

By: Representatives Frierson, Fillingane,
Formby, Moak

To: Judiciary B

HOUSE BILL NO. 908

1 AN ACT TO AMEND SECTION 97-3-82, MISSISSIPPI CODE OF 1972, TO
2 REVISE CERTAIN DEFINITIONS RELATING TO EXTORTION; AND FOR RELATED
3 PURPOSES.

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

5 SECTION 1. Section 97-3-82, Mississippi Code of 1972, is
6 amended as follows:

7 97-3-82. (1) For the purposes of this section the following
8 words and phrases shall have the meanings ascribed herein, unless
9 the context clearly indicates otherwise:

10 (a) "Obtain" means: (i) in relation to property, to
11 bring about a transfer or purported transfer of a legal interest
12 in the property, whether to the obtainer or another; or (ii) in
13 relation to labor or service, to secure performance thereof; or
14 attempt to do (i) or (ii).

15 (b) "Property" means anything of value, including real
16 estate, tangible and intangible personal property, contract
17 rights, choses-in-action, reputation of a person and other
18 interests in or claims to wealth, admission or transportation
19 tickets, captured or domestic animals, food and drink, electric or
20 other power.

21 (c) "Property of another" includes property in which
22 any person other than the actor has an interest which the actor is
23 not privileged to infringe, regardless of the fact that the actor
24 also has an interest in the property and regardless of the fact
25 that the other person might be precluded from civil recovery
26 because the property was used in an unlawful transaction or was
27 subject to forfeiture as contraband. Property in possession of

28 the actor shall not be deemed property of another who has only a
29 security interest therein, even if legal title is in the creditor
30 pursuant to a conditional sales contract or other security
31 agreement.

32 (2) A person is guilty of extortion if he purposely obtains
33 property or things of value of another by threatening to inflict
34 bodily injury on anyone or commit any other criminal offense.

35 (3) (a) Any person who commits the offense of extortion of
36 property or things of value of another under the value of Two
37 Hundred Fifty Dollars (\$250.00) shall be guilty of a misdemeanor
38 and, upon conviction thereof, shall be punished by imprisonment in
39 the county jail not to exceed six (6) months.

40 (b) Any person who commits the offense of extortion of
41 property or things of value of another of the value of Two Hundred
42 Fifty Dollars (\$250.00) or more shall be guilty of a felony and,
43 upon conviction thereof, shall be punished by commitment to the
44 custody of the State Department of Corrections for a term not to
45 exceed fifteen (15) years.

46 SECTION 2. This act shall take effect and be in force from
47 and after July 1, 2001.