

By: Senator(s) Albritton

To: Judiciary, Division B

SENATE BILL NO. 2339

1 AN ACT TO AMEND SECTION 99-7-31, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THE TERMS OF INDICTMENT FOR LARCENY AND EMBEZZLEMENT; AND  
3 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, if  
17 ownership is vested in any entity other than an individual person,  
18 it shall be sufficient to allege and prove a name by which the  
19 entity is commonly known; and no indictment shall be held to be  
20 insufficient for failing to fully set forth such matters as  
21 governmental origins or the names of trustees, council members,  
22 supervisors, heirs or other persons with dominion or control over  
23 the entity or its property, and proof of such matter shall not be  
24 required at any trial upon the indictments.

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