

By: Representative Janus

To: Judiciary B

HOUSE BILL NO. 120

1 AN ACT TO AMEND SECTIONS 97-37-21 AND 97-37-25, MISSISSIPPI  
2 CODE OF 1972, TO INCLUDE REPLICAS IN THE LAW REGARDING THE  
3 REPORTING AND PLACING OF BOMBS AND EXPLOSIVES; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 97-37-21, Mississippi Code of 1972, is  
7 amended as follows:

8 97-37-21. It shall be unlawful for any person to report to  
9 another by any means, including telephone, mail, e-mail, mobile  
10 phone, fax or any means of communication, that a bomb or other  
11 explosive or chemical, biological or other weapons of mass  
12 destruction, including any replica of such bomb, explosive or  
13 other weapon, has been, or is to be, placed or secreted in any  
14 public or private place, knowing that such report is false. Any  
15 person who shall be convicted of a violation of this section shall  
16 be fined not more than Ten Thousand Dollars (\$10,000.00) or shall  
17 be committed to the custody of the Department of Corrections for  
18 not more than ten (10) years, or both.

19 **SECTION 2.** Section 97-37-25, Mississippi Code of 1972, is  
20 amended as follows:

21 97-37-25. It shall be unlawful for any person at any time to  
22 bomb, or to plant or place any bomb, or other explosive matter or  
23 chemical, biological or other weapons of mass destruction or thing  
24 or replica of such bomb, explosive or other weapon in, upon or  
25 near any building, residence, ship, vessel, boat, railroad  
26 station, railroad car or coach, bus station, or depot, bus, truck,  
27 aircraft, or other vehicle, gas and oil stations and pipelines,  
28 radio station or radio equipment or other means of communication,

29 warehouse or any electric plant or water plant, telephone exchange  
30 or any of the lines belonging thereto, wherein a person or persons  
31 are located or being transported, or where there is being  
32 manufactured, stored, assembled or shipped or in the preparation  
33 of shipment any goods, wares, merchandise or anything of value,  
34 with the felonious intent to hurt or harm any person or property,  
35 and upon conviction thereof shall be imprisoned for life in the  
36 State Penitentiary if the penalty is so fixed by the jury; and in  
37 cases where the jury fails to fix the penalty at imprisonment for  
38 life in the State Penitentiary the court shall fix the penalty at  
39 imprisonment in the State Penitentiary for any term as the court,  
40 in its discretion, may determine, but not to be less than five (5)  
41 years.

42       **SECTION 3.** This act shall take effect and be in force from  
43 and after July 1, 2004.