

By: Simmons

To: Judiciary

SENATE BILL NO. 2070

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.

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

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

9 75-76-311. (1) Except as otherwise provided in this
10 section, and in addition to any other penalty provided in this
11 chapter, any person who violates any provision of Sections
12 75-76-301 through 75-76-313, shall be punished:

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

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

21 (2) Any person who violates the provisions of Section
22 75-76-307, where the amount unlawfully gained as a result of the

23 offense is under Two Hundred Fifty Dollars (\$250.00), shall be
24 punished for the first offense by imprisonment in the county jail
25 for not more than six (6) months, or by a fine of not more than
26 One Thousand Dollars (\$1,000.00), or by both such fine and
27 imprisonment.

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

34 SECTION 2. This act shall take effect and be in force from
35 and after July 1, 2000.