

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

To: Judiciary

SENATE BILL NO. 2737
(As Passed the Senate)

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.