

By: Senator(s) Walls

To: Judiciary, Division B

SENATE BILL NO. 2305

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, 2007.