HOUSE BILL NO. 1405

AN ACT TO CREATE THE OFFENSES OF ONLINE SALE OF STOLEN PROPERTY AND ONLINE THEFT BY DECEPTION; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. A person who uses or accesses the Internet with the intent of selling property gained through surreptitious means commits the offense of online sale of stolen property and, upon conviction, shall be committed to the Department of Corrections for a term not exceeding five (5) years or by a fine of not more than One Thousand Dollars ($1,000.00), or both.

SECTION 2. A person who uses the Internet to purchase property from a seller with a mode of payment that he or she knows or has cause to believe is fictitious, stolen, otherwise compromised or lacking the consent of the valid account holder, commits online theft by deception and, upon conviction, shall be committed to the Department of Corrections for a term not exceeding five (5) years or by a fine of not more than One Thousand Dollars ($1,000.00), or both.

The offense of online theft by deception occurs in the state where the property was ordered and/or received using the fictitious, stolen, or otherwise compromised mode of payment.

SECTION 3. This act shall take effect and be in force from and after July 1, 2003.