

By: Senator(s) Simmons, Walls, Gollott,  
Dickerson, Johnson (38th)

To: Judiciary

## SENATE BILL NO. 2737

1 AN ACT TO AMEND SECTION 75-76-311, MISSISSIPPI CODE OF 1972,  
2 TO REDUCE THE PENALTY FOR A CONVICTION OF A FIRST OFFENSE OF  
3 CHEATING AT A GAMBLING GAME WHEN THE AMOUNT UNLAWFULLY GAINED AS A  
4 RESULT OF THE OFFENSE IS LESS THAN \$250.00; AND FOR RELATED  
5 PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF  
6 MISSISSIPPI:

7  
8 SECTION 1. Section 75-76-311, Mississippi Code of 1972, is  
9 amended as follows:

10 75-76-311. (1) Except as otherwise provided in this  
11 section, and in addition to any other penalty provided in this  
12 chapter, any person who violates any provision of Sections  
13 75-76-301 through 75-76-313, shall be punished:

14 (a) For the first offense, by imprisonment in the State  
15 Penitentiary for not more than two (2) years, or by a fine of not  
16 more than Ten Thousand Dollars (\$10,000.00), or by both such fine  
17 and imprisonment.

18 (b) For a second or subsequent violation of any of  
19 these provisions, by imprisonment in the State Penitentiary for  
20 not more than ten (10) years, and may be further punished by a  
21 fine of not more than Ten Thousand Dollars (\$10,000.00).

22 (2) Any person who violates the provisions of Section  
23 75-76-307, where the amount unlawfully gained as a result of the  
24 offense is under Two Hundred Fifty Dollars (\$250.00), shall be  
25 punished for the first offense by imprisonment in the county jail  
26 for not more than six (6) months, or by a fine of not more than  
27 One Thousand Dollars (\$1,000.00), or by both such fine and  
28 imprisonment.

29       (3) In addition to any other penalty provided in this  
30 chapter, any person who attempts, or two (2) or more persons who  
31 conspire, to violate any provision of Sections 75-76-301 through  
32 75-76-313 each shall be punished by imposing the penalty provided  
33 in \* \* \* this section for the completed crime, whether or not he  
34 personally played any gambling game or used any prohibited device.

35       SECTION 2. This act shall take effect and be in force from  
36 and after July 1, 1999.