

By: Representative Ketchings

To: Judiciary B

HOUSE BILL NO. 440

1 AN ACT TO PROVIDE THAT CRIMES COMMITTED WHERE A FIREARM IS
2 DISCHARGED SHALL BE PUNISHABLE BY DEATH; TO PROVIDE THAT IT SHALL
3 NOT BE NECESSARY THAT THE DEATH OF ANOTHER PERSON OCCUR IN ORDER
4 TO IMPOSE A SENTENCE OF DEATH UNDER THIS ACT; AND FOR RELATED
5 PURPOSES.

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

7 SECTION 1. (1) Any person who shall commit a criminal act
8 in violation of the criminal laws of this state and who discharges
9 a firearm during the commission of such criminal act shall be
10 guilty of a capital offense and upon conviction shall be punished
11 by death.

12 (2) In imposing the death penalty as provided in subsection
13 (1) of this section, it shall not be necessary that the crime
14 committed by the offender result in the death of another person.

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