

By: Senator(s) Ferris

To: Judiciary

SENATE BILL NO. 2597  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 97-17-43, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE ADDITIONAL PUNISHMENT FOR LARCENY OF MOTOR FUEL 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) Any person who leaves the premises of an establishment  
21 at which motor fuel offered for retail sale was dispensed into the  
22 fuel tank of a motor vehicle by driving away in that motor vehicle  
23 without having made due payment or authorized charge for the motor  
24 fuel so dispensed, with intent to defraud the retail  
25 establishment, shall be guilty of petit larceny and punished as  
26 provided in subsection (1) of this section and, upon any second or

27 subsequent such offense, the driver's license of the person shall  
28 be suspended as follows:

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

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

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

37 (d) At the expiration of the suspension period, and  
38 upon payment of a restoration fee of Twenty-five Dollars (\$25.00),  
39 the suspension shall terminate and the Department of Public Safety  
40 shall return the person's driver's license to the person. The  
41 restoration fee shall be in addition to the fees provided for in  
42 Title 63, Chapter 1, and shall be deposited into the State General  
43 Fund in accordance with Section 45-1-23.

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