

By: Representative Beckett

To: Judiciary B

HOUSE BILL NO. 813

1 AN ACT TO AMEND SECTION 99-7-31, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE SUFFICIENCY OF INDICTMENTS FOR LARCENY OR
3 EMBEZZLEMENT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 99-7-31, Mississippi Code of 1972, is
6 amended as follows:

7 99-7-31. (1) In indictments for larceny or embezzlement of
8 money or evidences of debt it shall be sufficient to describe the
9 property in general terms, as "money," "bank-notes," "checks,"
10 "bills of exchange," "promissory notes," and the like, of or about
11 a certain amount and of certain value; and in an indictment for
12 embezzlement of money or funds by a treasurer, cashier, or other
13 fiduciary, it shall be sufficient to describe the same as a
14 "balance of account" and of a certain value.

15 (2) In indictments for any crime in which the ownership of
16 property, whether real or personal, must be alleged and proven, in
17 all cases in which such ownership is vested in any entity other
18 than an individual person, it shall be sufficient to allege and
19 prove a name by which such entity is commonly known; and no such
20 indictment shall be held to be insufficient for failing to fully
21 set forth such matters as governmental origins or the names of
22 trustees, council members, supervisors, heirs or other persons
23 with dominion or control over such entity or its property, and
24 proof of such matters shall not be required at any trial upon such
25 indictments.

26 **SECTION 2.** This act shall take effect and be in force from
27 and after July 1, 2006.