

By: Walls

To: Judiciary

SENATE BILL NO. 2398

1 AN ACT TO AMEND SECTIONS 97-17-43 AND 97-17-41, MISSISSIPPI  
2 CODE OF 1972, TO INCREASE THE VALUE OF PROPERTY WHICH DETERMINES  
3 THE CRIME OF PETIT LARCENY; TO CONFORM THE CRIME OF GRAND LARCENY;  
4 AND FOR RELATED PURPOSES.

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

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

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

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

21 (3) Any person who leaves the premises of an establishment  
22 at which motor fuel offered for retail sale was dispensed into the

23 fuel tank of a motor vehicle by driving away in that motor vehicle  
24 without having made due payment or authorized charge for the motor  
25 fuel so dispensed, with intent to defraud the retail  
26 establishment, shall be guilty of petit larceny and punished as  
27 provided in subsection (1) of this section and, upon any second or  
28 subsequent such offense, the driver's license of the person shall  
29 be suspended as follows:

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

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

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

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

45 SECTION 2. Section 97-17-41, Mississippi Code of 1972, is  
46 amended as follows:

47 97-17-41. (1) (a) Every person who shall be convicted of  
48 taking and carrying away, feloniously, the personal property of  
49 another, of the value of One Thousand Dollars (\$1,000.00) or more,  
50 shall be guilty of grand larceny, and shall be imprisoned in the  
51 penitentiary for a term not exceeding five (5) years; or shall be  
52 fined not more than One Thousand Dollars (\$1,000.00), or both.

53 (b) Every person who shall be convicted of taking and

54 carrying away, feloniously, the property of a church, synagogue,  
55 temple or other established place of worship, of the value of One  
56 Thousand Dollars (\$1,000.00) or more, shall be guilty of grand  
57 larceny, and shall be imprisoned in the penitentiary for a term  
58 not exceeding ten (10) years, or shall be fined not more than Two  
59 Thousand Dollars (\$2,000.00), or both.

60 (2) Every person who shall be convicted for a second or  
61 subsequent offense of taking and carrying away, feloniously, a  
62 motor vehicle which is the personal property of another, of any  
63 value, shall be guilty of grand larceny, and shall be imprisoned  
64 in the penitentiary for a term not exceeding ten (10) years or  
65 shall be fined not more than Two Thousand Dollars (\$2,000.00), or  
66 both.

67 (3) The court shall order any person convicted under this  
68 section who causes damage to any motor vehicle to pay restitution  
69 to the owner or owners of any such motor vehicle.

70 SECTION 3. This act shall take effect and be in force from  
71 and after July 1, 2000.