

By: Representative Compretta

To: Transportation

HOUSE BILL NO. 946

1 AN ACT TO AMEND SECTIONS 45-35-13 AND 63-1-60, MISSISSIPPI
2 CODE OF 1972, TO INCREASE THE PENALTIES THAT MAY BE IMPOSED UPON
3 CONVICTION OF A PERSON TWENTY-ONE YEARS OF AGE OR OLDER FOR
4 UNLAWFULLY PHOTOGRAPHING, REPRODUCING, MANUFACTURING, SELLING OR
5 DISTRIBUTING AN IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY
6 THE DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 45-35-13, Mississippi Code of 1972, is
9 amended as follows:

10 45-35-13. (1) No person shall:

11 (a) Display, or cause or permit to be displayed, or
12 have in his possession, any cancelled, fictitious, fraudulently
13 altered or fraudulently obtained identification cards;

14 (b) Lend an identification card to any person or
15 knowingly permit the use thereof by another;

16 (c) Display or represent any identification card not
17 issued to him as being his card;

18 (d) Permit any unlawful use of an identification card
19 issued to him;

20 (e) Do any act forbidden or fail to perform any act
21 required by this chapter; * * *

22 (f) Photograph, photostat, duplicate or in any way
23 reproduce, manufacture, sell or distribute any identification card
24 or facsimile thereof so that it could be mistaken for a valid
25 identification card; or

26 (g) Display or have in his possession any * * *
27 photograph, photostat, duplicate, reproduction or facsimile of an
28 identification card unless authorized by the provisions of this
29 chapter.



30 (2) Any person convicted of a violation of any provision of
31 paragraphs (a), (b), (c), (d), (e) or (g) of subsection (1) of
32 this section is guilty of a misdemeanor and shall be punished by a
33 fine of not more than Five Hundred Dollars (\$500.00) or by
34 imprisonment for not more than thirty (30) days, or by both such
35 fine and imprisonment.

36 (3) Any person under twenty-one (21) years of age who is
37 convicted of a violation of paragraph (f) of subsection (1) of
38 this section shall be punished as follows:

39 (a) A first offense shall be a misdemeanor punishable
40 by a fine of not more than Five Hundred Dollars (\$500.00), or by
41 imprisonment for not more than six (6) months, or by both such
42 fine and imprisonment.

43 * * *

44 (b) A second or subsequent offense, the offenses being
45 committed within a period of five (5) years, shall be a
46 misdemeanor punishable by a fine of not less than Five Thousand
47 Dollars (\$5,000.00), or by imprisonment for one (1) year, or by
48 both such fine and imprisonment.

49 (4) Any person twenty-one (21) years of age or older who is
50 convicted of a violation of paragraph (f) of subsection (1) of
51 this section is guilty of a felony and shall be punished by a fine
52 of not less than Five Thousand Dollars (\$5,000.00), or
53 imprisonment for one (1) year, or by both such fine and
54 imprisonment.

55 SECTION 2. Section 63-1-60, Mississippi Code of 1972, is
56 amended as follows:

57 63-1-60. (1) It shall be unlawful for any person:

58 (a) To display, cause or permit to be displayed, or
59 have in his possession, any fictitious, fraudulently altered or
60 fraudulently obtained driver's license;

61 (b) To display or represent any driver's license not
62 issued to him as being his own driver's license;



63 (c) To photograph, photostat, duplicate or in any way
64 reproduce, manufacture, sell or distribute or alter any driver's
65 license, or facsimile thereof, in such a manner that it could be
66 mistaken for a valid driver's license;

67 (d) To display or have in his possession any
68 photograph, photostat, duplicate, reproduction or facsimile of a
69 driver's license unless authorized by law; or

70 (e) To take a driver's license examination for another
71 or to use any other name, other than his own, on the driver's
72 license application in an attempt to take the driver's license
73 examination for another.

74 (2) Any person convicted of a violation of paragraphs (a),
75 (b), (d) or (e) of subsection (1) of this section shall be guilty
76 of a misdemeanor and shall be punished by a fine of not more than
77 Five Hundred Dollars (\$500.00), or by imprisonment for not more
78 than thirty (30) days, or by both such fine and imprisonment.

79 (3) Any person under twenty-one (21) years of age who is
80 convicted of a violation of paragraph (c) of subsection (1) of
81 this section shall be punished as follows:

82 (a) A first offense shall be a misdemeanor punishable
83 by a fine of not more than Five Hundred Dollars (\$500.00), or by
84 imprisonment for not more than six (6) months, or by both such
85 fine and imprisonment.

86 * * *

87 (b) A second or subsequent offense, the offenses being
88 committed within a period of five (5) years, shall be a
89 misdemeanor punishable by a fine of not less than Five Thousand
90 Dollars (\$5,000.00), or by imprisonment for one (1) year, or by
91 both such fine and imprisonment.

92 (4) Any person twenty-one (21) years of age or older who is
93 convicted of a violation of paragraph (c) of subsection (1) of
94 this section is guilty of a felony and shall be punished by a fine
95 of not less than Five Thousand Dollars (\$5,000.00), or



96 imprisonment for one (1) year, or by both such fine and
97 imprisonment.

98 SECTION 3. This act shall take effect and be in force from
99 and after July 1, 2001.

