

By: Senator(s) Ferris

To: Judiciary

SENATE BILL NO. 2597
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 97-17-43, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE ADDITIONAL PUNISHMENT FOR LARCENY OF GASOLINE FROM A
3 GASOLINE STATION; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 97-17-43, Mississippi Code of 1972, is
6 amended as follows:

7 97-17-43. (1) If any person shall feloniously take, steal
8 and carry away any personal property of another under the value of
9 Two Hundred Fifty Dollars (\$250.00), he shall be guilty of petit
10 larceny and, upon conviction, shall be punished by imprisonment in
11 the county jail not exceeding six (6) months or by fine not
12 exceeding One Thousand Dollars (\$1,000.00), or both.

13 (2) If any person shall feloniously take, steal and carry
14 away any property of a church, synagogue, temple or other
15 established place of worship under the value of Two Hundred Fifty
16 Dollars (\$250.00), he shall be guilty of petit larceny and, upon
17 conviction, shall be punished by imprisonment in the county jail
18 not exceeding one (1) year or by fine not exceeding Two Thousand
19 Dollars (\$2,000.00), or both.

20 (3) If any person shall drive a motor vehicle so as to cause
21 it to leave the premises of an establishment at which gasoline
22 offered for retail sale was dispensed into the fuel tank of such
23 motor vehicle without due payment or authorized charge for the
24 gasoline so dispensed having been made, he shall be guilty of
25 petit larceny and punished as provided in subsection (1) of this
26 section and, upon any second or subsequent such offense, the

27 driver's license of the person shall be suspended as follows:

28 (a) The person shall submit the driver's license to the
29 court upon conviction and the court shall forward the driver's
30 license to the Department of Public Safety.

31 (b) The first suspension of a drivers's license under
32 this subsection shall be for a period of six (6) months.

33 (c) A second or subsequent suspension of a driver's
34 license under this subsection shall be for a period of one (1)
35 year.

36 (d) At the expiration of the suspension period, and
37 upon payment of a restoration fee of Sixty Dollars (\$60.00), the
38 suspension shall terminate and the Department of Public Safety
39 shall return the person's driver's license to the person. The
40 restoration fee shall be in addition to the fees provided for in
41 Title 63, Chapter 1, and shall be deposited into the State General
42 Fund in accordance with Section 45-1-23.

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