

By: Representatives Janus, Compretta,  
Fredericks, Guice, Ishee, Patterson,  
Peranich, Palazzo, Simpson, Upshaw

To: Judiciary A

HOUSE BILL NO. 807

1 AN ACT TO CREATE THE CRIME OF DEPRIVATION OF RIGHTS UNDER  
2 COLOR OF LAW AND TO PROVIDE PENALTIES FOR COMMITTING SUCH CRIME;  
3 AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Any person who, under color of any law, statute,  
6 ordinance, regulation or custom willfully subjects any person to  
7 the deprivation of any rights, privileges or immunities secured or  
8 protected by the Constitution or laws of the State of Mississippi  
9 or Constitution or laws of the United States, or to different  
10 punishments, pains or penalties, on account of such person being  
11 an alien or by reason of his color or race, than are prescribed  
12 for punishment of citizens, shall be fined not more than One  
13 Thousand Dollars (\$1,000.00) or imprisoned in the county jail not  
14 more than one (1) year, or both.

15 If bodily injury results from the acts committed in violation  
16 of this section or if such acts include the use, attempted use or  
17 threatened use of a dangerous weapon, explosives or fire, then in  
18 such case the penalty shall be imprisonment in the State  
19 Penitentiary for a term not more than ten (10) years and a fine of  
20 not more than Ten Thousand Dollars (\$10,000.00), or both.

21 If death results from the acts committed in violation of this  
22 section or if such acts include kidnapping, an attempt to kidnap,  
23 sexual battery, rape, an attempt to commit sexual battery, an  
24 attempt to commit rape or an attempt to kill, then the penalty  
25 shall be (a) imprisonment for life in the State Penitentiary  
26 without parole, or (b) death.

27           **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2007.