

# Mississippi



## Regulatory Oversight

### COMMERCIAL GAMING

**Governing Body:** Section 75-76-7 of the Mississippi Code of 1972 established and outlined the structure of the Mississippi Gaming Commission (MGC). The MGC is responsible for the licensing, supervision, control, and regulation of the commercial gaming and charitable gaming industries. The MGC is divided into divisions with varying responsibilities — a list of the divisions can be found [here](#).

### TRIBAL GAMING

**Governing Body:** The Mississippi Band of Choctaw Indians is the only tribe in the state of Mississippi authorized to offer Class III gaming.

As per the tribal state compact, the Choctaw Gaming Commission is responsible for oversight of tribal casinos in the state. The compact gives the Mississippi Gaming

Commission limited regulatory authority over tribal gaming to ensure compliance with compact provisions.

The tribe and a contractor who has been licensed pursuant to the compact may enter into a management contract for the operation and management of a casino.

The compact shall remain in full force and effect until terminated by mutual consent of all parties.



## Licensing

### COMMERCIAL GAMING

**Operator:** Title II, Chapter B of the Mississippi Gaming Regulations outlines the qualifications necessary for a commercial casino licensee. Chapter C describes the investigation and hearing process. Chapters D through H delineate additional licensing procedures and requirements for general partnerships and joint ventures, corporate licensees, limited partnership licensees, holding companies, and publicly-traded corporations. Chapter I deals with transfers of ownership, loans, and leases. Chapters J and K define work permit requirements for gaming employees, as well as gaming school licensing regulations. Casinos licensed in Mississippi which wish to conduct gaming outside the state must follow the foreign gaming regulations contained in Chapter L.

The various casino gaming applications can be found [here](#). The procedural fact sheet for gaming licenses can be found [here](#). The application fee for casino gaming applicants is \$5,000 and the licensing fee is an additional \$5,000.

**Supplier License:** Title IV, Section 2 of the Mississippi Gaming Regulations states that “[a] person may act as a manufacturer, distributor, or operator only if that person holds a license specifically permitting the person to act as a manufacturer, distributor, or operator.” Further, “[a]pplications for manufacturer’s, distributor’s, or operator’s licenses must be made, processed, and determined in the same manner as applications for gaming licenses, using such forms as the Executive Director may require or approve.”



# Mississippi

The various casino gaming applications can be found here. The procedural fact sheet for manufacturer and distributor licenses can be found here. The application fee for manufacturers is \$1,000 and the licensing fee is an additional \$1,000. The application fee for distributors is \$500 and the licensing fee is an additional \$500.

## TRIBAL GAMING

**Operator:** Under the compact, the tribe is not subject to state mandated operating costs.

**Application Fee:** The compact requires all applicants for Class III management contracts, management officials, and key employees to pay a nonrefundable application fee of \$2,000.

**Expense Reimbursement:** Under the compact, the state and the tribe must agree on a budget to cover the costs associated with Class III gaming activities. The state must outline a quarterly payment for actual expenses incurred by the state.

**Oversight Funding:** The tribal gaming ordinance requires the tribal gaming commission to pay an annual fee for the purpose of paying costs incurred in carrying out its investigative oversight and operational responsibilities. The fee must be paid quarterly and may not exceed 1 percent of gross revenue.

**Manufacturer:** Under the tribal gaming ordinance, the tribal gaming commission “shall only issue licenses to manufacturers of slot gaming equipment with valid licenses from the states of Mississippi, New Jersey, Nevada, or South Dakota.” License fees are set by the tribe and not outlined in the tribal-state gaming compact or the tribal gaming code.



## Taxation & Tribal Revenue Sharing

### COMMERCIAL GAMING

**Gaming Tax Rate:** Under Section 75-76-177 of the Mississippi Code of 1972, the tax for casinos levied on each gaming licensee is paid in the form of an additional license fee based upon the gross gaming revenues (GGR) of the casino as follows:

- 4 percent of all GGR of the licensee which does not exceed \$50,000 per month.
- 6 percent of all GGR of the licensee which exceeds \$50,000 per month and does not exceed \$134,000 per month.
- 8 percent of all GGR of the licensee which exceeds \$134,000 per month. Further, there is a local graduated wagering tax rate, distributed monthly:
  - 0.4 percent of all GGR of the licensee which does not exceed \$50,000 per month.
  - 0.6 percent of all GGR of the licensee which exceeds \$50,000 per month and does not exceed \$134,000 per month.
  - 0.8 percent of all GGR of the licensee which exceeds \$134,000 per month. Further, each of the gaming counties and the cities of Biloxi, D’Iberville, Gulfport, Natchez, Greenville, and Vicksburg charge an additional license fee equal to 3.2 percent of GGR.



# Mississippi

**Tax Allocation:** A majority of state casino gaming tax revenue is directed to Mississippi's General Revenue Fund, with monthly amounts of \$3m distributed to a separate state highway construction fund.

**Promotional Credits:** Promotional credits are only taxed if they carry a cash value.

**Withholding on Gambling Winnings:** Under Sections 27-7-901 and -903 of the Mississippi Code of 1972, the state levies a 3 percent tax on all gambling winnings. This is imposed only on winnings that are also taxable under the U.S. Internal Revenue Code. No deductible income tax credit is given for paying this tax.

## TRIBAL GAMING

**Revenue Share:** Under the compact, the tribe and the state must separately provide \$250,000/year in matching funds to be used for advertising and promotion of tourism. The tribe's contribution must be paid in quarterly installments of \$62,500 each, conditioned upon the tribe receiving profits of at least \$62,500 from the preceding quarter.

**State Use of Revenue:** The state uses money from tribal gaming for advertising and promotion of tourism.

**Tribal Use of Revenue:** As required under IGRA, tribes must use tribal gaming funds:

1. To fund tribal government operations or programs;
2. To provide for the general welfare of the tribe and its members;
3. To promote tribal economic development;
4. To donate to charitable organizations; or
5. To help fund operations of local government agencies.

**Promotional Credits' Effect on Revenue Sharing:** Promotional credits do not affect revenue sharing in the state.

**Withholding on Winnings:** The state withholds 3 percent when a W2G is given to a patron at a casino. In addition, federal law may require tribal casinos to issue a W-2G form to persons and may withhold winnings if certain conditions are met. For more information click [here](#).



## Responsible Gaming

### COMMERCIAL GAMING

**Statutory Funding Requirement:** Subject to annual appropriation.

**Self-exclusion:** Under the Mississippi Gaming Regulations, a person may request a self-exclusion period for a minimum of five years up to his or her entire lifetime. Those on the self-exclusion list are banned not only from the casino floor but the entire premises of all Mississippi casinos. Except for those choosing a lifetime self-exclusion period, individuals are automatically removed from the self-exclusion list upon expiration of the period. Operators with affiliated casinos in other states are permitted to share the self-exclusion list with those properties and may invoke it there.

# Mississippi

**Alcohol use:** Mississippi allows complimentary alcoholic beverages to be given to casino patrons.

**Advertising Restrictions:** Casino licensees can be disciplined if they fail to conduct advertising and public relations activities in accordance with decency, dignity, good taste, honesty and inoffensiveness.

**On-Premise Display Requirement:** Casinos must post in conspicuous places written materials concerning the nature of problem gambling and the procedures for self-exclusion.

**Restrictions on Minors on the Gambling Premises:** Unsupervised minors shall not be allowed in gaming areas at any time and shall not be allowed in nongaming areas between 10 p.m. and 5 a.m. Sunday night through Friday morning and 12 a.m. and 5 a.m. Saturday or Sunday.

## TRIBAL GAMING

**Statutory Funding Requirement:** There are no statutory funding requirements in the tribal-state gaming compacts or tribal gaming ordinances.

**Self-exclusion:** There are no self-exclusion programs available at Mississippi casinos.

**Complimentary Alcoholic Drinks:** While not outlined in the compact, some casinos in the state offer complimentary alcoholic beverages while others do not.

**Advertising Restrictions:** There are no advertising restrictions outlined in the tribal-state gaming compact or tribal gaming ordinance.

**On-Premise Display Requirement:** There are no on-premise display requirements in the tribal-state gaming compacts or tribal gaming ordinances.

**Prevention of Underage Gambling:** No person under 21 years of age may take part in gambling at the state's tribal casinos.

**Operation on Holidays:** Tribal casinos in the state may operate 24 hours a day, seven days a week, including on holidays.



## Other Regulations

### COMMERCIAL GAMING

**Testing Requirements:** The MGC may employ an outside electronic laboratory to approve gaming equipment. The manufacturer seeking approval must pay the cost of the inspection.

**AML Requirements:** Under federal U.S. law, commercial casino operators, tribal gaming operators and card clubs are required to comply with various statutes to prevent money laundering activities and other financial crimes, including terrorism financing.

**Shipping Requirements:** Needs express written approval by the MGC prior to shipping gaming devices out of Mississippi.



# Mississippi

**Credit offered to patrons:** The Mississippi Gaming Regulations, Part 7, Chapter 11, outline minimum acceptable credit procedures.

**Political Contributions:** There are no restrictions on political contributions from parties with gaming interests.

**Smoking Bans:** There is no smoking ban applicable to gaming facilities within Mississippi, as such smoking may be permitted.

**Cashless Gaming & Alternative Payments:** Cashless gaming is permitted, however as of January 2023, it is yet to be implemented. However, cryptocurrency is not currently accepted as a form of payment for gambling transactions.

## TRIBAL GAMING

**Testing Requirements:** The tribal gaming code requires all slot games of chance to be tested, approved or certified by a gaming test laboratory. A laboratory “operated by or under contract with the state of Mississippi” constitutes a designated gaming test laboratory.

**AML requirements:** Under federal U.S. law, commercial casino operators, tribal gaming operators and card clubs are required to comply with various statutes in order to prevent money laundering activities and other financial crimes, including terrorism.

**Shipping Requirements:** Under federal U.S. law, all gambling devices and all packages containing gambling devices, when shipped or transported, must be plainly and clearly labeled and marked so that the name and address of the shipper and the consignee and the contents of the package may be readily ascertained on an inspection of the package.

**Restrictions on Political Contributions:** There are no compact restrictions on political contributions from parties with gaming interests. Under federal law, tribes are considered “persons” and are subject to regulation by the Federal Election Commission when making federal contributions.

**Credit:** While not outlined in the compact, tribal casinos in Mississippi may offer credit to patrons.

**Smoking Bans:** No.

**Cashless Gaming & Alternative Payments:** The compact does not address cashless gaming or alternative payments. However, cryptocurrency is not currently accepted as a form of payment for gambling transactions.



## Sports Betting

**Authorized Operators:** Any current holder of a Mississippi gaming license can apply to offer sports betting.

Casino gaming is limited to water- and land-based casinos and properties on sovereign tribal land, and that restriction extends to sports betting, too.

**Mobile Sports Betting:** Mobile sports betting is permitted, but only if conducted on-site. No mobile or online wagering can take place off the grounds of a casino in Mississippi.

# Mississippi

**Taxes and Fees:** Sport betting revenue is taxed at that same rate as other casino gaming revenue—11-12 percent, with 8 percent going to the state and 3-4 percent in local taxes.

There is no license fee specific to sports betting.

**Amateur Restrictions:** Most sportsbooks in Mississippi offer wagering on a full menu of professional and collegiate athletic events, including on Ole Miss and Mississippi State games.

**Official Data Mandate & Integrity Fee:** Regulations do not mandate the use of official league data or provide an integrity fee to sports leagues.