

By: Representative Baker (74th)

To: Judiciary B

HOUSE BILL NO. 1375

1 AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THAT THE TAKING AWAY OF ANY MOTOR VEHICLE, INCLUDING  
3 JOY RIDING, WILL CONSTITUTE A FELONY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-17-42, Mississippi Code of 1972, is  
6 amended as follows:

7 97-17-42. (1) Any person who shall, willfully and without  
8 authority, take possession of or take away a motor vehicle of any  
9 value belonging to another, with intent to either permanently or  
10 temporarily convert it or to deprive the owner of possession or  
11 ownership, and any person who knowingly shall aid and abet in the  
12 taking possession or taking away of the motor vehicle, shall be  
13 guilty of a felony and shall be punished by commitment to the  
14 Department of Corrections for not more than ten (10) years.

15 (2) Any person convicted under this section who causes  
16 damage to any motor vehicle shall be ordered by the court to pay  
17 restitution to the owner or owners of the motor vehicle or  
18 vehicles damaged.

19 (3) This section shall not apply to the enforcement of a  
20 security interest in a motor vehicle.

21 (4) Any person who shall be convicted for a second or  
22 subsequent offense under this section shall be imprisoned in the  
23 Penitentiary for a term not exceeding fifteen (15) years or shall  
24 be fined not more than Ten Thousand Dollars (\$10,000.00), or both.

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