purchase or takeover of another corporation, including bonded indebtedness, or any pending litigation of the vendor.

(g) Such additional disclosures and information as the corporation may determine to be appropriate for the procurement involved. If the vendor subcontracts any substantial portion of the work to be performed under the contract to a subcontractor, the vendor shall disclose all of the information required by this subsection for the subcontractor as if the subcontractor were itself a vendor.

(3) In no case shall the corporation enter into a contract for a procurement of any video lottery or video lottery terminal or any other illegal lottery device, and shall only enter into a contract for a procurement for any lottery system with a vendor who has complied with the disclosures required by the corporation and described in subsection (2) of this section, and any contract with such a vendor is void and unenforceable. Any contract with a vendor who does not comply with such requirements for periodically updating such disclosures during the tenure of a contract as may be specified in such contract is voidable and may be terminated by the corporation. The provisions of this section shall be construed broadly and liberally to achieve the ends of full disclosure of all information necessary to allow for a full and complete evaluation by the corporation of the competence, integrity, background and character of vendors.

(4)(a) A contract shall not be entered into with any vendor who has been found guilty of a felony related to the security or integrity of the lottery in this or any other jurisdiction or with any vendor who is found to be in possession of any illegal lottery device.

(b) A contract shall not be entered into with any vendor who has not first obtained a signed tax clearance from the Commissioner of Revenue indicating that the vendor is current in filing all applicable tax returns and in payment of all taxes, interest and penalties owed to the State of Mississippi, excluding items under formal appeal pursuant to applicable statutes.

(5) The corporation may require that each vendor shall, at the execution of the contract with the corporation, post a performance bond or letter of credit from a bank acceptable to the corporation, in an amount established by the corporation subject to the provisions of [Section 27-115-61](#). In lieu of the bond, a vendor may, to assure the faithful performance of its obligations, deposit and maintain with the corporation securities that are interest-bearing or accruing and that are rated in one (1) of the three (3)



highest classifications by an established nationally recognized investment rating service. Securities eligible under this subsection are limited to:

- (a) Certificates of deposit issued by solvent banks or savings associations approved by the corporation and which are organized and existing under the laws of this state or under the laws of the United States.
  - (b) United States bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.
  - (c) Corporate bonds approved by the corporation. The corporation which issued the bonds shall not be an affiliate or subsidiary of the depositor. Such securities shall be held in trust.
- (6) Every contract entered into by the corporation pursuant to this section shall contain a provision for payment of liquidated damages to the corporation for any breach of contract by the vendor.
- (7) Each vendor shall be qualified to do business in this state and shall file appropriate tax returns as provided by the laws of this state. All contracts under this section shall be governed by the laws of this state.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 35, eff. Sept. 1, 2018](#).

Miss. Code Ann. § 27-115-69, MS ST § 27-115-69

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-71

§ 27-115-71. Criminal background checks

Effective: September 1, 2018

[Currentness](#)

(1) The Mississippi Department of Public Safety shall perform full criminal background investigations on all potential vendors, including potential lottery retailers, and potential employees of the corporation at the level of division head and above, and at any level within a division handling security, and, as determined by the board, on any other employee of the corporation. The corporation shall reimburse the Department of Public Safety for the actual costs of such investigations.

(2) The corporation or its division handling security shall:

(a) Conduct criminal background investigations and credit investigations on all potential employees of the corporation not referred to in subsection (1) of this section or not investigated by the Department of Public Safety.

(b) Supervise ticket validation and lottery drawings.

(c) For just cause and subject to the terms of the vendor contract, inspect the facilities of any vendor in order to determine the integrity of the vendor's product and in order to determine whether the vendor is in compliance with its contract.

(d) Report any suspected violations of this chapter to the appropriate district attorney, or the Attorney General, and law enforcement agencies.

(e) Upon request, provide assistance to any district attorney, the Attorney General, or law enforcement agency investigating a violation of this chapter.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 36, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-71, MS ST § 27-115-71

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-73

§ 27-115-73. Prohibited sales of lottery tickets; consequences  
for selling ticket to someone under the age of twenty-one

Effective: September 1, 2018

[Currentness](#)

(1)(a) No lottery retailer and no agent, associate, employee, representative or servant of any such person shall allow any illegal lottery device to be on its premises, nor shall any lottery retailer, agent, associate, employee, representative or servant sell a lottery ticket to any person unless the person submits any one (1) of the following forms of identification which establish the age of the person as twenty-one (21) years or older:

(i) A valid and current Mississippi driver's license which contains a photograph of the person presenting the driver's license.

(ii) A valid and current driver's license of another state which contains a photograph of the person submitting the driver's license.

(iii) A valid and current special identification card issued by the State of Mississippi containing a photograph of the person submitting the identification card.

(iv) A valid and current passport or visa issued by the federal government or another country or nation that contains a permanently attached photograph of the person submitting the passport or visa.

(v) A valid and current military or federal identification card issued by the federal government containing a photograph of the person submitting the identification card.

(b) Each form of identification listed in paragraph (a) of this subsection must on its face establish the age of the person as twenty-one (21) years of age or older, and there must be no reason to doubt the authenticity or correctness of the identification. No form of identification mentioned in paragraph (a) of this subsection shall be accepted as proof of age if it is expired, defaced, mutilated or altered. If the driver's license, state special identification card or lawful identification submitted is a duplicate, the person shall submit additional identification which contains the name, date of birth and photograph of the person.

(c) An educational institution identification card, check-cashing identification card, or employee identification card shall not be considered as lawful identification for the purposes of this subsection.

(2) Any lottery retailer who knowingly sells a lottery ticket to a person under twenty-one (21) years of age will be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for the first offense and, for each subsequent offense, not less than Two Hundred Dollars (\$200.00) nor more than One Thousand Dollars (\$1,000.00) and may be disqualified as a lottery retailer.

(3)(a) It is unlawful for any person under twenty-one (21) years of age to purchase a lottery ticket.

(b) Whoever violates the provisions of this subsection shall be fined not more than One Hundred Dollars (\$100.00).

(c) Any person apprehended while violating the provisions of this subsection shall be issued a citation by the apprehending law enforcement officer, which shall be paid in the same manner as provided for the offenders of local traffic violations.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 37, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-73, MS ST § 27-115-73

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-75

§ 27-115-75. Punishment for falsely making, altering, forging, uttering, passing or counterfeiting a state lottery ticket; punishment for influencing or attempting to influence the winning of a prize through the use of coercion, fraud, deception or tampering with lottery equipment

Effective: September 1, 2018

[Currentness](#)

(1) Any person, with intent to defraud, who falsely makes, alters, forges, utters, passes or counterfeits a state lottery ticket shall be punished by imprisonment for not less than one (1) year and not more than twenty (20) years, by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or by both such fine and imprisonment.

(2) Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception or tampering with lottery equipment or materials shall be punished by imprisonment for not less than one (1) year and not more than twenty (20) years, by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or by both such fine and imprisonment.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 38, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-75, MS ST § 27-115-75

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-77

§ 27-115-77. Prohibited actions for current and former board members and officers of the corporation; consequences for violations; enforcement of provisions

Effective: September 1, 2018

[Currentness](#)

- (1) No former board member or officer of the corporation, or a corporation or other entity owned, in whole or in part, by a former board member or officer of the corporation, shall solicit or accept employment or enter into a contract for compensation of any kind with a vendor of the corporation within one (1) year after termination of service with the corporation.
- (2) The name of any individual who is a board member or an officer or employee of the corporation shall not appear upon any lottery ticket, lottery game, lottery form or paper used in playing any lottery game.
- (3) Violation of any provision of this section by a board member, officer or employee of the corporation shall constitute cause for removal from office or dismissal from employment.
- (4) The provisions of subsections (1) and (3) of this section shall not apply to ex officio members of the board.
- (5) The State Ethics Commission shall administer and enforce the provisions of this section. The procedures and penalties provided for in [Section 25-4-101 et seq.](#) shall apply to the administration and enforcement of the provisions of this section.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 39, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-77, MS ST § 27-115-77

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-79

§ 27-115-79. Skimming of lottery proceeds; definition; penalties

Effective: September 1, 2018

[Currentness](#)

(1) Skimming of lottery proceeds is the intentional excluding, or the taking of any action in an attempt to exclude, of anything or its value from the deposit, counting, collection or computation of gross revenues or net proceeds from lottery activities.

(2) Whoever commits the crime of skimming of lottery proceeds when the amount skimmed or to be skimmed is less than One Thousand Dollars (\$1,000.00) may be imprisoned for not more than five (5) years, or may be fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) Whoever commits the crime of skimming of lottery proceeds when the amount skimmed or to be skimmed is One Thousand Dollars (\$1,000.00) or more but less than Ten Thousand Dollars (\$10,000.00), shall be imprisoned for not less than three (3) years nor more than ten (10) years without benefit of probation, parole, or suspension of sentence, and may be fined not more than Twenty-five Thousand Dollars (\$25,000.00), or both.

(4) Whoever commits the crime of skimming of lottery proceeds when the amount skimmed or to be skimmed is Ten Thousand Dollars (\$10,000.00) or more shall be imprisoned for not less than ten (10) years nor more than twenty-five (25) years without benefit of probation, parole, or suspension of sentence, and may be fined not more than Fifty Thousand Dollars (\$50,000.00), or both imprisonment and fine.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 40, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-79, MS ST § 27-115-79

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-81

§ 27-115-81. Illegal lottery devices and material false statements; penalties

Effective: September 1, 2018

[Currentness](#)

No person shall knowingly or intentionally use or possess an illegal lottery device or make a material false statement in any application for a license or proposal to conduct lottery activities or make a material false entry in any book or record which is compiled or maintained or submitted to the corporation pursuant to the provisions of this chapter. Any person who violates the provisions of this section shall be imprisoned for not less than five (5) years nor more than ten (10) years without benefit of probation, parole or suspension of sentence, and may be fined an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) or the dollar amount of the false entry or statement, whichever is greater, or both such fine and imprisonment.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\), § 41, eff. Sept. 1, 2018.](#)

Miss. Code Ann. § 27-115-81, MS ST § 27-115-81


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[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-83

§ 27-115-83. Illegal lottery devices defined; confiscation; liability for destroying device

Effective: September 1, 2018

[Currentness](#)

- (1) Illegal lottery devices as described in this section are considered gambling devices and contraband.
- (2) As used in this section, the term “illegal lottery device” means:
  - (a) Forged, counterfeit, or stolen, or improperly issued or illegally possessed lottery tickets.
  - (b) Any device or equipment that is in itself or is being used as part of any sort of a video lottery terminal.
  - (c) Any tickets, payouts, receipts or the like which are generated by, taken from or are related to any sort of a video lottery terminal.
- (3) All law enforcement officers of municipal police forces, sheriff's departments, and the state shall confiscate and preserve all illegal lottery devices that come to their attention for evidence in the prosecution of those individuals in possession of same. Any such illegal lottery device will be subject to confiscation and destruction.
- (4) Neither the state nor any political subdivision, agency, agent, or enforcement officer thereof shall be liable civilly or criminally for the destruction of any illegal lottery device.

#### **Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 42, eff. Sept. 1, 2018.


Miss. Code Ann. § 27-115-83, MS ST § 27-115-83

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[West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law](#)

Miss. Code Ann. § 27-115-85

§ 27-115-85. Net proceeds generated by the Alyce G. Clarke Mississippi Lottery Law

Effective: September 1, 2018

[Currentness](#)

Until June 30, 2028, net proceeds generated by the Alyce G. Clarke Mississippi Lottery Law, created pursuant to this chapter and deposited into the Lottery Proceeds Fund under [Section 27-115-51\(2\)](#), except as otherwise provided in this section, shall be paid into the State Highway Fund by warrant issued by the State Fiscal Officer upon requisition of the State Transportation Commission as needed to provide funds to repair, renovate and maintain highways and bridges of the state; however, funds paid into the State Highway Fund under this section shall be first used for matching federal funds authorized to the state pursuant to any federal highway infrastructure program implemented after September 1, 2018. However, all such monies deposited into the Lottery Proceeds Fund over Eighty Million Dollars (\$80,000,000.00) in a fiscal year shall be transferred into the Education Enhancement Fund for the purposes of funding the Early Childhood Learning Collaborative, the Classroom Supply Fund and/or other educational purposes. From and after July 1, 2028, the net proceeds shall be deposited into the Lottery Proceeds Fund and shall be transferred to the State General Fund, except for the amounts over Eighty Million Dollars (\$80,000,000.00) which shall continue to be deposited in the Education Enhancement Fund as provided above.

#### Credits

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 43, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-85, MS ST § 27-115-85

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-87

§ 27-115-87. Division heads, officers and employees of the corporation considered public servants; filing of Statement of Economic Interest

Effective: September 1, 2018

[Currentness](#)

All division heads, officers and employees of the corporation shall be considered public servants as defined in [Section 25-4-103](#). All division heads and officers of the corporation are subject to [Section 25-4-25](#) and shall be required to file a Statement of Economic Interest with the Mississippi Ethics Commission.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 44, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-87, MS ST § 27-115-87

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West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-89

§ 27-115-89. Financial integrity of lottery

Effective: September 1, 2018

[Currentness](#)

To ensure the financial integrity of the lottery, the corporation through its board shall:

(a) Compile and submit quarterly and annual reports and financial statements, in compliance with [Sections 27-115-19\(3\)\(b\)](#) and [27-115-41](#);

(b) Contract with an independent auditor who is a certified public accountant or firm to conduct an annual financial audit of the books and records of the corporation. The cost of this annual financial audit shall be an operating expense of the corporation:

(i) Such independent auditor shall have no financial interest in any vendor with whom the corporation is under contract;

(ii) All contracts for independent auditors shall be reviewed by and subject to the approval of the State Auditor to ensure that the independent auditor is qualified to perform the audit;

(iii) The audit shall be completed within ninety (90) days after the close of the corporation's fiscal year; and

(iv) Contracts may be entered into for audit services for a period not to exceed five (5) years and the same firm shall not receive two (2) consecutive audit contracts.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 45, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-89, MS ST § 27-115-89

The Statutes and Constitution are current through the 2019 Regular Session.

West's Annotated Mississippi Code Title 27. Taxation and Finance Chapter 115. Alyce G. Clarke Mississippi Lottery Law

Miss. Code Ann. § 27-115-91

§ 27-115-91. Submission of annual operating budget to the Joint Legislative Budget Committee

Effective: September 1, 2018

[Currentness](#)

For informational purposes only, the corporation shall submit to the Joint Legislative Budget Committee a copy of the corporation's annual operating budget for the upcoming fiscal year. The budget shall include an estimate of net proceeds to be deposited into the State Highway Fund during the succeeding fiscal year.

**Credits**

Added by [Laws 2018, 1st Ex. Sess., Ch. 2 \(S.B. 2001\)](#), § 46, eff. Sept. 1, 2018.

Miss. Code Ann. § 27-115-91, MS ST § 27-115-91

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