

By: Senator(s) Chamberlin (By Request)

To: Judiciary

SENATE BILL NO. 2016

1 AN ACT TO AMEND SECTION 97-17-7, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE OFFENSE OF ARSON IN THE THIRD DEGREE; AND FOR RELATED  
3 PURPOSES.

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

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

7 97-17-7. **Arson; third degree \* \* \*.**

8 (1) Any person who willfully and maliciously sets fire to or  
9 burns or causes to be burned, or who aids, counsels or procures  
10 the burning of any personal property of whatsoever class or  
11 character; (such property being of the value of Twenty-five  
12 Dollars (\$25.00) and the property of another person), shall be  
13 guilty of arson in the third degree \* \* \*.

14 (2) (a) Any person who intentionally damages a building or  
15 motor vehicle by starting a fire or causing an explosion shall be  
16 guilty of arson in the third degree.

17 (b) In any prosecution under this subsection (2), it is  
18 an affirmative defense that (i) no person other than the defendant  
19 had a possessory or proprietary interest in the building or motor  
20 vehicle, or if other persons had such interests, all of them  
21 consented to the defendant's conduct, (ii) the defendant's sole  
22 intent was to destroy or damage the building or motor vehicle for  
23 a lawful and proper purpose, and (iii) the defendant had no  
24 reasonable ground to believe that his conduct might endanger the  
25 life or safety of another person or damage another building or  
26 motor vehicle.



27           (3) A person convicted of arson in the third degree shall be  
28 sentenced to the penitentiary for not less than one (1) nor more  
29 than three (3) years.

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

