

By: Representatives Davis, Baker, Cameron, Chism, Denny, Ellington, Fillingane, Formby, Janus, Jennings, Ketchings, Lott, Martinson, Masterson, Moore (60th), Reeves, Roberson, Robertson, Snowden

To: Judiciary B

HOUSE BILL NO. 1405

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

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

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

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

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

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

