

By: Senator(s) Walls

To: Judiciary, Division B

SENATE BILL NO. 2405

1 AN ACT TO AMEND SECTION 75-76-311, MISSISSIPPI CODE OF 1972,  
2 TO CONFORM THE PUNISHMENT FOR CHEATING AT GAMBLING TO LARCENY; AND  
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 75-76-311, Mississippi Code of 1972, is  
6 amended as follows:

7 75-76-311. (1) Except as otherwise provided in this  
8 section, and in addition to any other penalty provided in this  
9 chapter, any person who violates any provision of Sections  
10 75-76-301 through 75-76-313 shall be punished:

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

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

19 (2) Any person who violates Section 75-76-307 shall be  
20 punished only as for grand or petit larceny according to the  
21 amount unlawfully gained or attempted to be gained in the offense.

22 (3) In addition to any other penalty provided in this  
23 chapter, any person who attempts, or two (2) or more persons who  
24 conspire, to violate any provision of Sections 75-76-301 through  
25 75-76-313 each shall be punished by imposing the penalty provided  
26 in \* \* \* this section for the completed crime, whether or not he  
27 personally played any gambling game or used any prohibited device.

28           **SECTION 2.** This act shall take effect and be in force from  
29 and after July 1, 2005.