

By: Senator(s) Chamberlin, Albritton

To: Judiciary, Division B

SENATE BILL NO. 2831

1 AN ACT TO AMEND SECTION 97-3-53, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE ELEMENTS, INCLUDING INTENT, NECESSARY TO SECURE A
3 CONVICTION FOR KIDNAPPING; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-3-53, Mississippi Code of 1972, is
6 amended as follows:

7 97-3-53. Any person who, * * * without lawful authority and
8 with or without intent to secretly confine, shall forcibly seize
9 and confine any other person, or shall inveigle or kidnap any
10 other person with intent to cause such person to be * * * confined
11 or imprisoned against his or her will, or * * * without lawful
12 authority shall forcibly seize, inveigle or kidnap any child under
13 the age of sixteen (16) years * * * against the will of the
14 parents or guardian or person having the lawful custody of the
15 child, * * * upon conviction shall be imprisoned for life in the
16 custody of the Department of Corrections if the punishment is so
17 fixed by the jury in its verdict. If the jury fails to agree on
18 fixing the penalty at imprisonment for life, the court shall fix
19 the penalty at not less than one (1) year nor more than thirty
20 (30) years in the custody of the Department of Corrections.

21 This section shall not be held to repeal, modify or amend any
22 other criminal statute of this state.

23 **SECTION 2.** This act shall take effect and be in force from
24 and after July 1, 2004.