

By: Representative Bailey

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 860

1 AN ACT TO AMEND SECTION 65-7-23, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE OFFENSE OF DEFACING, REMOVING OR DESTROYING SIGNS; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 65-7-23, Mississippi Code of 1972, is
6 amended as follows:

7 65-7-23. (1) Any person willfully defacing, removing,
8 marring, damaging or destroying any sign or guide board, including
9 any railroad crossing sign or flasher signal, or other traffic
10 control device erected as provided shall be guilty of a
11 misdemeanor and, upon conviction thereof, shall be liable for the
12 actual cost of replacing or repairing such sign and shall be fined
13 not less than Two Hundred Dollars (\$200.00) nor more than Five
14 Hundred Dollars (\$500.00), or be imprisoned in the county jail not
15 more than six (6) months, or be punished by both such fine and
16 imprisonment. If the offender is a minor, the parents of such
17 minor shall be civilly liable in accordance with Section 93-13-2
18 for the actual cost of replacing or repairing the sign, signal or
19 device.

20 (2) The penalties prescribed in subsection (1) of this
21 section shall also be applicable to any person, and to the parents
22 of any minor, who willfully defaces, mars or damages any bridge,
23 underpass or overpass.

24 (3) Any person who violates subsection (1) of this section
25 regarding a memorial, other historical or cultural marker or sign,
26 including a Mississippi Blues and Heritage Historical Marker, the
27 value of which is Five Hundred Dollars (\$500.00) or more, shall be

28 guilty of a felony and upon conviction shall be imprisoned in the
29 Penitentiary for not more than ten (10) years or fined not more
30 than Ten Thousand Dollars (\$10,000.00), or both. Such person
31 shall also be ordered to make full restitution.

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